



COMMISSIONERS

Joshua Alpine
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(Special District)

Whitney Eklund
Vice Chair
(City)

Judy Friedman
(Special District)

Cindy Gustafson
(County)

Shanti Landon
(County)

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(City)

Susan Rohan
(Public)

ALTERNATE COMMISSIONERS

David Bass
(City)

Anthony DeMattei
(County)

Cherri Spriggs
(Public)

Stephanie
Youngblood
(City)

Vacant
(Special District)

COUNSEL

Michael Walker
General Counsel

STAFF

Michelle McIntyre
Executive Officer

Amanda Ross
Acting Assistant
Executive Officer

Amy Engle
Commission Clerk

Wednesday, July 9, 2025, 4:00 PM

This meeting will be open to in-person and virtual attendance.

Commission members may attend the meeting in person or remotely.

Placer County Administrative Building – Board of Supervisors’
Chambers
175 Fulweiler Avenue Auburn, CA 95603

To attend remotely via Zoom:

Online: <https://placer-ca-gov.zoom.us/j/95089252094>

By telephone: +1 888 788 0099 (Toll Free) or 877 853 5247 (Toll Free)

Webinar ID: 950 8925 2094

AGENDA

1. CALL TO ORDER AND SALUTE TO THE FLAG
2. ROLL CALL
3. REPORTS FROM STAFF
4. CHANGES AND APPROVAL OF THE AGENDA
5. PUBLIC COMMENTS

This is an opportunity for the public to speak to the Commission on any subject matter within the Commission’s jurisdiction but does not appear on today’s agenda. Please submit a speaker card before the first speaker is called and limit your comments to 3 minutes. Items from the public will be considered without discussion by the Commission and may be referred to staff.

6. CONSENT ITEMS

- A. Minutes from the meeting of June 11, 2025
- B. Financial Reports – May 2025
- C. On-Call Staffing Contract Amendment for South Fork Consulting LLC.
The Commission will consider amending the on-call staffing contract with South Fork Consulting LLC to increase the not-to-exceed amount from \$60,000 to \$90,000 and extend the contract's end date.
- D. Senate Bill (SB) 777 (Richardson) Opposition Letter.
The Commission will consider authorizing the Chair to sign a letter to formally oppose SB 777 (Richardson). The measure proposes mandating LAFCOs to establish new agencies or direct local agencies to assume responsibility for abandoned endowment care cemeteries.
- E. Section 5.01.02 of the Employment Contract for the Placer County LAFCO Executive Officer Section - Annual Cost of Living Adjustment.
- F. Developing an Evaluation Process for the Executive Officer Position.
The Commission will review and consider the LAFCO Personnel Committee's recommendations for developing the evaluation process for its Executive Officer position.

7. PUBLIC HEARING ITEM

LAFCO Project No. 2023-02 SUD-B-NEQ Remnant Parcels Annexation to the City of Lincoln – Proposed annexation to the City of Lincoln with concurrent detachment from Placer County County Service Area 28 of approximately 25.5 acres located along the western end of Moore Road, along the northern perimeter of State Route 65, east of the intersection with Nelson Lane. APN 021-321-091. CEQA Lead Agency: City of Lincoln, Exempt pursuant to State CEQA Guidelines sections 15319 and 15061(b)(3) (Cal. Code Regs., tit. 14, §§ 15319, 15061(b)(3)).

8. BUSINESS ITEMS

- A. CALAFCO Annual Conference, Board of Directors Nominees and Voting Delegates
- B. Executive Officer's Report – The Executive Officer will provide an oral report on ongoing projects such as the service review and sphere of influence for the cemetery districts, and the sphere of influence update for the Newcastle, Penryn, Placer Hills, and South Placer Fire Protection Districts.

9. CORRESPONDENCE

10. COMMISSIONER COMMENTS

This is an opportunity for Commissioners to comment on issues not listed on the agenda, provided that the subject matter is within the jurisdiction of the Commission. No discussion or action may occur except to place the item on a future agenda if approved by the Commission majority.

11. ADJOURNMENT

Adjournment in solemn remembrance of former Placer LAFCO Commissioner Dan Karleskint, who recently passed away.

The next Commission meeting is scheduled for Wednesday, August 13, 2025, at 4:00 PM.

PUBLIC ACCESS AND PUBLIC COMMENTS INSTRUCTIONS

Materials related to an item on this agenda are available for public inspection at the LAFCO office, 110 Maple Street, Auburn, CA, during regular business hours and on LAFCO's website at <https://www.placer.ca.gov/lafco>

LAFCO meetings are held in person and virtually. Meeting recordings are posted online within a week following the LAFCO meeting.

Members of the public may submit their comments in written form to the Commission via U.S. mail to Placer LAFCO's office or via email to lafco@placer.ca.gov. Please indicate the agenda item number, if any. If you want your comments read into the record, please indicate so in the subject line and limit the comments to no more than 500 words. For public hearings, the Chair will announce the opening and closing of the public hearing. The Chair will call for oral public comments. Please limit your comments to 3 minutes.

AMERICAN DISABILITY ACT COMPLIANCE

In compliance with the Americans with Disabilities Act, if you are a disabled person and need a disability-related modification or accommodation to participate in this meeting fully, please contact Amy Engle, Commission Clerk, at (530) 889-4602 or aengle@placer.ca.gov. Requests must be made as early as possible and at least two business days before the start of the meeting.

CAMPAIGN CONTRIBUTION DISCLOSURE

If you wish to participate in any proceeding involving a change of organization, reorganization, or other entitlement, you are prohibited from making a campaign contribution of more than \$250 to any Commissioner or Alternate Commissioner as described in Government Code section 84308. This prohibition begins on the date you begin to actively support or oppose an application pending before LAFCO and continues for 12 months after LAFCO renders a final decision. No Commissioner or Alternate Commissioner may solicit or accept a campaign contribution of more than \$250 from you or your agent during this period if the Commission or Alternate Commissioner knows or has reason to know that you will participate in the proceeding. If you or your agent have contributed more than \$250 to any Commissioner or Alternate Commissioner during the 12 months preceding the decision, that Commissioner or Alternate Commissioner must disqualify himself or herself from the proceeding. However, disqualification is not required if the Commissioner or Alternate Commissioner returns the campaign contribution within 30 days from when the Commissioner or Alternate Commissioner knows, or should have known, about the contribution and that you are a participant in the proceeding.



Placer County Local Agency Formation Commission
110 Maple Street Auburn, CA 95603 | (530) 889-4097

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MINUTES OF THE
LOCAL AGENCY FORMATION COMMISSION
OF PLACER COUNTY

June 11, 2025

PLACER COUNTY ADMINISTRATIVE BUILDING
BOARD OF SUPERVISORS' CHAMBERS
AND VIA REMOTE CALL-IN

175 FULWEILER AVE
AUBURN, CA 95603

1. CALL TO ORDER AND SALUTE TO THE FLAG

Chair Gustafson called the meeting to order at 4:01 PM.
Commissioner Lomen led a salute to the flag.

2. ROLL CALL

Present Commissioners: Joshua Alpine, Whitney Eklund, Judy Friedman, Cindy Gustafson, Shanti Landon, Sean Lomen, and Susan Rohan (left at 4:15 PM)

Present Alternate Commissioners: David Bass, Anthony DeMattei, Cherri Spriggs (voted as public member for items 7 and 8, left at 5:22 PM), and Stephanie Youngblood

Staff Present: Amy Engle, Commission Clerk, Michelle McIntyre, Executive Officer, Amanda Ross, Acting Assistant Executive Officer, and Michael Walker, Legal Counsel

3. ELECTION OF CHAIR AND VICE-CHAIR

Executive Officer Michelle McIntyre reviewed the LAFCO chair rotation (Resolution 2008-03), noting the rotation suggested a Special District member for Chair and a City member for Vice Chair.

Chair Gustafson invited Commissioner comments.

Commissioner Rohan motioned to elect Commissioner Alpine as Chair and Commissioner Eklund as Vice Chair, seconded by Commissioner Landon.

Chair Gustafson invited public comments; none were received.

The motion passed unanimously. (7:0:0:0)

Yes: Alpine, Eklund, Friedman, Gustafson, Landon, Lomen, Rohan
No: None
Absent: None
Abstain: None

Chair Gustafson provided comments, then yielded the Chair position to Commissioner Alpine.

4. CHANGES AND APPROVAL OF THE AGENDA

There were no changes to the agenda.

Vice Chair Eklund motioned to approve the June 9, 2025, LAFCO Agenda, seconded by Commissioner Lomen.

The motion passed unanimously. (7:0:0:0)

Yes: Alpine, Eklund, Friedman, Gustafson, Landon, Lomen, and Rohan
No: None
Absent: None
Abstain: None

5. PUBLIC COMMENTS

Chair Alpine invited public comments.

- Newcastle and Placer Hills Fire Chief Gow provided public comments.
- Byron Chapman of Lincoln provided public comments.

6. CONSENT ITEMS

- A. Minutes – April 9, 2025
- B. Financial Reports – March and April 2025
- C. **LAFCO Project No. 2025-02: Disadvantaged Unincorporated Communities (DUCs) Mapping** – Strategic Plan Implementation of Objective 2. The Commission will consider entering into a contract amendment with RSG, Inc. to map DUCs for an amount not to exceed \$7,555.

D. Planning Consulting Services Contract Award with RSG, Inc. – The Commission will consider entering into a contract with RSG, Inc. to provide planning consulting services on an as-needed basis in an amount not to exceed \$150,000 and terminating a similar contract with Rincon Consultants, Inc. If both actions are approved, no new funds will need to be appropriated.

Chair Alpine invited public comments; there were none.

Chair Alpine invited Commissioner comments.

Commissioner Landon motioned to approve the June 11, 2025, Consent Items, seconded by Commissioner Lomen.

The motion passed unanimously. (7:0:0:0)

Yes: Alpine, Eklund, Friedman, Gustafson, Landon, Lomen, and Rohan
No: None
Absent: None
Abstain: None

7. PUBLIC HEARING ITEM

Resolution 25-08

Final Budget and Workplan for Fiscal Year 2025-2026

Executive Officer Michelle McIntyre introduced Acting Assistant Executive Officer Amanda Ross, who presented adjustments made to the final proposed budget as well as staffing alternatives.

Commissioner Rohan left the dais at 4:15 PM, and Alternate Commissioner Spriggs became the voting Public Member.

Ms. McIntyre answered questions from Commissioners Gustafson and Landon.

Vice Chair Eklund provided comments.

Chair Alpine invited public comments.

The members of the public listed below offered public comments.

- Dominick Casey, Roseville City Manager
- Andy Sisk, Placer County Auditor
- Sean Scully, Lincoln City Manager via Zoom

Commissioner Friedman shared comments.

Commissioner Gustafson motioned to adopt Resolution 25-08 approving the final budget and workplan for fiscal year 2025-26, seconded by Commissioner Lomen.

The motion passed unanimously by roll call vote. (7:0:1:0)

Yes: Alpine, Eklund, Friedman, Gustafson, Landon, Lomen, and Spriggs
No: None
Absent: Rohan (Left at 4:15 PM)
Abstain: None

8. BUSINESS ITEMS

- A. Executive Officer Evaluation Form and Review Process – The Commission will consider adopting a new evaluation form for the Executive Officer classification and establishing the process by which the Executive Officer classification's evaluation will be conducted, including considering the authorization of an expenditure of up to \$10,000 for that process.

Ms. McIntyre and Chair Alpine provided an overview of the Personnel Committee's task to create an evaluation form for the Executive Officer position. Chair Alpine summarized the Personnel Committee's development of the evaluation form and bifurcated the Commission's discussion into the evaluation form (item 8A) from the evaluation process (item 8AB).

Commissioners Gustafson and Landon provided comments.

Chair Alpine invited public comments.

- Byron Chapman offered public comments.

Ms. McIntyre provided comments.

Commissioner Landon motioned to adopt the executive officer evaluation form (item 8A), seconded by Vice Chair Eklund.

The motion passed unanimously. (7:0:1:0)

Yes: Alpine, Eklund, Friedman, Gustafson, Landon, Lomen, and Spriggs
No: None
Absent: Rohan
Abstain: None

8AB. Executive Officer Evaluation Process

Ms. McIntyre notified the Commission that Commissioner Gustafson submitted proposed evaluation processes.

Commissioner Gustafson explained the proposed evaluation alternatives she submitted to the Commission.

The Commission discussed the item.

Chair Alpine opened the item to public comments.

- Michael Garabedian of Placer County Tomorrow provided public comments.

The Commission discussed the item.

Vice Chair Eklund motioned to table item 8AB, the executive officer evaluation process, and refer it to the Personnel Committee for their recommendation, to be presented at the next Commission meeting, seconded by Commissioner Lomen.

Commissioner Friedman offered comments.

The motion passed unanimously by roll call vote. (7:0:1:0)

Yes: Alpine, Eklund, Friedman, Gustafson, Landon, Lomen, and Spriggs
No: None
Absent: Rohan
Abstain: None

Commissioner Gustafson provided comments.

- B. Joint Chambers Government Relations Meeting – The Commission will consider authorizing Commissioner Alpine to speak on behalf of Placer County LAFCO at the Joint Chambers Government Relations Meeting on June 18, 2025.

Ms. McIntyre presented a brief overview of the item before Commissioner Spriggs shared more information with the Commission.

Chair Alpine invited public comments; none were received.

Chair Alpine provided comments.

Commissioner Landon motioned to authorize Chair Alpine to speak on behalf of LAFCO at the Joint Chambers Government Relations Meeting on June 18, 2025, second by Commissioner Gustafson.

The motion passed unanimously. (7:0:1:0)

Yes: Alpine, Eklund, Friedman, Gustafson, Landon, Lomen, and Spriggs
No: None
Absent: Rohan
Abstain: None

Alternate Commissioner Spriggs left the dais at 5:22 PM.

- C. Executive Officer's Report – The Executive Officer will provide an oral report on ongoing projects such as the service review and sphere of influence update for the cemetery districts, the proposed reorganization of the Placer Hills and Newcastle Fire Protection Districts, and any new CALAFCO updates.

Ms. McIntyre provided the Commission with an update on the ongoing projects.

Chair Alpine invited Commissioner and public comments; none were received.

9. CORRESPONDENCE

Ms. McIntyre offered comments.

Chair Alpine invited Commissioner comments and public comments; none were received.

10. COMMISSIONER COMMENTS

Commissioner Gustafson offered comments.

Chair Alpine provided comments.

11. ADJOURNMENT

Commissioner Friedman motioned to adjourn the June 11, 2025, Commission meeting, second by Commissioner Gustafson.

The motion passed unanimously. (6:0:2:0)

Yes: Alpine, Eklund, Friedman, Gustafson, Landon, and Lomen,

No: None
Absent: Rohan
Abstain: None

The meeting was adjourned at 5:28 PM.

The next Commission meeting is scheduled for Wednesday, July 9, 2025, at 4:00 PM.

A complete video recording of this meeting is posted to:

<https://www.placer.ca.gov/AgendaCenter/Local-Agency-Formation-Commission-14>

Submitted by:

Amy Engle, Commission Clerk

Company: CO100 County of Placer
 Budget Structure: Special District Budget - Detail Level
 Period: FY2025 - May
 Time Period: Current Period YTD
 Cost Center(s): CC72000 Local Agency Formation Commission
 Ignore Commitments: No
 Fund(s): FD30154 Local Agency Formation Commission
 Program: PG720000 Local Agency Formation Commission

Account Set	Budget	Commitments	Obligations	Actuals	Balance	Percentage of Budget
Total Revenue	(1,178,994.46)	0	0	(1,202,741.96)	\$23,747.50	102.01%
42010:Investment Income	(1,980.00)	0	0	(21,069.85)	\$19,089.85	1,064.13%
46360:Other Fees and Charges	(1,177,014.46)	0	0	(1,140,751.11)	(\$36,263.35)	96.92%
48030:Miscellaneous	0	0	0	(40,921.00)	\$40,921.00	0.00%
Total Expenses	1,390,217.51	0.00	230,737.95	557,513.42	\$601,966.14	56.70%
Total Capital Assets	0	0	0	0	0.00	0.00%
Total Expenses (Non Capital Assets)	1,390,217.51	0.00	230,737.95	557,513.42	\$601,966.14	56.70%
51010:Salaries and Wages	429,003.66	0	0	258,071.60	\$170,932.06	60.16%
51080:Accrued Compensated Leave	0	0	0	(45,445.00)	\$45,445.00	0.00%
51090:Cafeteria Plans (Non-PERS)	14,372.29	0	0	8,418.24	\$5,954.05	58.57%
51210:Retirement	143,619.92	0	0	85,679.43	\$57,940.49	59.66%
51220:Payroll Tax	31,087.65	0	0	17,373.77	\$13,713.88	55.89%
51240:Other Postemployment Benefits (OPEB)	20,892.30	0	0	7,593.60	\$13,298.70	36.35%
51270:PERS Pension Expense	0	0	0	(469,671.00)	\$469,671.00	0.00%
51280:OPEB Expense	0	0	0	30,608.00	(\$30,608.00)	0.00%
51290:401 (k) Employer Match	3,000.00	0	0	0	\$3,000.00	0.00%
51310:Employee Group Insurance	79,072.20	0	0	46,387.07	\$32,685.13	58.66%
51360:Workers Comp Insurance	1,136.55	0	0	730.32	\$406.23	64.26%
52040:Communication Services Expense	4,091.94	0	0	0	\$4,091.94	0.00%
52060:Janitorial Supplies	0	0.00	0.00	43.59	(\$43.59)	0.00%
52080:Insurance	4,532.24	0	0	4,235.98	\$296.26	93.46%
52240:Professional / Membership Dues	12,199.99	0	0	14,477.85	(\$2,277.86)	118.67%
52250:Services and Supplies	408.79	0	0	307.38	\$101.41	75.19%
52260:Misc Expense	0	0	0	1,505.26	(\$1,505.26)	0.00%
52320:Printing	2,626.10	0	0	2,054.48	\$571.62	78.23%
52330:Other Supplies	7,499.11	0.00	0.00	7,169.89	\$329.22	95.61%
52340:Postage	2,995.14	0	0	3,155.15	(\$160.01)	105.34%

Account Set	Budget	Commitments	Obligations	Actuals		Balance	Percentage of Budget
52360:Professional and Special Services - General	392,230.07	0	230,476.45	404,789.33		(\$243,035.71)	161.96%
52370:Professional and Special Services - Legal	48,109.00	0	261.50	54,862.57		(\$7,015.07)	114.58%
52390:Professional and Special Services - County	7,557.94	0	0	5,895.00		\$1,662.94	78.00%
52400:Professional and Special Services - Information Technology	18,586.43	0	0	28,481.96		(\$9,895.53)	153.24%
52450:Short-Term Rents and Leases - Buildings & Improvements	28,531.00	0	0	28,242.48		\$288.52	98.99%
52460:Small Tools & Instruments	0	0.00	0.00	18.87		(\$18.87)	0.00%
52470:Employee Benefits Systems	2,447.68	0	0	2,674.77		(\$227.09)	109.28%
52480:PC Acquisition	8,980.00	0	0	0		\$8,980.00	0.00%
52510:Commissioner's Fees	33,469.64	0	0	20,550.00		\$12,919.64	61.40%
52570:Advertising	5,829.37	0	0	2,420.03		\$3,409.34	41.51%
52580:Special Department Expense	18,414.00	0	0	4,785.00		\$13,629.00	25.99%
52630:Project Costs	1,452.00	0	0	2,220.00		(\$768.00)	152.89%
52790:Transportation and Travel	11,082.50	0	0	14,360.30		(\$3,277.80)	129.58%
53170:Contingencies - Judgement and Damages	36,300.00	0	0	0		\$36,300.00	0.00%
53390:Cost Plan Allocation Exp (A-87)	20,690.00	0	0	15,517.50		\$5,172.50	75.00%
Facilities and Administration Cost Revenue and Expense	0	0	0	0		0.00	0.00%
42840:Facilities and Administration Cost Revenue	0	0	0	0		0.00	0.00%
52840:Facilities and Administrative Costs Expense	0	0	0	0		0.00	0.00%



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COMMISSIONERS STAFF REPORT

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Acting Assistant
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Amy Engle
Commission Clerk

DATE: July 9, 2025
TO: Chair Alpine and members of the Commission
FROM: Michelle McIntyre and Amy Engle
SUBJECT: **On-Call Staffing Contract Amendment for South Fork Consulting LLC**

SUMMARY

On June 12, 2024, the Placer County Local Agency Formation Commission (LAFCO) authorized the Executive Officer to enter into a contract with South Fork Consulting LLC (South Fork) to provide on-call staffing support to Placer LAFCO until the Assistant Executive Officer position is filled. The initial not-to-exceed amount for this contract was set at \$30,000. On April 9, 2025, the Commission authorized an increase to a maximum of \$60,000. The current request before the Commission is to further increase the not-to-exceed amount to \$90,000.

DISCUSSION

The on-call staffing agreement aims to provide analyst support for service reviews, updates to spheres of influence, organizational changes, and reorganization projects. As reported to the Commission during its meeting on June 11, 2025, Placer County HR is currently assisting in the recruitment for a Senior Regional Planning Analyst position, which has a closing date of July 14, 2025. However, due to the need to conduct interviews and onboard a new hire, the position may remain vacant for an additional two to three months. Thus, there is a need to extend the on-call staffing agreement with South Fork.

STAFF RECOMMENDATION

Through the Executive Officer, staff recommends that the Commission authorize the Executive Officer to amend the contract with South Fork, to be approved as to legal form by LAFCO legal counsel, raising the not-to-exceed amount from \$60,000 to \$90,000 and extending the contract's end date to September 1, 2025. All other terms of the contract will remain in effect and unchanged.

ATTACHMENT

- A. Letter from South Fork Consulting LLC regarding On-Call Staffing Proposal Amendment



South Fork Consulting, LLC

PO Box 850
Folsom, CA 95673

O: (916) 938-1134
aross@southforkconsulting.com
www.southforkconsulting.com

June 30, 2025
Project Number 24-0001
Attn: Michelle McIntyre | Executive Officer
Placer Local Agency Formation Commission
110 Maple St, Auburn, CA 95603

Subject: On-call Staffing Amendment for Placer LAFCO

Dear Mrs. McIntyre,

South Fork Consulting, LLC (SFC) would like to continue to provide analyst support for service reviews, updates to spheres of influence, organizational changes, and reorganization projects. South Fork Consulting has enjoyed the positive relationship with Placer LAFCO and is happy to assist with projects as Placer LAFCO transitions from utilizing consultants to hiring staff.

Thank you for the opportunity to continue working with Placer LAFCO. Please contact me if you have any questions or comments. I look forward to hearing from you.

Sincerely,

Amanda Ross
CEO, South Fork Consulting
Phone: 530-577-5291
Email: aross@southforkconsulting.com



COMMISSIONERS STAFF REPORT

Joshua Alpine
Chair
(Special District)

DATE: July 9, 2025

Whitney Eklund
Vice Chair
(City)

TO: Chair Alpine and members of the Commission

Judy Friedman
(Special District)

FROM: Amy Engle

Cindy Gustafson
(County)

SUBJECT: Senate Bill 777 (Richardson) Opposition Letter

Shanti Landon
(County)

SUMMARY

Sean Lomen
(City)

Introduced on February 21, 2025, Senate Bill (SB) 777 (Richardson) aims to address abandoned endowment care cemeteries by mandating Local Agency Formation Commissions (LAFCOs) to either establish new agencies or direct existing local agencies to assume responsibility for their care and maintenance. The proposed measure (Attachment B) was amended in the Senate on March 26 and in the Assembly on June 16, 2025.

Susan Rohan
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DISCUSSION

The attached draft letter (Attachment A) formally expresses Placer LAFCO's opposition to this measure. This bill poses significant unfunded fiscal and liability burdens on local agencies and is inconsistent with LAFCOs' statutory role.

STAFF RECOMMENDATION

Staff recommends that the Commission authorize the Chair to sign the attached opposition letter and direct staff to distribute the letter.

ATTACHMENTS

- A. Placer LAFCO SB 777 Proposed Opposition Letter
- B. SB 777 (Richardson) as amended on June 16, 2025



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July 10, 2025

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Commission Clerk

The Honorable Laura Richardson
California State Senate
1021 O Street, Suite 7340
Sacramento, CA 95814

Subject: **SB 777 (Richardson): Abandoned Endowment Care
Cemeteries: Local Agency Possession and Responsibility
As Amended June 16, 2025 - OPPOSE**

Dear Senator Richardson:

On behalf of the Placer County Local Agency Formation Commission (LAFCO), I am writing to express our opposition to SB 777, a measure that requires LAFCOs to establish new agencies or direct local agencies to take responsibility for abandoned private cemeteries. This bill would impose significant responsibilities on LAFCOs without providing the option to deny an application for a change of organization or ensuring sufficient funding for either existing or new agencies, thereby increasing fiscal and liability risks for these public agencies.

LAFCOs operate under a broad legal framework known as the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, or the "CKH Act." This legislation gives LAFCOs the authority to regulate the boundaries and services of local government agencies. LAFCOs are tasked with discouraging urban sprawl, preserving open space and prime agricultural land, promoting the orderly formation and development of local agencies, and ensuring the efficient delivery of government services on behalf of the state.

While we are deeply sympathetic to situations where private cemeteries have been abandoned and are vulnerable to vandalism and decay, particularly for the families of those interred, local governments, apart from specialized cemetery districts, do not currently provide cemetery services. Directing a LAFCO to assign responsibility for an abandoned private enterprise, especially one for which the designated agency may lack the necessary expertise, is inconsistent with LAFCOs' statutory role and historic practice. LAFCOs

SB 777 (Richardson): Abandoned Endowment Care Cemeteries: Local Agency Possession and Responsibility As Amended June 16, 2025 - OPPOSE

do not arbitrarily impose service obligations on local agencies; instead, we engage in a deliberative process that includes publicly noticed hearings, participation from local agencies, and opportunities for public comment. SB 777 places LAFCOs in a challenging position, forcing them to either impose new responsibilities on local governments or create a new local government without adequate funding.

Section 8802 (b) states that, “Within one year of receiving an application for a change of organization pursuant to Section 8810, the LAFCO shall determine whether to form a new public cemetery district or reorganize an existing public cemetery district to maintain the abandoned endowment care cemetery.” There is no option for a LAFCO to deny the application before a LAFCO, as is allowed under other sections of the CKH Act.

According to the June 16, 2025, amendment, the Abandonment Grant Funding Program will only be 50% funded from the assessed fees, as described in the relevant sections accompanying the transfer of responsibility for managing abandoned cemeteries. This makes the task of transferring responsibilities to an existing local public agency or creating a new public agency even more difficult and less appealing. We are concerned that existing public agencies and taxpayers will reject assuming new fiscal and liability responsibilities associated with a private enterprise, particularly one that does not serve the public at large.

Furthermore, Placer County LAFCO is conducting a service review study of all six of our public cemetery districts. Last year, several of our cemetery districts expressed financial concerns and requested that Placer LAFCO perform a service review and sphere of influence study to explore potential cost-cutting measures and new revenue opportunities. It is troubling to consider placing additional financial burdens on our local agencies, such as the cemetery districts, that are already facing significant challenges.

For these reasons, the Placer County Local Agency Formation Commission is formally expressing its opposition to SB 777. Please do not hesitate to contact us with any questions regarding our position.

Sincerely,

Joshua Alpine, Chair

Placer LAFCO

Copy:

Senators Megan Dahle, Marie Alvarado-Gil, and Roger Niello

Assembly Members Heather Hadwick, James Gallagher, and Joe Patterson

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SB-777 Cemeteries. (2025-2026)

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AMENDED IN ASSEMBLY JUNE 16, 2025

AMENDED IN SENATE MARCH 26, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

SENATE BILL

NO. 777

Introduced by Senator Richardson

February 21, 2025

An act to amend [Sections 7612.6, 7653, 7712.5, 7729, 7729.11, 7730.3, 7730.8, 7730.10, 7730.11, and 7731.4 of the Business and Professions Code](#), and to amend the heading of Chapter 7 (commencing with Section 8825) of Part 3 of Division 8 of, and to add Chapter 6 (commencing with Section 8800) to Part 3 of Division 8 of, the Health and Safety Code, relating to ~~cemeteries.~~ [cemeteries, and making an appropriation therefor.](#)

LEGISLATIVE COUNSEL'S DIGEST

SB 777, as amended, Richardson. ~~Abandoned endowment care cemeteries: local agency possession and responsibility.~~ [Cemeteries.](#)

Existing

(1) Existing law, the Cemetery and Funeral Act, establishes the Cemetery and Funeral Bureau within the Department of Consumer Affairs and sets forth its powers and duties relating to the licensure and regulation of, among others, cemeteries and cemetery authorities, which includes cemetery associations, ~~corporations sole, corporations,~~ limited liability companies, and other persons owning or controlling cemetery lands or property. Existing A violation of the act is a crime.

Existing law requires a cemetery authority to file with the bureau an annual written report that includes, among other things, the amount collected and deposited in endowment care funds segregated as to the amounts for crypts, niches, and grave space, as specified. Existing law requires that information to be accompanied by an annual audit report, prepared in accordance with generally accepted accounting principles, of the endowment care fund and special care fund signed by a certified public accountant or public accountant. Existing law requires the scope of the audit to include the inspection, review, and audit of the general purpose financial statements of

the endowment care fund and special care fund, including the balance sheet, statement of revenues, expenditures, and changes in fund balance.

This bill would require the annual audit report to include a cemetery's 4th quarter bank statement. The bill would require the cemetery authority's financial institution to provide the bank statement electronically, and directly, to the bureau. The bill would require the above-described annual written report to include a map of the deceased and their location by parcel. The bill would require the bureau to submit the map to the applicable county recorder.

By expanding the crime of violating the Cemetery and Funeral Act, and to the extent the bill would impose a higher level of service on counties, the bill would impose a state-mandated local program.

(2) Existing law authorizes a cemetery authority that maintains a cemetery to place its cemetery under endowment care and to establish, maintain, and operate an endowment care fund. Ninety days following the cancellation, surrender, or revocation of a certificate of authority, existing law gives the bureau title to any endowment care funds of a cemetery authority and possession of all necessary books, records, property, real and personal, and assets, and requires the bureau to act as conservator over the management of the endowment care funds.

~~This bill would require a local agency formation commission for the county in which an abandoned endowment care cemetery is located to identify a local agency to be responsible for the care, maintenance, and embellishment of the cemetery, as specified. The bill would vest fee title of the cemetery in the local agency and would restrict the local agency's use of the property to uses consistent with cemetery purposes. The bill would give the local agency title to any endowment care funds of the prior cemetery authority held by the bureau, and would require the local agency to take possession of all necessary books, records, real property, personal property, and assets of the fund. The bill would require the assets to be liquidated, and the proceeds placed in a special fund to be expended on care, maintenance, or embellishment of the abandoned endowment care cemetery. The bill would define an abandoned endowment care cemetery and would make conforming changes. By imposing additional duties on local agencies, this bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.~~

Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides for the formation and change of organization of cities and special districts and establishes a local agency formation commission (LAFCO) in each county. Existing law, the Public Cemetery District Law, provides for the formation of public cemetery districts, and authorizes those districts to own, operate, improve, and maintain cemeteries and provide interment services within their boundaries.

This bill would require the bureau to notify the applicable city, county, or city and county with jurisdiction over Lincoln Memorial Park Cemetery, Dambacher Mountain Memorial Cemetery, Verdugo Hills Cemetery, Chapel of the Light, Evergreen Cemetery, and Mount Tamalpais Cemetery, or cemeteries that become abandoned endowment care cemeteries, as defined, after January 1, 2026. Upon receipt of notice, the bill would require the city, county, or city and county, within 120 days, to adopt and submit a resolution of application to the LAFCO in the applicable county for a change of organization to form a new public cemetery district or reorganize an existing public cemetery district for the purpose of maintaining the abandoned endowment care cemetery. The bill would require the bureau to cover the costs for creating a new public cemetery district or reorganizing an existing public cemetery district pursuant to these provisions, and would require the bureau to provide the necessary resources to the city, county, or city and county to facilitate the LAFCO process, as specified. The bill would require the LAFCO to determine whether to form a new public cemetery district or reorganize an existing public cemetery district within one year of receiving an application for a change of organization pursuant to these provisions. Upon that determination being made, the bill would require the bureau to work with the vacated owner or the county assessor to secure the title of the abandoned cemetery to ensure that fee title of the abandoned endowment care cemetery ultimately vests in the public cemetery district.

By imposing new duties on cities and counties, the bill would impose a state-mandated local program.

Existing law imposes various fees under the Cemetery and Funeral Act, including, among others, the application and renewal fees for a funeral director's, embalmer's, or cemetery manager's license, regulatory charges for

cemetery authorities, timely filing fees for specified annual reports, and fees to obtain or renew a hydrolysis facility license. Existing law creates the Cemetery and Funeral Fund, a continuously appropriated fund, in the State Treasury for the deposit of those fees. Existing law requires moneys in the fund to be expended on actual and necessary expenses incurred in implementing the act.

This bill would increase those fees by 150%. The bill would require the bureau to establish and administer the Abandonment Grant Funding Program (program) to provide long-term viability to ensure services are maintained for abandoned endowment care cemeteries. The bill would require the program to be funded by 50% of moneys assessed from the increased fees, and would expand the purposes of the Cemetery and Funeral Fund to include the program. Because additional moneys would be deposited into a continuously appropriated fund, and by expanding the purposes of a continuously appropriated fund, the bill would make an appropriation.

This bill would authorize a private entity, as specified, to acquire title to an abandoned endowment care cemetery. The bill would require a public cemetery district or a private entity that takes over an abandoned endowment care cemetery to have access to the endowment fund, including principal and interest, of the applicable abandoned endowment care cemetery, and program funding to manage cemetery maintenance, burial services, and security items, and to address issues, including, but not limited to, prior repairs, deferred maintenance, or vandalism of property or gravesites, as necessary.

*By imposing new duties on public cemetery districts, this bill would impose a state-mandated local program.
(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

This bill would make legislative findings and declarations as to the necessity of a special statute for Lincoln Memorial Park Cemetery, Dambacher Mountain Memorial Cemetery, Verdugo Hills Cemetery, Chapel of the Light, Evergreen Cemetery, and Mount Tamalpais Cemetery.

Vote: ~~majority~~2/3 Appropriation: ~~no~~yes Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. *Section 7612.6 of the Business and Professions Code is amended to read:*

7612.6. (a) Each cemetery authority shall file with the bureau annually, on or before June 1, or within five months after close of their fiscal year provided approval has been granted by the bureau as provided for in Section 7612.7, a written report in a form prescribed by the bureau setting forth the following:

- (1) The number of square feet of grave space and the number of crypts and niches sold or disposed of under endowment care by specific periods as set forth in the form prescribed.
- (2) The amount collected and deposited in both the general and special endowment care funds segregated as to the amounts for crypts, niches, and grave space by specific periods as set forth either on the accrual or cash basis at the option of the cemetery authority.
- (3) A statement showing separately the total amount of the general and special endowment care funds invested in each of the investments authorized by law and the amount of cash on hand not invested, which statement shall actually show the financial condition of the funds.
- (4) A statement showing separately the location, description, and character of the investments in which the special endowment care funds are invested. The statement shall show the valuations of any securities held in the endowment care fund as valued pursuant to Section 7614.7.
- (5) A statement showing the transactions entered into between the corporation or any officer, employee, or stockholder thereof and the trustees of the endowment care funds with respect to those endowment care funds. The statement shall show the dates, amounts of the transactions, and shall contain a statement of the reasons for those transactions.

(6) (A) A map of the deceased and their location by parcel.

(B) The bureau shall submit the map described in subparagraph (A) to the applicable county recorder.

(b) (1) The report shall be verified by the president or vice president and one other officer of the cemetery corporation. The information submitted pursuant to paragraphs (2), (3), (4), ~~and (5)~~ (5), and (6) of subdivision (a) shall be accompanied by an annual audit report, prepared in accordance with generally accepted accounting principles, of the endowment care fund and special care fund signed by a certified public accountant or public accountant. The scope of the audit shall include the inspection, review, and audit of the general purpose financial statements of the endowment care fund and special care fund, which shall include the balance sheet, the statement of revenues, expenditures, and changes in fund balance.

(2) The annual audit report described in paragraph (1) shall include a cemetery's fourth quarter bank statement. The cemetery authority's financial institution shall provide the bank statement electronically, and directly, to the bureau.

(c) If a cemetery authority files a written request prior to the date the report is due, the bureau may, in its discretion, grant an extension for no more than an additional nine months within which to file the report.

SEC. 2. *Section 7653 of the Business and Professions Code is amended to read:*

7653. (a) The bureau shall adopt, and may from time to time amend, rules and regulations prescribing standards of knowledge and experience and financial responsibility for applicants for certificates of authority. In reviewing an application for a certificate of authority, the bureau may consider acts of incorporators, officers, directors, and stockholders of the applicant, which shall constitute grounds for the denial of a certificate of authority under Division 1.5 (commencing with Section 475).

(b) Upon receipt of an application for a certificate of authority, the bureau may cause an investigation to be made of the physical status, plans, specifications, and financing of the proposed cemetery, and any other qualifications required of the applicant under this act, and for this purpose may subpoena witnesses, administer oaths, and take testimony.

(c) At the time of the filing of the application required by this section, the applicant shall pay to the Cemetery and Funeral Fund the sum of ~~seven hundred fifty dollars (\$750)~~ *one thousand eight hundred seventy-five dollars (\$1,875)* to defray the expenses of investigation. In the event the sum shall be insufficient to defray all of the expenses, the applicant shall, within five days after request, deposit an additional sum sufficient to defray those expenses, provided that the total sum shall not exceed ~~nine hundred dollars (\$900)~~ *two thousand two hundred fifty dollars (\$2,250)*.

SEC. 3. *Section 7712.5 of the Business and Professions Code is amended to read:*

7712.5. (a) The bureau shall adopt, and may from time to time amend, rules and regulations prescribing standards of knowledge and experience and financial responsibility for applicants for a crematory license. In reviewing an application for a crematory license, the bureau may consider acts of the applicant, including acts of incorporators, officers, directors, and stockholders of the applicant, which shall constitute grounds for the denial of a crematory license under Division 1.5 (commencing with Section 475).

(b) Upon receipt of an application for a crematory license, the bureau may cause an investigation to be made of the physical status, plans, specifications, and financing of the proposed crematory, the character of the applicant, including, if applicable, its officers, directors, shareholders, or members, and any other qualifications required of the applicant under this article, and for this purpose may subpoena witnesses, administer oaths, and take testimony.

(c) At the time of the filing of the application required by this article, the applicant shall pay to the Cemetery and Funeral Fund the sum of ~~seven hundred fifty dollars (\$750)~~ *one thousand eight hundred seventy-five dollars (\$1,875)* to defray the expenses of investigation. In the event the sum shall be insufficient to defray all of the expenses, the applicant shall, within five days after request therefor, deposit an additional sum sufficient to defray such expenses, provided that the total sum shall not exceed ~~nine hundred dollars (\$900)~~ *two thousand two hundred fifty dollars (\$2,250)*.

SEC. 4. *Section 7729 of the Business and Professions Code is amended to read:*

7729. The amount of the fees prescribed by this chapter shall be fixed according to the following schedule:

- (a) The application fee for a funeral director's license shall be ~~three hundred eighty dollars (\$380)~~; *nine hundred fifty dollars (\$950)*.
- (b) The application fee for change of location of a funeral establishment's license shall be ~~four hundred seventy dollars (\$470)~~; *one thousand one hundred seventy-five dollars (\$1,175)*.
- (c) The application fee for permission to assign a funeral establishment's license shall be ~~five hundred sixty dollars (\$560)~~; *one thousand four hundred dollars (\$1,400)*.
- (d) The license renewal fee payable by a licensed funeral director shall be ~~three hundred eighty dollars (\$380)~~; *nine hundred fifty dollars (\$950)*. The fee for a delinquent renewal of a funeral director's license shall be 150 percent of the timely renewal fee.
- (e) The application fee for an embalmer's license and the examination on the state's laws required under paragraph (2) of subdivision (a) of Section 7646 for the license shall be ~~two hundred eighty dollars (\$280)~~; *seven hundred dollars (\$700)*.
- (f) The renewal fee payable by a licensed embalmer shall be ~~one hundred ninety dollars (\$190)~~; *four hundred seventy-five dollars (\$475)*. The fee for a delinquent renewal of an embalmer's license shall be 150 percent of the timely renewal fee.
- (g) The application fee for a certificate of registration as an apprentice embalmer shall be ~~one hundred twenty dollars (\$120)~~; *three hundred dollars (\$300)*.
- (h) The fee for an application by a funeral establishment for approval to train apprentice embalmers and for renewal of that approval shall be ~~one hundred ninety dollars (\$190)~~; *four hundred seventy-five dollars (\$475)*.
- (i) The application fee for a funeral director's examination shall be ~~one hundred ninety dollars (\$190)~~; *four hundred seventy-five dollars (\$475)*.
- (j) The fee for a timely filing of an individual report or a combined report on preneed trust funds shall be ~~five hundred dollars (\$500)~~; *one thousand two hundred fifty dollars (\$1,250)*. The fee for a late filing of any report on preneed trust funds shall be 150 percent of the applicable timely fee.
- (k) The application fee for permission to change the name appearing on a funeral establishment's license shall be ~~three hundred dollars (\$300)~~; *seven hundred fifty dollars (\$750)*, and for permission to change the name on any other license or certificate, shall be ~~twenty-five dollars (\$25)~~; *sixty-two dollars and fifty cents (\$62.50)*.
- (l) The application fee for a duplicate funeral director's license, a duplicate funeral establishment's license, a duplicate embalmer's license, or a duplicate certificate of registration as an apprentice embalmer, shall be ~~fifty dollars (\$50)~~; *one hundred twenty-five dollars (\$125)*.
- (m) The fee for filing a report of a change of corporate officers, managers, or preneed trust fund trustees shall be ~~fifty dollars (\$50)~~; *one hundred twenty-five dollars (\$125)*.
- (n) The application fee for a funeral establishment license shall be ~~seven hundred fifty dollars (\$750)~~; *one thousand eight hundred seventy-five dollars (\$1,875)*.
- (o) The license renewal fee for a licensed funeral establishment shall be ~~seven hundred fifty dollars (\$750)~~; *one thousand eight hundred seventy-five dollars (\$1,875)*. The fee for a delinquent renewal of a funeral establishment license shall be 150 percent of the timely renewal fee.

SEC. 5. *Section 7729.11 of the Business and Professions Code is amended to read:*

7729.11. The fee for a timely filing of an annual report on the endowment care fund and special care fund by a certificate of authority shall be ~~five hundred dollars (\$500)~~; *one thousand two hundred fifty dollars (\$1,250)*. The fee for a late filing of an annual report on the endowment care fund and special care fund shall be 150 percent of the applicable timely fee.

SEC. 6. *Section 7730.3 of the Business and Professions Code is amended to read:*

7730.3. For change of name or of address of licensee on the records of the bureau, the fee shall be ~~twenty-five dollars (\$25)~~; *sixty-two dollars and fifty cents (\$62.50)*.

SEC. 7. *Section 7730.8 of the Business and Professions Code is amended to read:*

7730.8. (a) The fee for a cemetery manager examination shall be ~~eight hundred dollars (\$800)~~; *two thousand dollars (\$2,000)*.

(b) The license fee to obtain a cemetery manager license shall be ~~one hundred thirty dollars (\$130)~~; *three hundred twenty-five dollars (\$325)*.

(c) The renewal fee for a cemetery manager license shall be ~~one hundred fifty dollars (\$150)~~; *three hundred seventy-five dollars (\$375)*.

SEC. 8. *Section 7730.10 of the Business and Professions Code is amended to read:*

7730.10. Every cemetery authority operating a cemetery shall pay an annual regulatory charge for each cemetery of ~~seven hundred fifty dollars (\$750)~~; *one thousand eight hundred seventy-five dollars (\$1,875)*. In addition to an annual regulatory charge for each cemetery, an additional quarterly charge ~~eleven dollars and fifty cents (\$11.50)~~ *of twenty-eight dollars and seventy-five cents (\$28.75)* for each burial, entombment, or inurnment made during the preceding quarter shall be paid to the bureau and these charges shall be deposited in the Cemetery and Funeral Fund. If the cemetery authority performs a burial, entombment, or inurnment, and the cremation was performed at a crematory located on the grounds of the cemetery and under common ownership with the cemetery authority, the total of all additional charges shall be not more than ~~eleven dollars and fifty cents (\$11.50)~~; *twenty-eight dollars and seventy-five cents (\$28.75)*.

SEC. 9. *Section 7730.11 of the Business and Professions Code is amended to read:*

7730.11. (a) The bureau shall establish the fee to obtain or renew a hydrolysis facility license, which shall not exceed the reasonable cost of license administration.

(b) Every licensee operating a hydrolysis facility pursuant to a license issued pursuant to this article shall pay an additional charge ~~eleven dollars and fifty cents (\$11.50)~~ *of twenty-eight dollars and seventy-five cents (\$28.75)* per hydrolysis made during the preceding quarter, which charges shall be deposited into the Cemetery and Funeral Fund.

SEC. 10. *Section 7731.4 of the Business and Professions Code is amended to read:*

7731.4. (a) All moneys paid into the State Treasury and credited to the Cemetery and Funeral Fund shall be expended in accordance with law for ~~the both of the following~~:

- (1) The payment of all actual and necessary expenses incurred in carrying out the provisions of this act.*
- (2) The Abandonment Grant Funding Program, as described in Section 8803 of the Health and Safety Code.*

(b) This section shall become operative on July 1, 2016.

~~SECTION 4.~~**SEC. 11.** Chapter 6 (commencing with Section 8800) is added to Part 3 of Division 8 of the Health and Safety Code, to read:

CHAPTER 6. Abandonment of Endowment Care Cemeteries

8800. For purposes of this chapter, ~~"abandoned~~ *the following definitions apply:*

(a) "Abandoned endowment care cemetery" means a cemetery for which an endowment care fund was maintained, that was formerly licensed by the bureau, and for which the certificate of authority has been canceled, surrendered, or revoked and ownership has not been transferred pursuant to Section 8585 within one year of the cancellation, surrender, or revocation.

(b) "Private entity" means a non-public entity that acquires title to an abandoned endowment care cemetery pursuant to this chapter. "Private entity" includes, but is not limited to, a corporation, LLC, or individual.

(c) "Public cemetery district" means a public cemetery district, as described in Part 4 (commencing with Section 9000), that is formed or reorganized and acquires title to an abandoned endowment care cemetery pursuant to this chapter.

~~8801.(a) Upon the expiration of the one-year period described in Section 8800, the bureau shall notify the local agency formation commission for the county in which the abandoned endowment care cemetery is located that there is an abandoned endowment care cemetery in that county.~~

~~(b) No later than 30 days following the notification from the bureau described in subdivision (a), the local agency formation commission shall commence proceedings to identify a local agency take over the care, maintenance, and embellishment of the abandoned endowment care cemetery. The local agency formation commission shall complete its proceedings and identify the receiving local agency within six months of receiving the notification from the bureau.~~

~~(c) Upon completion of the proceeding described in subdivision (b), fee title of an abandoned endowment care cemetery shall vest in, and be recorded with, the local agency identified by the local agency formation commission.~~

~~(d) Any local agency acquiring fee title to a cemetery pursuant to this section shall be responsible for the care, maintenance, and embellishment of the abandoned endowment care cemetery, and shall only use the property for uses consistent with cemetery purposes.~~

~~8802.(a) Upon the transfer of title described in Section 8801, the local agency shall also take title of any endowment care funds of the prior cemetery authority held by the bureau pursuant to Section 7613.11 of the Business and Professions Code, and shall take possession of all necessary books, records, real property, personal property, and assets of the fund.~~

~~(b) The assets of the fund described in subdivision (a) shall be liquidated, and the proceeds shall be placed in a special fund. The moneys within the special fund shall only be expended on care, maintenance, or embellishment of the abandoned endowment care cemetery acquired by the local agency pursuant to this chapter and for which the endowment care funds were maintained.~~

~~8803. A local agency that acquires title to an abandoned endowment care cemetery shall keep a record of, and honor, all remaining contracts for burial executed by the prior cemetery authority.~~

8801. (a) Upon the expiration of the one-year period described in Section 8800, the bureau shall notify the applicable city, county, or city and county with jurisdiction over each of the following abandoned endowment care cemeteries:

- (1) Lincoln Memorial Park Cemetery.*
- (2) Dambacher Mountain Memorial Cemetery.*
- (3) Verdugo Hills Cemetery.*
- (4) Chapel of the Light.*
- (5) Evergreen Cemetery.*
- (6) Mount Tamalpais Cemetery.*

(b) Upon the expiration of the one-year period described in Section 8800, the bureau shall review, and shall subsequently notify the applicable city, county, or city and county of, other cemeteries that are not listed in subdivision (a) and that become an abandoned endowment care cemetery after January 1, 2026.

(c) (1) Upon receipt of notice pursuant to subdivision (a) or (b), a city, county, or city and county shall, within 120 days, adopt and submit a resolution of application to the local agency formation commission (LAFCO) in the applicable county for a change of organization to form a new public cemetery district or reorganize an existing public cemetery district pursuant to Part 3 (commencing with Section 56650) of Division 3 of Title 5 of the Government Code and Chapter 2 (commencing with Section 9010) of Part 4 of this division for the purpose of maintaining the abandoned endowment care cemetery.

(2) (A) For an application for a change of organization required by this subdivision, the bureau shall provide the information required by Section 56652 of the Government Code.

(B) The bureau shall ensure that a resolution of application prepared pursuant to this section establishes long-term viability for the public cemetery district.

8802. (a) (1) When a LAFCO receives an application for a change of organization pursuant to Section 8801, the bureau shall provide the necessary resources to the city, county, or city and county to facilitate the LAFCO process, including resources for preparing documents required by the California Environmental Quality Act (CEQA).

(2) The bureau shall cover the costs for creating a new public cemetery district or reorganizing an existing public cemetery district pursuant to this chapter, including costs associated with all of the following:

- (A) The LAFCO process.
- (B) The Department of Fish and Wildlife.
- (C) The county clerk and recorder.
- (D) The State Board of Equalization.

(b) Within one year of receiving an application for a change of organization pursuant to Section 8810, the LAFCO shall determine whether to form a new public cemetery district or reorganize an existing public cemetery district to maintain the abandoned endowment care cemetery.

(c) After a determination is made pursuant to subdivision (b), the bureau shall work with the vacated owner or the county assessor to secure the title of the abandoned cemetery to ensure that fee title of the abandoned endowment care cemetery ultimately vests in the public cemetery district.

8803. (a) The bureau shall establish and administer the Abandonment Grant Funding Program to provide long-term viability to ensure services are maintained for abandoned endowment care cemeteries.

(b) Commencing January 1, 2026, the program shall be funded by 50 percent of moneys from the assessed fees described in Sections 7653, 7712.5, 7729, 7729.11, 7730.3, 7730.8, 7730.10, and 7730.11 of the Business and Professions Code.

(c) The bureau shall have discretion over the disbursement of program funds and shall disburse those funds in accordance with the purpose described in subdivision (a).

(d) The bureau may use program funds to cover the reasonable costs of administering the program.

8804. (a) The public cemetery district formed or reorganized pursuant to Section 8802 shall have access to the endowment fund, including principal and interest, of the applicable abandoned endowment care cemetery, and Abandonment Grant Funding Program funding to manage cemetery maintenance, burial services, and security items, and to address issues, including, but not limited to, prior repairs, deferred maintenance, or vandalism of property or gravesites, as necessary.

(b) The public cemetery district shall determine the hours of operation, maintenance schedules, embellishment, and modicum of security, including gate locks, cameras, or alarms.

8805. (a) A private entity that is licensed and regulated pursuant to the Cemetery and Funeral Act may acquire title to an abandoned endowment care cemetery.

(b) If eligible, a private entity that acquires title to an abandoned endowment care cemetery shall manage the cemetery's endowment care trust fund, including principal and interest, in accordance with Chapter 5 (commencing with Section 8700).

(c) The bureau may provide funds from the Abandonment Grant Funding Program to a private entity that acquires title to an abandoned endowment care cemetery. Use of program funds shall be limited to the purposes described in Section 8804.

8806. (a) A public cemetery district or private entity that acquires title to an abandoned endowment care cemetery shall keep a record of, and honor, all remaining contracts for burial executed by the prior cemetery authority.

(b) (1) A public cemetery district or a private entity that acquires title to an abandoned endowment care cemetery shall not be responsible for any actions of the vacated owner, including, but not limited to, mismanagement of the endowment fund or cemetery.

(2) This subdivision shall not be applied to impair the obligation of any contract that is in effect as of January 1, 2026, in a manner that would violate either Section 9 of Article I of the California Constitution or Section 10 of Article I of the United States Constitution.

SEC. 2. SEC. 12. The heading of Chapter 7 (commencing with Section 8825) of Part 3 of Division 8 of the Health and Safety Code is amended to read:

CHAPTER 7. Abandoned Nonendowment Care Cemeteries

~~SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.~~

SEC. 13. *The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because, due to unique circumstances, Lincoln Memorial Park Cemetery, Dambacher Mountain Memorial Cemetery, Verdugo Hills Cemetery, Chapel of the Light, Evergreen Cemetery, and Mount Tamalpais Cemetery are abandoned and not being maintained.*

SEC. 14. *No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.*

However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.



Placer County Local Agency Formation Commission
110 Maple Street Auburn, CA 95603 | (530) 889-4097

COMMISSIONERS STAFF REPORT

Joshua Alpine
Chair
(Special District)

DATE: July 9, 2025

Whitney Eklund
Vice Chair
(City)

TO: Chair Alpine and members of the Commission

Judy Friedman
(Special District)

FROM: Amy Engle

Cindy Gustafson
(County)

SUBJECT: Section 5.01.02 of the Employment Contract for the Placer County LAFCO Executive Officer - Annual Cost of Living Adjustment

Shanti Landon
(County)

Sean Lomen
(City)

Susan Rohan
(Public)

ALTERNATE COMMISSIONERS

David Bass
(City)

Anthony DeMattei
(County)

Cherri Spriggs
(Public)

Stephanie Youngblood
(City)

Vacant
(Special District)

Section 5.01.02 of the Employment Contract between Placer LAFCO and Michelle McIntyre, its Executive Officer, states:

"5.01.02 In lieu of the application of any other cost of living adjustments or general wage adjustments by Placer County, Employer agrees to provide annual cost of living adjustments or general wage adjustments to Employee, effective with the first pay period in each fiscal year, commencing July 1, 2024, either (1) to the same extent that Placer County provides such adjustments to Placer County appointed department heads within Placer County Grade ADHD 657, or any successor grade, measured as a percentage of the Employee's salary then in effect or, if greater, (2) in an amount equivalent to the annual increase in the Consumer Price Index for All Urban Consumers (CPI-U) for the San Francisco-Oakland-Hayward area, measured from April to April."

COUNSEL

Michael Walker
General Counsel

STAFF RECOMMENDATION

Staff recommends that the Commission authorize the Chair to submit the necessary documents to Placer County HR to comply with Section 5.01.02 of the Executive Officer's Employment Contract as specified.

STAFF

Michelle McIntyre
Executive Officer

PROCEDURES

Amanda Ross
Acting Assistant
Executive Officer

This item has been placed on the Placer LAFCO's agenda as part of the consent items. A successful motion to approve the consent items will include taking affirmative action on the staff recommendation unless otherwise specified by the Commission.

Amy Engle
Commission Clerk



Placer County Local Agency Formation Commission
110 Maple Street Auburn, CA 95603 | (530) 889-4097

COMMISSIONERS STAFF REPORT

Joshua Alpine
Chair
(Special District)

Whitney Eklund
Vice Chair
(City)

Judy Friedman
(Special District)

Cindy Gustafson
(County)

Shanti Landon
(County)

Sean Lomen
(City)

Susan Rohan
(Public)

DATE: July 9, 2025
TO: Chair Alpine and members of the Commission
FROM: Amy Engle on behalf of the LAFCO Personnel Committee
SUBJECT: Developing an Evaluation Process for the Executive Officer position

ALTERNATE COMMISSIONERS

David Bass
(City)

Anthony DeMattei
(County)

Cherri Spriggs
(Public)

Stephanie Youngblood
(City)

Vacant
(Special District)

COUNSEL

Michael Walker
General Counsel

STAFF

Michelle McIntyre
Executive Officer

Amanda Ross
Acting Assistant Executive Officer

Amy Engle
Commission Clerk

SUMMARY

The Personnel Committee met on July 1, 2025, to review and consider proposed options for the evaluation process of the LAFCO Executive Officer position, which were presented at the June 11, 2025, LAFCO Commission meeting.

The Committee recommends hiring a third-party consultant to facilitate the evaluation process for the Executive Officer. This process will involve distributing a LAFCO-approved performance evaluation form to regular voting members of the LAFCO Commission and six agencies that completed projects with LAFCO in the past fiscal year: the City of Lincoln, the City of Rocklin, the City of Roseville, North Tahoe Fire Protection District, South Placer Fire Protection District, and South Placer Municipal Utility District. The selected consultant will compile the completed forms, collaborate with the LAFCO attorney to prepare a report for the Commission to review in closed session, and the report will then be presented to the Executive Officer in closed session. The Personnel Committee also recommends that the Commission delegate authority to Commissioners Eklund and Rohan to select the consultant and approve the contract, not to exceed \$1,000, subject to legal review.

DISCUSSION

During the July 1, 2025, meeting, Executive Officer Michelle McIntyre provided an overview of the proposed evaluation process options. The Committee discussed these options thoroughly and determined that a hybrid approach would best serve the objectives of a fair and comprehensive evaluation. The recommended evaluation approach offers several key strengths. By engaging a neutral third-party consultant, the process ensures objectivity, confidentiality, and consistency in the collection and compilation of feedback. It promotes a comprehensive performance review by including input from both Commission members and agency partners who have directly engaged with LAFCO over the past year. Involving the LAFCO attorney further strengthens the integrity and legal soundness of the process. Delegating consultant selection and contract approval to designated Commissioners streamlines implementation while maintaining fiscal responsibility through a clearly defined budget cap.

STAFF RECOMMENDATION

Through the Personnel Committee, staff recommends that the Commission approve the proposed Executive Officer evaluation process, which includes the hiring of a third-party consultant to facilitate the process. Also recommended is to delegate to Commissioners Eklund and Rohan the authority to select the consultant to be hired to compile the completed evaluation forms and to collaborate with the LAFCO legal counsel and to approve the contract for those services, subject to legal review, in an amount not to exceed \$1,000.



Placer County Local Agency Formation Commission
110 Maple Street Auburn, CA 95603 | (530) 889-4097

**PUBLIC HEARING
STAFF REPORT
JULY 9, 2025**

COMMISSIONERS TO: Chair Alpine and members of the Commission

Joshua Alpine
Chair
(Special District)

FROM: Amanda Ross

Whitney Eklund
Vice Chair
(City)

SUBJECT: **LAFCO Project No. 2023-02 SUD-B-NEQ Remnant
Parcels Annexation to the City of Lincoln –**
Proposed annexation of approximately 25.5 acres
located along the western end of Moore Road, along
the northern perimeter of State Route 65, east of the
intersection with Nelson Lane. APN 021-321-091

Judy Friedman
(Special District)

Cindy Gustafson
(County)

Shanti Landon
(County)

Sean Lomen
(City)

Susan Rohan
(Public)

SUMMARY

ALTERNATE COMMISSIONERS The Placer County Local Agency Formation Commission (LAFCO) will consider approving a change of organization proposal (annexation) initiated by the City of Lincoln (City) to annex approximately 25.5 acres of unincorporated territory to the City.

David Bass
(City)

Anthony DeMattei
(County)

Stephanie Youngblood
(City)

Cherri Spriggs
(Public)

Approval of this annexation will fulfill the Commission's condition of approval of the Special Use District-Area B Northeast Quadrant (SUD-B NEQ) annexation as part of LAFCO Resolution No. 23-02. No development is proposed with this annexation.

Vacant
(Special District)

COUNSEL

Michael Walker
General Counsel

STAFF

Michelle McIntyre
Executive Officer

Amanda Ross
Acting Assistant
Executive Officer

Amy Engle
Commission Clerk

Staff recommends adopting the proposed resolution as shown in Attachment A. Staff recommends that the Commission adopt the City's determination that this project is exempt under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15319 (Annexations of Existing Facilities and Lots for Exempt Facilities) and 15061(b)(3) (Common Sense Exemption) (Cal. Code Regs., tit. 14, §§ 15319, 15061(b)(3)).

Staff also recommends that the Commission amend the proposal to include a concurrent detachment of the affected territory from the jurisdictional boundaries of Placer County County Service Area 28 (CSA 28), consistent with Government Code (GC) sections 25210.7(e) and 56375(a)(1).

Lastly, pursuant to GC section 56663, staff also recommends that the Commission waive protest proceedings if no written opposition is received from voters and landowners within the proposal area and the required timeframe.

This item was duly noticed as required by GC section 56150 et seq., including mailed notice via first class mail to all landowners and registered voters within 300 feet of the exterior boundary of the subject parcels and published in the Lincoln News Messenger on June 13, 2025 (Attachment G).

BACKGROUND

The City of Lincoln provides municipal services within its jurisdictional boundaries, including fire protection and emergency services, law enforcement, library services, parks, aviation, water, wastewater, and other services. The City encompasses approximately 24 square miles, with another 29 square miles within its sphere of influence (SOI). As of 2022, the City's population was 51,252, with approximately 1,045 residents within its SOI. The City's General Plan buildout anticipates a population of 132,000 residents by 2050.

On March 8, 2023, the Commission conditionally approved LAFCO Project No. 2020-03: Special Use District B Quadrant Specific Plan Project (SUD-B NEQ) Annexation to the City of Lincoln via Resolution No. 23-02 (Attachment C). This approval was conditioned on the following:

- (1) The change of organization and concurrent sphere of influence amendment to include the subsequent annexation of APN 021-321-091 and portions of State Route (SR) 65 to the City.
- (2) The City must submit an annexation application to LAFCO staff within 90 days, or by June 6, 2023 of the subject area; and
- (3) The City must submit the jurisdictional boundary filing fee of \$2,000 to the State Board of Equalization by April 7, 2023.

Placer LAFCO received the City of Lincoln annexation application on May 21, 2023. On June 19, 2023, an incomplete application notice was sent to the City. LAFCO staff worked with the City to finalize the last items, with the Executive Officer issuing the Certificate of Filing on May 14, 2025, and scheduling the project for today's LAFCO hearing.

Project Location

The project site lies southwest of Moore Road. It includes the entire right-of-way for State Route (SR) 65 to the City of Lincoln boundary annexed to the City as part of the

Village 5A boundary (as part of LAFCO Project No. 2024-02) as well as a small parcel bounded by SR 65 to the west, Moore Road to the south, and the City of Lincoln boundary to the north. The affected territory is located in the furthest north section within the unincorporated Island B, created as part of the Village 5A annexation to the City of Lincoln approved by the LAFCO Commission via Resolution No. 24-10 on December 4, 2024.

The Placer County Surveyor has reviewed and stamped the map and geographic description, which are located in Exhibit A to the resolution (Attachment A). The map showing Island B and the proposed annexation is available in Attachment B.

Affected Local Agencies

The proposed area lies within the jurisdictional boundaries and/or sphere of influence of six local agencies, four of which, as noted below, are directly subject to LAFCO. All affected local agencies have been notified as required. LAFCO staff recommends modifying the proposal to concurrently detach the affected territory from the jurisdictional boundaries of CSA 28, as detailed in the proposed condition of approval under the Discussion and Analysis section below.

- Placer County Resource Conservation District
- Placer County Water Agency
- Placer County Cemetery District #1
- County Service Area 28 (CSA 28)

City of Lincoln General Plan Amendment

In anticipation of the proposed project, the City pre-zoned APN 021-321-091 as Open Space, consistent with its General Plan and adopted Resolution No. 2024-007 to initiate a change of organization for the annexation of the referenced parcel and portions of SR 65 to the City in a manner consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act).

DISCUSSION AND ANALYSIS

The CKH Act directs the Commission to consider 17 factors (subdivisions (a) through (q)) under GC section 56668 when considering a change of organization or reorganization proposal. The purpose is to ensure the Commission has thoroughly considered these factors during its decision-making process. Exhibit 2 to Attachment A to this staff report identifies each factor and provides corresponding staff analysis and comments. The City has provided a Plan for Services for the two parcels to be annexed to the City, provided in Attachment E.

Staff recommends that the Commission adopt one condition of approval as follows:

1. The Commission amends the proposal to include a concurrent detachment of the affected territory from the jurisdictional boundaries of Placer County County Service Area 28, consistent with GC sections 25210.7(e) and 56375(a)(1).

Exchange of Property Tax Revenues

California Revenue and Taxation Code section 99(b)(6) requires Placer County and the City (as the subject agency) to submit adopted resolutions to LAFCO whereby the County and City agree to accept a negotiated exchange of property tax revenues for the territory associated with the proposed change of organization. The City submitted a letter agreeing to apply the previously approved SUD-B NEQ Tax Sharing Agreement between the City of Lincoln and Placer County to this annexation on September 12, 2024. County staff required a re-confirmation of this agreement from the County Board of Supervisors, which approved a resolution on May 13, 2025. Both the letter and resolution can be found in Attachment F.

Environmental Review

The City of Lincoln is the lead agency under CEQA. On January 9, 2024, the City of Lincoln City Council adopted Resolution No. 2024-007 deeming the proposed General Plan Amendment, Pre-zone, and Pre-annexation of APN 021-321-091 and the adjacent portions of SR 65 exempt in accordance with State CEQA Guidelines sections 15319 (Annexations of Existing Facilities and Lots for Exempt Facilities) and 15061(b)(3) (Common Sense Exemption) and approved the General Plan Amendment and Pre-annexation (Attachment D).

As such, the Commission, as a responsible agency, will consider the CEQA documents prepared by the lead agency, the City. Consistent with the State CEQA Guidelines, the Commission should adopt the City's determination of exemption status as part of the proposed Commission resolution.

Conducting Authority Proceedings (Protest Hearing)

Option to Waive Protest Hearing

Pursuant to GC section 56663, any owner of land within the affected territory or any registered voter residing within the affected territory may submit written opposition to the proposal at any time before the conclusion of the public hearing on the proposal. Unless written opposition to this proposal is received before the conclusion of the public hearing on this item on July 9, 2025, the Commission can waive protest proceedings.

Staff have received two comment letters in opposition to this annexation (Attachment H). No comments have been received from a landowner or registered voter residing within the affected territory as of the date of the posting of this agenda.

Staff recommends that the Commission waive protest proceedings if no written opposition is received in the required timeframe. If written opposition is received or the

Commission does not waive the protest proceedings, staff recommends that the Commission delegate to the Executive Officer the performance of all conducting authority proceeding requirements for the subject proposal as allowed under GC section 57000(c).

Placer LAFCO Strategic Plan Alignment

On October 9, 2024, the Commission adopted the Placer LAFCO Strategic Plan 2024-2028+. The proposed annexation of the two parcels as part of this change of organization proposal aligns with the Commission's following goals:

Goal 1: Ensure Efficient Government Services

The Strategic Plan emphasizes providing high-quality, consistent services to all communities. Annexing even small portions of unincorporated islands creates efficiencies in service provision, which align with city standards.

Goal 2: Guide Orderly and Reasonable Formation and Development of Government Agencies

A central focus of the Strategic Plan is ensuring equity in governance and public services. Annexing these parcels directly aligns with this goal, allowing for continuity services within the City of Lincoln.

Goal 3: Monitor Urban Growth to Preserve Open Space and Prime Agricultural Lands

The Strategic Plan supports compact, contiguous growth patterns to discourage urban sprawl and encourage efficient land use. The pre-zone of the subject city parcel to an Open Space designation directly aligns with the Commission's stated goal.

STAFF RECOMMENDATION

The Executive Officer recommends that the Commission adopt the proposed change of organization via the adoption of the proposed LAFCO Resolution No. 25-09 subject to the conducting authority proceedings if required (Attachment A).

Alternative for Consideration

Continue the item and request additional information from staff as needed.

Submitted on behalf of the Executive Officer.



Amanda Ross
Acting Assistant Executive Officer

ATTACHMENTS

A – LAFCO Resolution No. 25-09

Exhibit 1 Map and Description

Exhibit 2 Consideration of Factors for Review

B – Island B Exhibit

C – Placer LAFCO Resolution No. 23-02

D – City of Lincoln Resolution No. 2024-007

E – City of Lincoln Plan for Providing Services

F – Tax Exchange Agreement

G – Proof of Publication

H – Public Comments

**Attachment A
Exhibit 1**

**LAFCO Project No.: 2023-02
Sud-B-Neq-Remnant Parcels**

Description consists of 2 pages (Exhibit A)
Map Exhibit consists of 1 page (Exhibit B)

Surveyor's Statement

This description and exhibit of the Sud-B-Neq-Remnant Parcels annexation boundary is not a legal property description as defined in the Subdivision Map Act and may not be used as a basis for an offer for sale of the land described. It is for annexation purposes only.

Prepared on January 29, 2025, by or under the direction of

Raymond Michael Manger
Raymond Michael Manger
PLS No. 5154
Manger Solutions



County Surveyor's Statement

This description and exhibit meet the requirements of the State Board of Equalization, the Placer County Surveyor's Office and conforms to the lines of annexation.

dated: FEB. 4, 2025

Benjamin J. Bardakjian
Benjamin J. Bardakjian, PLS # 8373
Placer County Surveyor



Approval by Placer County Local Agency Formation Commission:

Dated: _____, 2025

Michelle McIntyre,
Placer LAFCO Executive Officer

EXHIBIT "A"



LAFCO PROJECT NO. 2023-02

SUD-B-NEQ-REMNANT PARCELS

GEOGRAPHIC DESCRIPTION

Those portions of Sections 17, 20 and 21, all in Township 12 North, Range 6 East, Mount Diablo Meridian being a portion of that certain right of way of State of California, Department of Transportation as shown on "Right of Way, Record Map No. R-333802-4A and R-333802-05" together with a portion of said Section 21 described as follows:

Beginning at the common Section Corner of Sections, 16, 17, 20 and 21, thence along the north line of Section 21 and the City of Lincoln Boundary Lincoln per LAFCO Annexation No. 93-1, recorded as Document No. 94-021630 on March 24, 1994, Official Records of Placer County,

{1} North 89° 11'41" East 389.89 feet to a point on the curved northwesterly line of Moore Road having a radius of 630 feet as described in Book 1458 Page 477, Official Records of Placer County also being the westerly boundary of the City of Lincoln said point being the beginning of a non-tangent curve concave to the southeast having a radius of 630 feet and to which beginning a radial line of said curve to said point bears North 19° 30'56" West;

{2} thence along said City of Lincoln Boundary and Moore Road southwesterly 671.17 feet along said curve through a central angle of 61°02'24", having a chord bearing of South 39°57'52" West and a distance of 639.88 feet; to the intersection with the southwesterly line of said State Right of Way, thence leaving said Boundary of the City of Lincoln and along said State Right of Way the following courses:

{3} thence North 42°22'06" West 119.73 feet,

{4} thence North 49°14'44" West 251.42 feet,

{5} thence North 53°50'11" West 188.77 feet to the beginning of a tangent curve concave to the southwest having a radius of 5905.99 feet,

{6} thence northwesterly 951.19 feet along said curve through a central angle of 09°13'40", having a chord bearing of North 58°27' 01" West and a distance of 950.16 feet,

{7} thence North 63°03'51" West 105.22 feet to the beginning of a tangent curve concave to the southwest having a radius of 4921.66 feet, thence,

{8} northwesterly 618.62 feet along said curve through a central angle of 07°12'06", having a chord bearing of North 66°39' 54" West and a distance of 618.21 feet,

{9} thence North 70°15'57" West 37.23 feet to the beginning of a tangent curve concave to the southwest having a radius of 4921.66 feet,

{10} thence northwesterly along said curve 683.80 feet through a central angle of 07°57'38", having a chord bearing of North 74°14' 46" West and a distance of 683.26 feet,

{11} thence North 78°13'35" West 2.56 feet; to the beginning of a tangent curve concave to the southwest having a radius of 3609.21 feet,

{12} thence northwesterly 676.61 feet along said curve through a central angle 10°44'28" having a chord bearing North 83°35' 49" West and a distance of 675.62 feet, thence,

{13} North 88°58'03" West, 1805.98 feet to the east line of the said City of Lincoln LAFCO Annexation No. 2024-02, Village 5A, thence along said City of Lincoln LAFCO Annexation No. 2024-02 and leaving said southwesterly State Right of Way,

{14} North 03°56'42" West a distance of 335.90 feet to the northerly line of said State Highway Right of Way and the South line of the City of Lincoln Annexation 2020-03, Sud-B-Neq as recorded as Document No. 2023-0018419, Official Records of Placer County, thence leaving said Annexation No. 2024-02, Village 5A, and along said Annexation 2020-03, Sud-B Neq and said State Right of Way,

{15} thence South 88°16' 02" East 1973.36 feet to the beginning of a tangent curve concave to the southwest having a radius of 4921.65 feet,

{16} thence easterly and southeasterly along said curve through a central angle of 36°28'31" an arc distance of 3133.19 feet and having a chord bearing of South 70°01'47" East and a distance of 3080.55 feet, thence,


{17} South 51°47'31" East a distance of 309.71 feet to a point on the East line of said Section 17 and the boundary of said City of Lincoln LAFCO Annexation 93-1, recorded as Document No. 1994-0021630, Official Records of Placer County,

{18} thence leaving said Right Of Way and along said City of Lincoln LAFCO Annexation No. 93-1, South 0°31' 25" East a distance of 6.98 feet to the Point of Beginning.

Containing 90.133 acres, more or less.

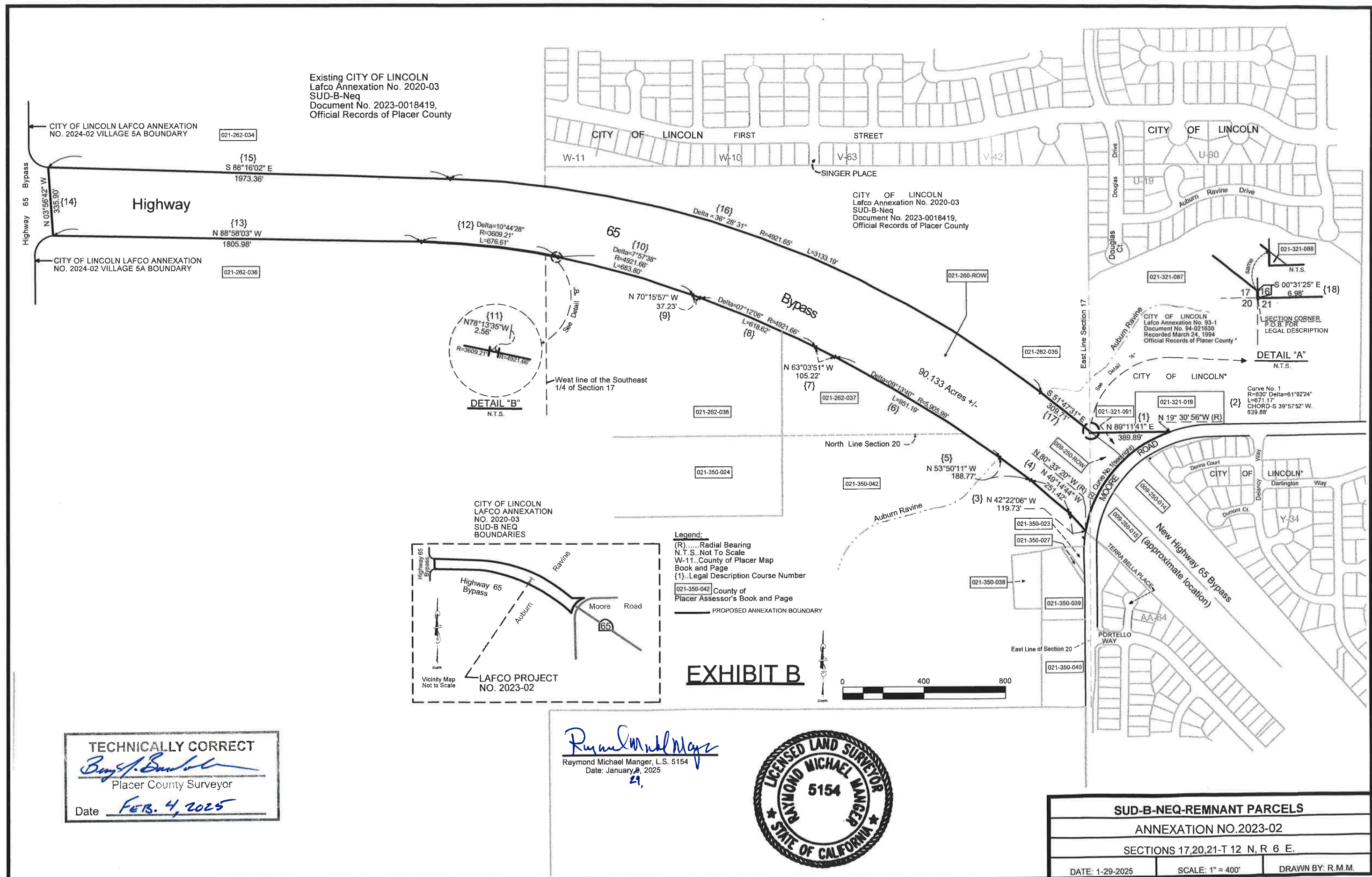
Said parcel are shown on the attached Exhibit "B, attached hereto and made a part hereof.

This legal description is prepared by me on January 29, 2025.



Raymond Michael Manger
L.S. No. 5154





**Attachment A
Exhibit 2**

PLACER LAFCO RESOLUTION NO. 25-09

CONSIDERATION OF FACTORS FOR REVIEW
CALIFORNIA GOVERNMENT CODE (GC) SECTION 56668

(LAFCO Project No. 2023-02)

- a) Population and population density; land area and land use; assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; and the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.**

The affected territory comprises 25.5 acres of unincorporated land within the City of Lincoln's sphere of influence with the majority (24.88 acres) being right-of-way for State Route (SR) 65 and a vacant parcel comprised of 0.62 acres owned by the City of Lincoln, adjacent to SR 65. The assessed valuation of the vacant parcel is \$14.

Topography is generally flat with a drainage basin adjacent to the parcel as part of the improvements for SR 65. The parcels are adjacent to residential developments within the City of Lincoln and areas to the north slated for development under the previously approved SUD-B Northeast Quadrant (NEQ) annexation. The parcels in question are conditioned for annexation as part of the prior SUD-B NEQ annexation.

- b) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; and probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. "Services," as used in this subdivision, refers to governmental services whether or not the services are services that would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.**

The majority parcel being the right-of-way for SR 65 receives municipal services from Caltrans and other applicable state agencies. No change to the service providers with respect to this annexation is anticipated for this parcel. The 0.62 acre vacant parcel would receive applicable municipal services from the City of Lincoln. The parcel is pre-zoned Open Space, and all services are anticipated to be provided by the City of Lincoln. The City identified the following services for the property based on existing use and anticipated zoning: Stormwater, police, fire, and road and street maintenance. The City anticipates minimal service to this parcel as it will not be developed and is currently vacant.

c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

The affected territory recommended for annexation would formalize the social and economic interest existing between the City of Lincoln and the affected territory. These existing ties relate to the City owning the small vacant parcel and the areas north and south of this stretch of SR 65 are currently annexed into the City of Lincoln. Including the 24.88 acres into the City of Lincoln would bring continuity to an existing bifurcation within the SR 65 parcels through the City boundary.

d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in G.C. Section 56377.

Approval of the recommended annexation is consistent with the Commission's objectives under Goal 2 of the 2024-2028+ Strategic Plan to work with cities and the County to encourage annexation of unincorporated islands. Additionally, the proposal would not induce or otherwise facilitate the loss of open-space lands, and as such, does not conflict with the provisions of Government Code Section 56377.

e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by G.C. Section 56016.

No portions of the affected territory recommended for annexation qualify as agricultural land under LAFCO law.

f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

LAFCO is in receipt of a map of the affected territory consistent with the standards of the State Board of Equalization.

g) A regional transportation plan adopted pursuant to G.C. Section 65080.

The recommended annexation would not conflict with the 2025 Blueprint, the regional transportation plan established by the Sacramento Area Council of Governments (SACOG).

h) The proposal's consistency with city or county general and specific plans.

The affected territory recommended for annexation is entirely unincorporated and subject to the land use policies of Placer County. The County's implementing land use policy document for the affected territory is the Placer County General Plan. This

document guides development in the County to achieve balance between the natural and built environment. The City has pre-zoned the vacant parcel as Open Space for consistency with the City of Lincoln General Plan.

i) The sphere of influence of any local agency affected by the proposal being reviewed.

No other local agency's sphere of influence is affected by the proposal.

j) The comments of any affected local agency or other public agency.

Notice of the submitted reorganization proposal was distributed to all affected and subject agencies as required under LAFCO law. No written comments on the proposal were received ahead of preparing this agenda report for distribution on July 3, 2025.

k) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

The City of Lincoln would be the receiving entity to provide services for the vacant parcel. The parcel encompassing SR 65 would continue to receive services from Caltrans and other applicable state agencies.

l) Timely availability of adequate water supplies for projected needs as specified in G.C. Section 65352.5.

The parcels in this annexation proposal are uninhabited and no water service is proposed given no development is proposed that would require this service.

m) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.

The proposed annexation would not impact any local agencies in accommodating their regional housing needs.

n) Any information or comments from the landowners, voters, or residents of the affected territory.

No written or formal comments from voters or landowners within the affected territory have been submitted to Placer LAFCO staff as of the date of the posting of the agenda report on July 3, 2025.

o) Any information relating to existing land use designations.

See above analysis in item (h).

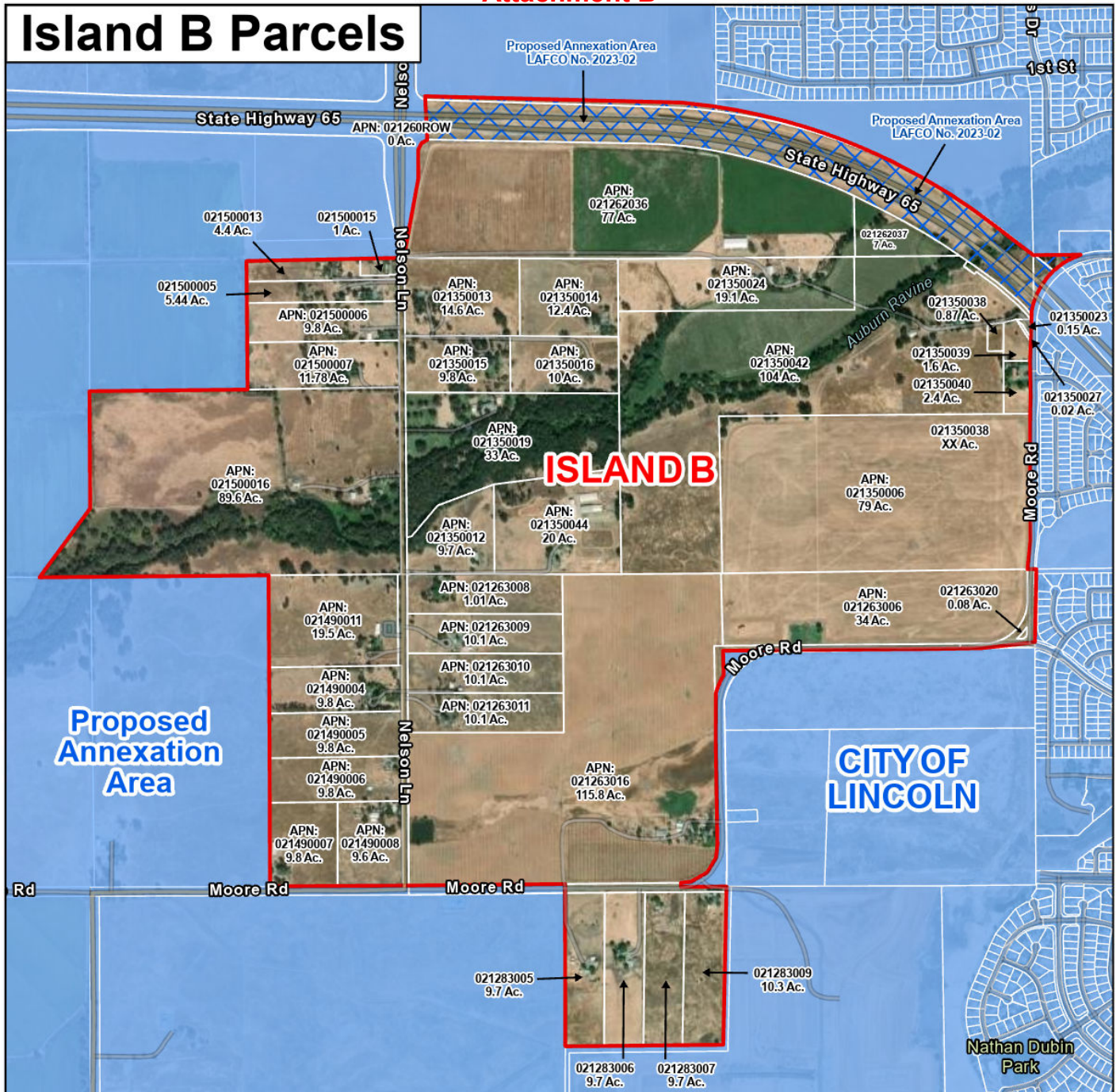
p) The extent to which the proposal will promote environmental justice.

There are no environmental justice issues identified.

q) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone or maps that identify land determined to be in a state responsibility area, if it is determined that such information is relevant to the affected territory.

The Placer County Local Hazard Mitigation Plan contains a plan for potential fire, flooding, and earthquakes. The affected territory lies in a AE 100-year floodplain, with Base Flood Elevations (BFEs) determined.

Attachment B



APN	FullStreet	Acres
021-260-ROW-000	MOORE RD	0
021-260-ROW-000	HWY 65	0
021-262-036-000	NO ADDRESS ON FILE	77
021-262-037-000	NO ADDRESS ON FILE	7
021-263-006-000	2300 MOORE RD	34
021-263-008-000	765 NELSON LN	1.01
021-263-009-000	805 NELSON LN	10.1
021-263-010-000	841 NELSON LN	10.1
021-263-011-000	865 NELSON LN	10.1
021-263-016-000	2660 MOORE RD	115.8
021-263-ROW-000		0
021-283-005-000	2815 MOORE RD	9.7
021-283-006-000	2775 MOORE RD	9.7
021-283-007-000	2755 MOORE RD	9.7
021-283-009-000	2725 MOORE RD	10.3
021-321-091-000	NO ADDRESS ON FILE	0

APN	FullStreet	Acres
021-350-006-000	NO ADDRESS ON FILE	79
021-350-012-000	731 NELSON LN	9.7
021-350-013-000	535 NELSON LN	14.6
021-350-014-000	2780 HEATHERBROOK LN	12.4
021-350-015-000	2835 HEATHERBROOK LN	9.8
021-350-016-000	2781 HEATHERBROOK LN	10
021-350-019-000	641 NELSON LN	33
021-350-023-000	NO ADDRESS ON FILE	0.15
021-350-024-000	NO ADDRESS ON FILE	19.1
021-350-027-000	NO ADDRESS ON FILE	0
021-350-038-000	NO ADDRESS ON FILE	0.87
021-350-039-000	NO ADDRESS ON FILE	1.6
021-350-040-000	1800 MOORE RD	2.4
021-350-042-000	NO ADDRESS ON FILE	104
021-350-044-000	741 NELSON LN	20
021-350-045-000	NO ADDRESS ON FILE	0

APN	FullStreet	Acres
021-350-ROW-000		0
021-490-004-000	850 NELSON LN	9.8
021-490-005-000	880 NELSON LN	9.8
021-490-006-000	910 NELSON LN	9.8
021-490-007-000	3150 MOORE RD	9.8
021-490-008-000	950 NELSON LN	9.6
021-490-011-000	790 NELSON LN	19.5
021-500-005-000	530 NELSON LN	5.44
021-500-006-000	550 NELSON LN	9.8
021-500-007-000	570 NELSON LN	11.78
021-500-013-000	520 NELSON LN	4.4
021-500-015-000	510 NELSON LN	1
021-500-016-000	690 NELSON LN	89.6
021-490-ROW-000		0
021-263-020-000	NO ADDRESS ON FILE	0.08

Attachment C

RESOLUTION NO. 23-02

LOCAL AGENCY FORMATION COMMISSION OF PLACER COUNTY

**MAKING DETERMINATIONS, ADDING CONDITIONS, AND ORDERING A CHANGE
OF ORGANIZATION**

**SPECIAL USE DISTRICT B NORTHEAST QUADRANT (SUD-B NEQ) ANNEXATION
TO THE CITY OF LINCOLN**

(LAFCO Project No. 2020-03)

WHEREAS, on March 19, 2019, the City of Lincoln (City) adopted Resolution 2019-101 to initiate a change of organization proceeding with the Local Agency Formation Commission of Placer County (LAFCO or Commission) pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH), commencing with Section §56000, et seq. of the Government Code (GC); and,

WHEREAS, the application seeks approval of the annexation of approximately 200 acres of unincorporated territory in the County of Placer to the City of Lincoln (City); and,

WHEREAS, the affected territory as proposed includes the parcels below as identified by the County of Placer Assessor's Office:

021-262-034, 021-262-035, 021-262-040,
and parts of 021-380-034 (3025 Rockwell Lane), 021-380-068 (160 Nelson
Lane), 021-380-071 (152 Nelson Lane), and 021-380-078; and,

WHEREAS, the annexation of the proposed territory will facilitate the development of residential, commercial, parks, recreation, and open space areas for the City; and,

WHEREAS, on March 8, 2022, the City approved Resolution 2022-51, and on May 24, 2022, the County of Placer approved Resolution 2022-097, the agreement between the two agencies regarding the tax transfer of property tax that will govern the Special Use District B Northeast Quadrant Specific Plan Annexation (SUD-B NEQ), the subject change of organization; and,

WHEREAS, the LAFCO Executive Officer has reviewed the proposed change of organization and prepared a report with recommendations; and,

WHEREAS, the Executive Officer's report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and,

WHEREAS, the Commission heard and fully considered all the evidence presented at a noticed public meeting on the proposal on March 8, 2023; and,

WHEREAS, the Commission considered all factors required by law under Government Code section 56668 and adopted local policies and procedures.

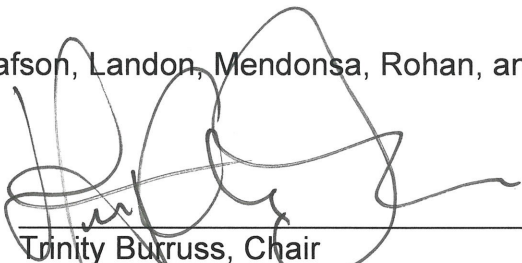
NOW, THEREFORE, BE IT HEREBY RESOLVED, DETERMINED, AND ORDERED
as follows:

1. The public meeting was held on the date set and due notice of the said meeting was given in the manner required by law.
2. The Commission considered the Executive Officer's report at the public meeting.
3. The Commission serves as a responsible agency for environmental review of the proposed change of organization under the California Environmental Quality Act (CEQA) as detailed in the Executive Officer's report. The Commission adopts the Lead Agency's Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program attached hereto as Exhibit 2.
4. The Commission approves the change of organization without modifications as described below and subject to conditions as provided. Approval involves the following:
 - a. Sphere of Influence Amendment to remove the affected territory from the City of Lincoln's Sphere of Influence.
 - b. Annexation of the affected territory to the City of Lincoln as described and depicted in the map and geographic description "Exhibit 1" to this resolution.
5. The Commission conditions all approvals on the following terms:
 - a. **The City of Lincoln shall pre-zone APN 021-321-091 consistent with their General Plan and adopt a resolution to initiate a change of organization for the annexation of said APN and portions of Highway 65 to the City in a manner consistent with CKH. The City must submit an annexation application to LAFCO staff before June 7, 2023.**
 - b. **The City must provide services to APN 021-321-091 and portions of Highway 65 located south of the SUD-B NEQ proposal area to the same level and extent as the SUD-B NEQ proposal area upon recordation of the Certificate of Completion for SUD-B NEQ. This condition will be null and void upon the recordation of the Certificate of Completion for the annexation of APN 021-321-091 and the portion of Highway 65.**
 - c. **The City of Lincoln shall submit the jurisdictional boundary change filing fee to LAFCO on behalf of the CA State Board of Equalization in the amount of \$2,000 before April 8, 2023.**
6. The Commission assigns the proposal the following short-term designation:
"LAFCO Project No. 2020-03 SUD-B NEQ Annexation to the City of Lincoln"
7. The affected territory is uninhabited as defined under Government Code 56079.5.

8. The Commission waives the Conducting Authority Proceeding, more commonly referred to as a Protest Hearing, under Government Code section 56663.
9. The affected territory will be liable for any existing bonds, contracts, and/or obligations of the City of Lincoln as provided under Government Code section 57328.
10. The affected territory will be subject to any previously authorized taxes, benefit assessments, fees, or charges of the City of Lincoln as provided under Government Code section 57330.
11. The effective date of the approval shall be the date of the recordation of the Certificate of Completion after the completion of a 30-day reconsideration period and only after all terms have been completed as attested by the Executive Officer.
12. As allowed under Government Code section 56107, the Commission authorizes the Executive Officer to make non-substantive corrections to this resolution to address any technical defects, errors, irregularities, or omissions.
13. The Executive Officer is hereby authorized and directed to transmit copies of this resolution as provided in Government Code sections 56880-56882.
14. The Executive Officer is further authorized and directed to prepare, execute, and record a Certificate of Completion, make the required filings with the County Assessor, County Auditor, and the State Board of Equalization as required by Section 57200, et seq., of the Government Code.

The foregoing resolution was duly passed and adopted by the Local Agency Formation Commission of Placer County at a regular meeting held on the 8th day of March 2023 by the following vote:

AYES: Alpine, Burruss, Gustafson, Landon, Mendonsa, Rohan, and Stephens
NOES: none
ABSENT: none
ABSTAIN: none



Trinity Burruss, Chair
Local Agency Formation Commission
County of Placer, State of California

ATTEST:

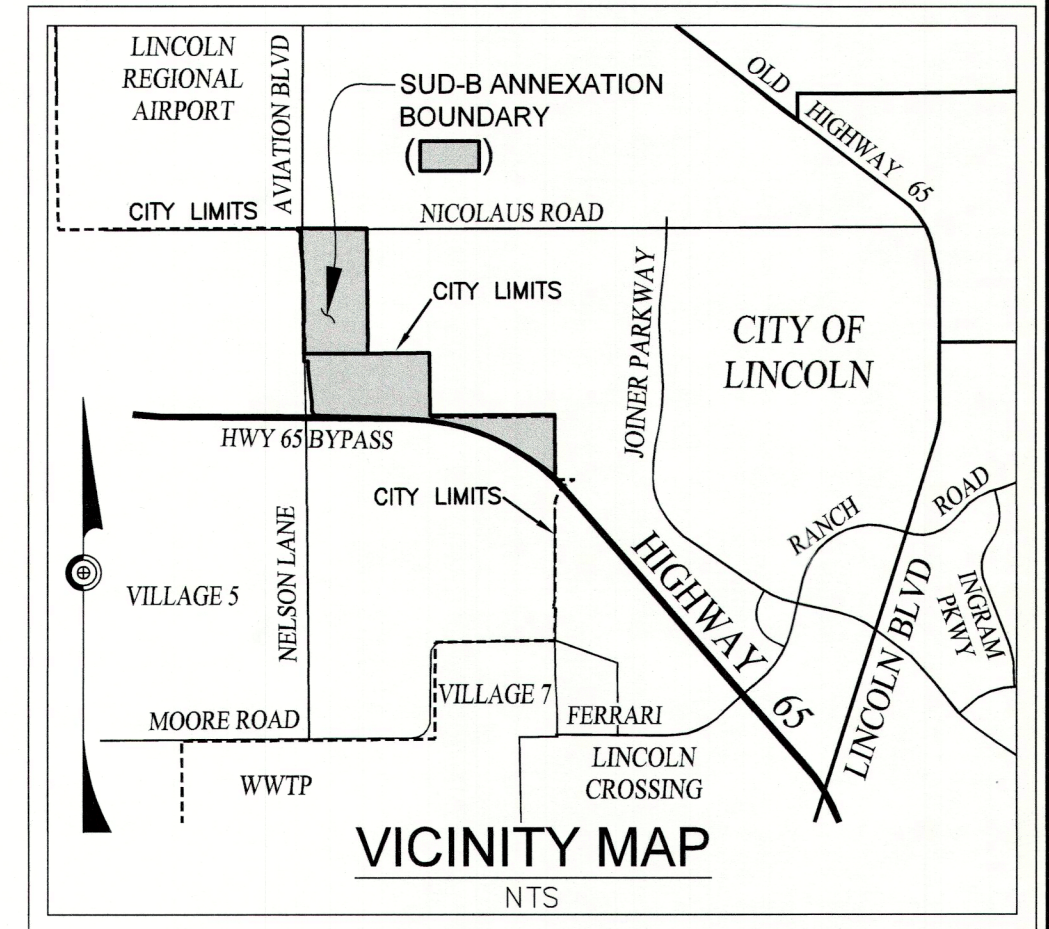


Amy Engle, Commission Clerk

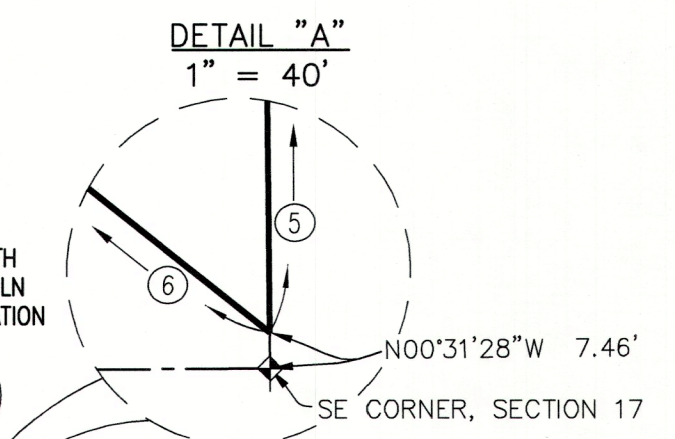
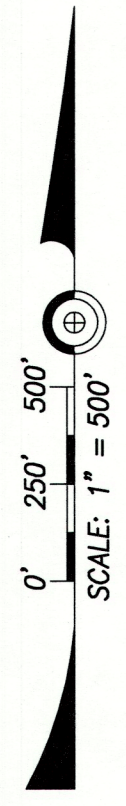
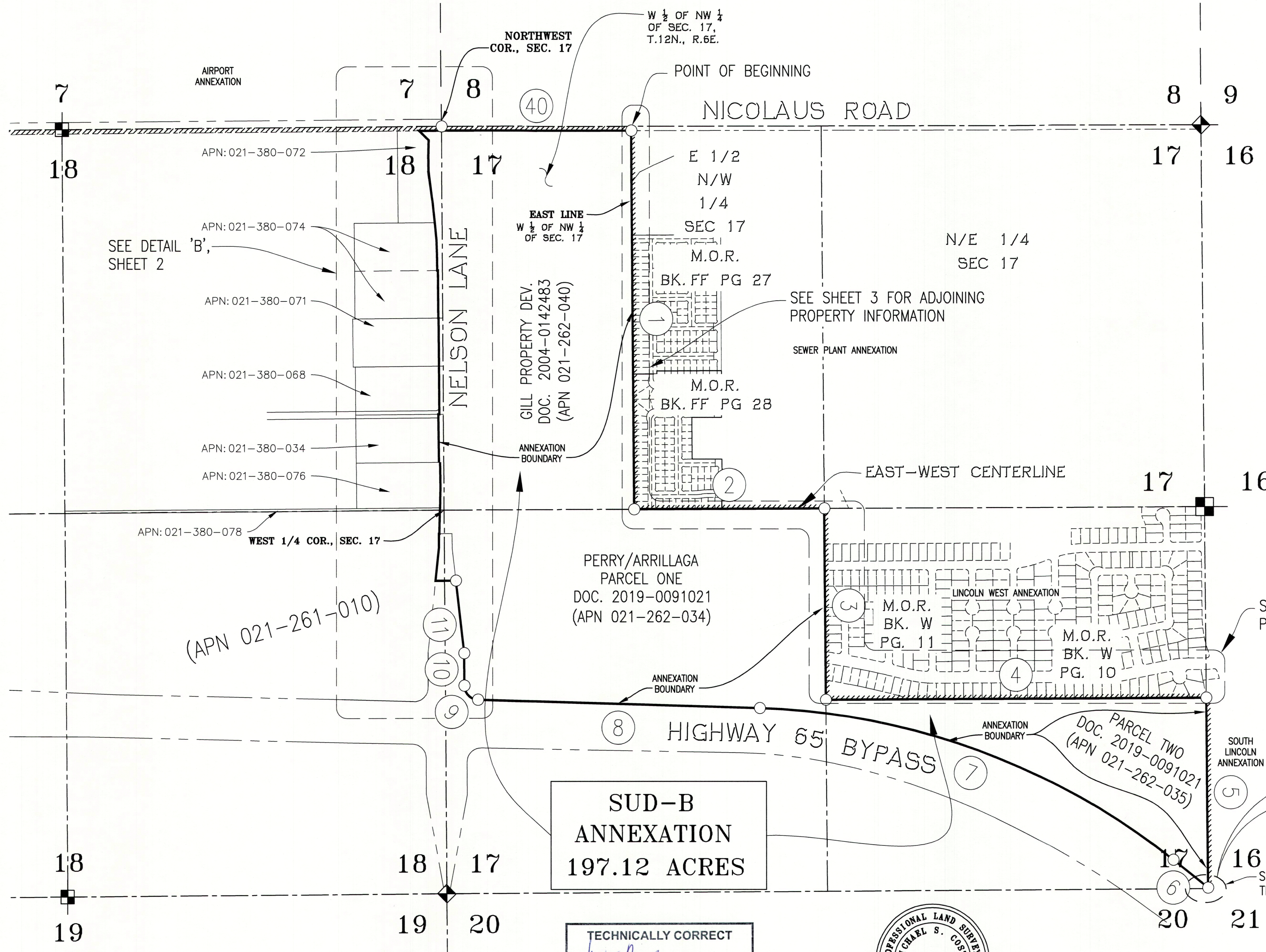
FLG FRAYJi
DESIGN GROUP
CIVIL ENGINEERING | PLANNING | SURVEYING
1316 Blue Oaks Blvd, Roseville, CA 95661

PORTIONS OF SECTIONS 17&18, T. 12N, R. 6E, M.D.M.
Placer County, California

SEE SHEET 2 FOR LINE/CURVE TABLE

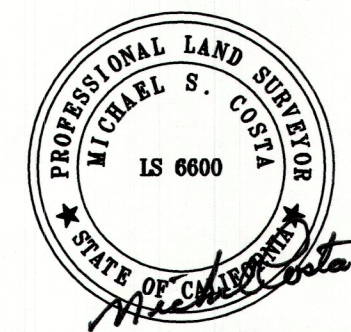


- LEGEND:**
- o DENOTES DIMENSION POINT
 - APN ASSESSOR'S PARCEL NUMBER
 - COR. DENOTES CORNER
 - DOC. DENOTES DOCUMENT NUMBER
 - NEQ DENOTES NORTHEAST QUADRANT
 - N,S,E,W DENOTES NORTH, SOUTH, EAST, WEST
 - O,R,P,C. DENOTES OFFICIAL RECORDS OF PLACER COUNTY
 - R. DENOTES RANGE
 - REC. DENOTES RECORDED IN/AS
 - SEC. DENOTES SECTION
 - T. DENOTES TOWNSHIP
 - DENOTES EXISTING CITY OF LINCOLN BOUNDARY LIMITS



SUD-B ANNEXATION
197.12 ACRES

TECHNICALLY CORRECT
Michael S. Costa
Placer County Surveyor
Date 4/29/2022

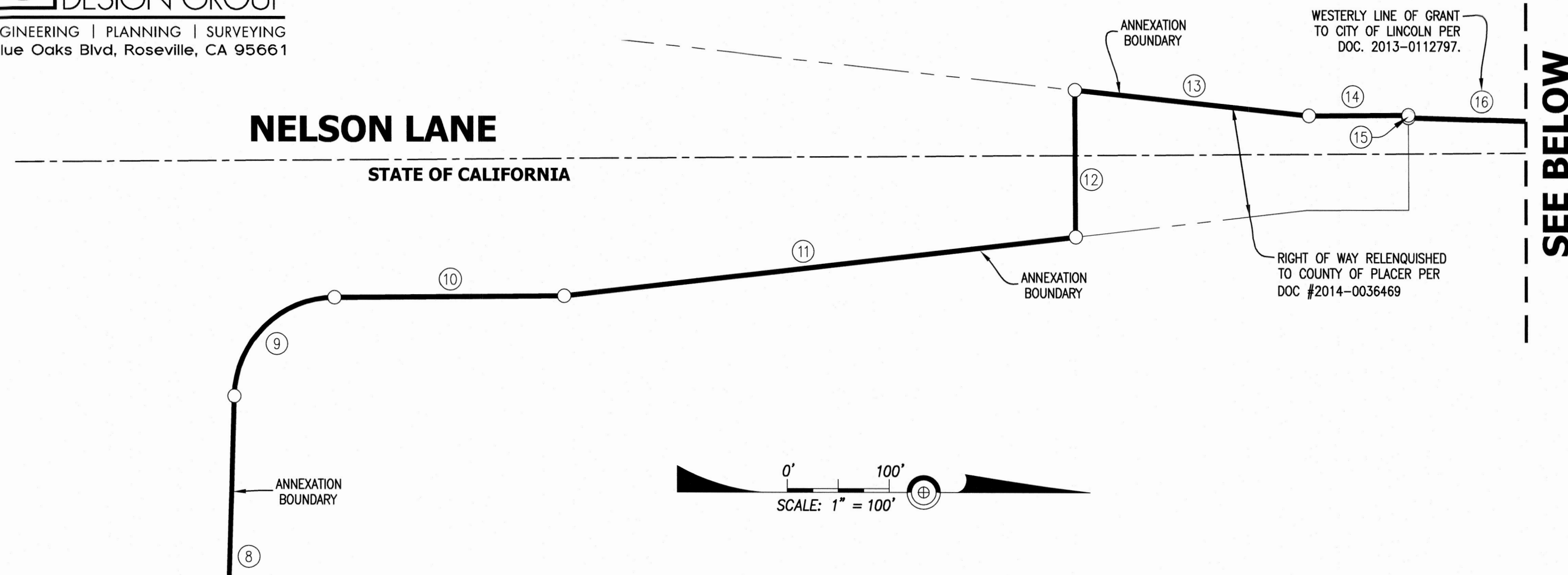


Michael S. Costa 4-29-22
MICHAEL S. COSTA, L.S. 6600 DATE

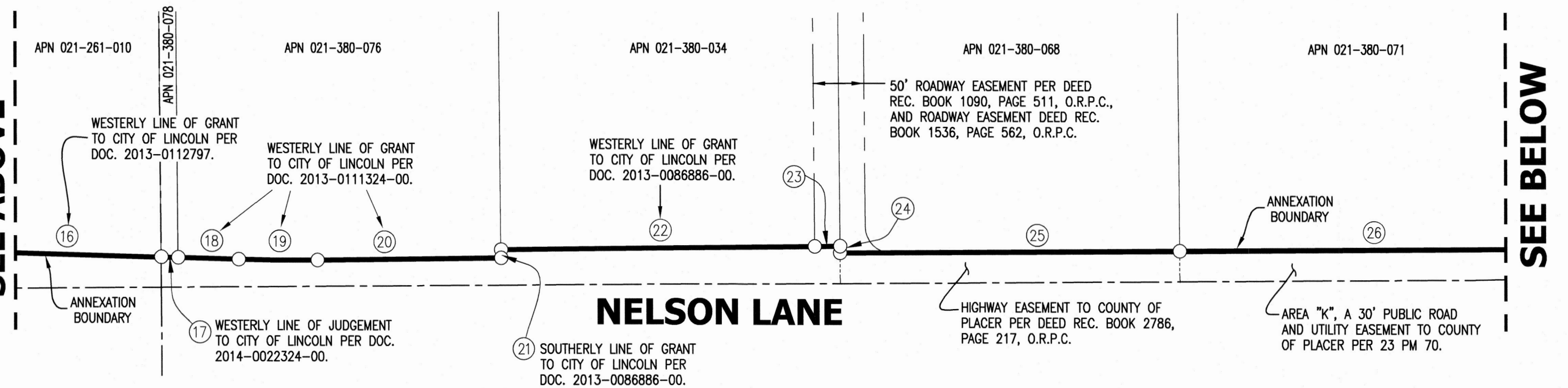
PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR:
LAFCO ANNEXATION NO. 2020-03
SUD-B (NEQ) ANNEXATION TO
THE CITY OF LINCOLN

EXHIBIT B

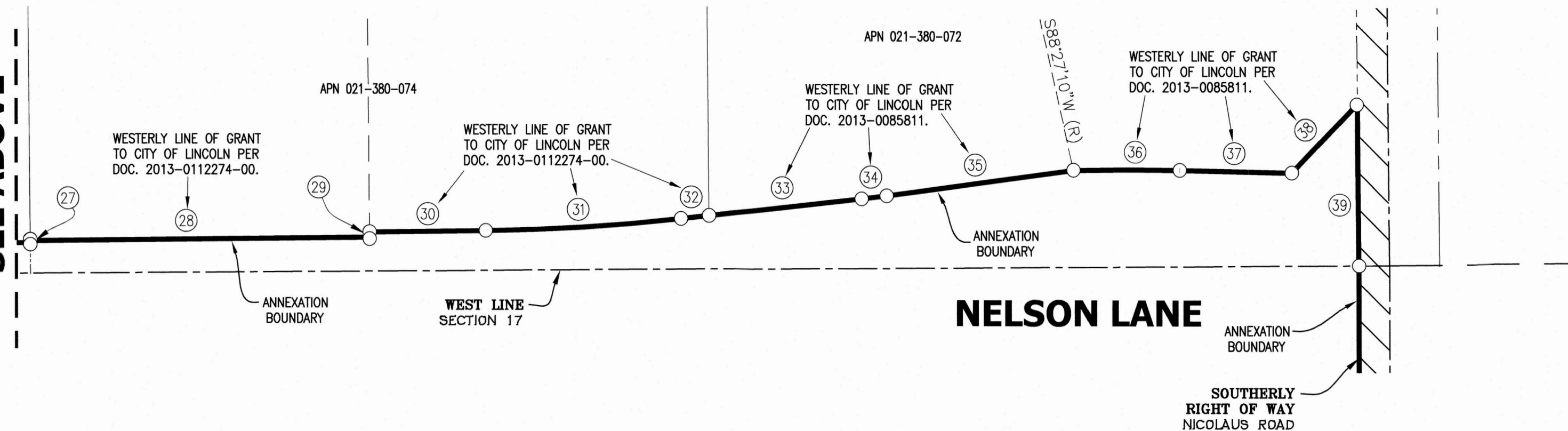
DATE : 04-25-22 SHEET 1 OF 3



SEE BELOW



SEE BELOW



DETAIL 'B'

Line Table		
Line	Bearing	Distance
L1	S0°24'59"E	2624.52'
L2	N89°45'49"E	1330.87'
L3	S0°27'08"E	1325.89'
L4	N89°42'00"E	2664.06'
L5	S0°31'28"E	1315.49'
L6	N51°47'31"W	309.69'
L8	N88°16'02"W	1973.21'
L10	N0°22'01"W	224.94'
L11	N6°36'31"W	503.38'
L12	S89°43'16"W	142.63'
L13	N6°06'28"E	230.49'
L14	N0°22'02"W	97.02'
L15	N89°37'58"E	2.48'
L16	N1°34'50"E	164.29'
L17	N1°07'09"E	16.51'
L18	N1°42'29"E	59.40'
L20	N0°39'45"W	179.36'

Line Table		
Line	Bearing	Distance
L21	S89°34'41"W	7.96'
L22	N0°41'17"W	307.18'
L23	N0°20'51"W	25.00'
L24	N89°34'56"E	6.56'
L25	N0°22'52"W	332.20'
L26	N0°22'52"W	332.20'
L27	S89°34'36"W	1.83'
L28	N0°39'45"W	332.19'
L29	S89°34'26"W	5.00'
L30	N0°39'45"W	113.04'
L32	N6°16'44"W	27.52'
L33	N6°16'53"W	150.39'
L35	N7°43'58"W	184.34'
L37	N1°20'58"E	109.84'
L38	N46°17'31"W	92.53'
L39	N89°33'32"E	155.83'
L40	N89°54'02"E	1329.39'

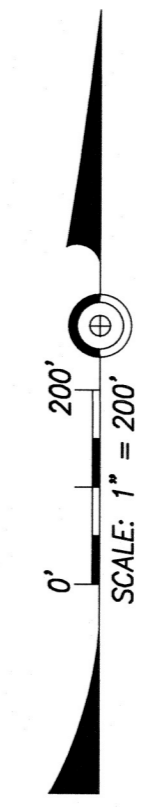
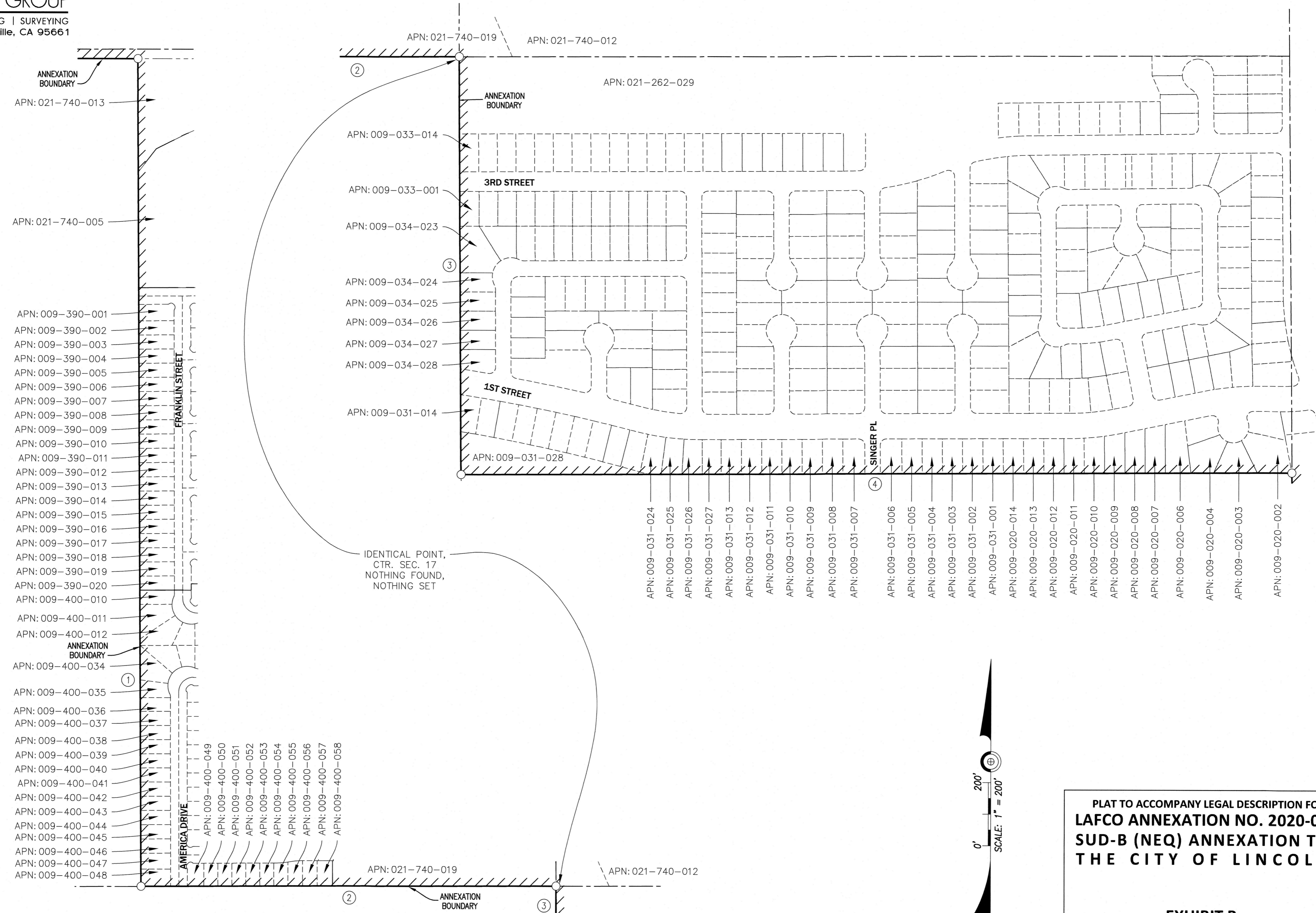
Curve Table					
Curve	Radius	Delta	Length	Chord	Cord Length
C7	4921.26'	36°28'31"	3132.94'	N70°01'46"W	3080.30'
C9	98.43'	87°54'01"	151.01'	N44°19'02"W	136.63'
C19	1960.00'	2°14'33"	76.71'	N00°27'32"E	76.71'
C31	1960.00'	5°36'59"	192.13'	N03°28'15"W	192.05'
C34	975.00'	1°27'04"	24.69'	N07°00'26"W	24.69'
C36	2057.00'	2°53'48"	103.99'	N00°05'56"W	103.98'

PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR:
**LAFCO ANNEXATION NO. 2020-03
SUD-B (NEQ) ANNEXATION TO
THE CITY OF LINCOLN**

EXHIBIT B

DATE : 04-25-22 SHEET 2 OF 3

SEE BELOW, THIS SHEET



PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR:
LAFCO ANNEXATION NO. 2020-03
SUD-B (NEQ) ANNEXATION TO
THE CITY OF LINCOLN

EXHIBIT B

DATE : 04-25-22 SHEET 3 OF 3

SEE ABOVE, THIS SHEET

ADJOINING PROPERTY DETAILS

EXHIBIT "A"
LEGAL DESCRIPTION
LAFCO ANNEXATION NO. 2020-03
SUD-B (NEQ) ANNEXATION TO THE CITY OF LINCOLN

That certain parcel of land situated in the unincorporated territory of the County of Placer, State of California, being that portion of Sections 17 and 18, Township 12 North, Range 6 East, Mount Diablo Base and Meridian, more particularly described as follows:

BEGINNING at a point along the southerly corporate limits of the City of Lincoln per the Airport Annexation recorded November 19, 1974, in Volume 1606, Page 200 of Official Records in said Office of the County Recorder, said corporate limits line also being the southerly right-of-way line of Nicolaus Road, and said point being at an intersection with the easterly line of the West half of the Northwest one-quarter of said Section 17 as described in Exhibit "A" of the City of Lincoln Sewer Plant Annexation, recorded December 30, 1975 in Volume 1691, page 675 of Official Records of said County Recorder;

- 1) Thence, along said Easterly line and continuing along said corporate limits, South 00°24'59" East, a distance of 2,624.52 feet more or less to a point on the East-West centerline of said Section 17;
- 2) thence North 89°45'49" East along said corporate limits and East-West centerline, a distance of 1,330.87 feet to a point on the Easterly line of Parcel One as described in a Grant Deed recorded November 13, 2019 as Instrument No. 2019-0091021 of Official Records in said Office of the County Recorder;
- 3) thence South 00°27'08" East along said Easterly line of Parcel One, a distance of 1,325.89 feet to a point on the Northerly line of Parcel Two as described in a Grant Deed recorded November 13, 2019 as Instrument No. 2019-0091021 of Official Records in said Office of the County Recorder, said Easterly line also being the corporate limits of the City of Lincoln as described in Exhibit "B" of the Lincoln West Annexation recorded January 25, 1995, as Instrument No. 95-003837 of Official Records in said Office of the County Recorder;
- 4) thence North 89°42'00" East along said Northerly line of Parcel Two, a distance of 2,664.06 feet to a point on the Easterly line of said Section 17, said Northerly line also being the corporate limits of the City of Lincoln as described in Exhibit "B" of the Lincoln West Annexation recorded January 25, 1995, as Instrument No. 95-003837 of Official Records in said Office of the County Recorder;
- 5) thence South 00°31'28" East along last said Easterly line, a distance of 1,315.49 feet to a point on the new Caltrans Highway 65 northerly right-of-way, also being the southerly line of said Parcel Two, said Easterly line also being the corporate limits of the City of

Lincoln as described in Exhibit "A" of the South Lincoln Annexation recorded March 24, 1994, as Instrument No. 94-021630 of Official Records in said Office of the County Recorder;

thence, departing said corporate limits of the City of Lincoln, travelling along said Northerly Caltrans right-of-way the following six courses:

- 6) North 51°47'31" West 309.69 feet to the beginning of a tangent curve concave Southerly and having a radius of 4,921.26 feet;
- 7) thence Northwesterly along said curve 3,132.94 feet through a central angle of 36°28'31", said curve having a chord bearing and chord distance of North 70°01'46" West 3,080.30 feet;
- 8) thence North 88°16'02" West 1,973.21 feet to the beginning of a tangent curve concave Northeasterly and having a radius of 98.43 feet;
- 9) thence Northwesterly along last said curve 151.01 feet through a central angle of 87°54'01", last said curve having a chord bearing and chord distance of North 44°19'02" West 136.63 feet;
- 10) thence North 00°22'01" West 224.94 feet;
- 11) thence North 06°36'31" West 503.38 feet;

thence, departing said Caltrans right-of-way, along the right-of-way relinquished to the County of Placer as recorded June 3, 2014 as Instrument No. 2014-0036439-00 of Official Records in said Office of the County Recorder, the following four courses:

- 12) thence South 89°43'16" West 142.63 feet;
- 13) thence North 06°06'28" East 230.49 feet;
- 14) thence North 00°22'02" West 97.02 feet;
- 15) thence North 89°37'58" East 2.48 feet to a point on the Westerly line of that parcel of land described in a Grant Deed recorded December 9, 2013 as Instrument No. 2013-0112797-00 of Official Records in said Office of the County Recorder, said Westerly line also being the Westerly right of way of Nelson Lane;

thence, continuing along the Westerly right of way of Nelson Lane, the following twenty-three courses:

16) thence North 01°34'50" East along said Westerly line, a distance of 164.29 feet to a point terminating in the Northerly line of last said parcel of land, said point also being on the Southerly line of that parcel of land described in a Final Order of Condemnation recorded April 10, 2014 as Instrument No. 2014-0022324-00 of Official Records in said Office of the County Recorder;

17) thence North 01°07'09" East along the Westerly line of last said parcel of land, a distance of 16.51 feet to a point terminating in the Northerly line of line of last said parcel, said point also being on the Southerly line of that parcel of land described in a Grant Deed recorded December 3, 2013 as Instrument No. 2013-0111324-00 of Official Records in said Office of the County Recorder;

thence along the Westerly line of last said parcel of land the following three courses:

18) North 01°42'29" East, a distance of 59.40 feet to the beginning of a tangent curve concave Westerly and having a radius of 1,960.00 feet;

19) thence Northerly along last said curve 76.71 feet through a central angle of 02°14'33", last said curve having a chord bearing and chord distance of North 00°27'32" East 76.71 feet;

20) thence North 00°39'45" West, a distance of 179.36 feet to a point terminating in the Northerly line of last said parcel, said point also being on the Southerly line of that parcel of land described in a Grant Deed recorded September 3, 2013 as Instrument No. 2013-0086886-00 of Official Records in said Office of the County Recorder;

21) thence South 89°34'41" West along the Southerly line of last said parcel of land, a distance of 7.96 feet to a point on the Westerly line of last said parcel;

22) thence North 00°41'17" West along the Westerly line of last said parcel, a distance of 307.18 feet to a point terminating in the Northerly line of last said parcel, said point also being on the Southerly line of a roadway easement described in documents recorded in Book 1090, Page 511 and Book 1536, Page 562 of Official Records of said Office of the County Recorder;

23) thence continuing North 00°20'51" West in said roadway easement, a distance of 25.00 feet;

24) thence North 89°34'56" East in said roadway easement, a distance of 6.56 feet to the Southwesterly corner of that parcel of land described as "Area J, Highway Easement" on a map filed in Book 21, Page 107 of Parcel Maps in said Office of the County Recorder, and as also described in a document recorded in Book 2786, Page 217 of Official Records of said Office of the County Recorder;

25) thence North 00°22'52" West along the Westerly line of said "Area J", a distance of 332.20 feet to a point terminating in the Southerly line of that parcel of land described as "Area K" on a map filed in Book 23, Page 70 of Parcel Maps in said Office of the County Recorder;

26) thence continuing North 00°22'52" West along the Westerly line of said "Area K", a distance of 332.20 feet to a point terminating in the Northerly line of said "Area K", said point also being on the Southerly line of that portion of land described in a Grant Deed recorded December 6, 2013 as Instrument No. 2013-0112274-00 of Official Records in said Office of the County Recorder;

27) thence South 89°34'36" West along the Southerly line of last said portion of land, a distance of 1.83 feet to the Southwesterly corner of last said portion of land;

thence along the Westerly line of last said portion of land, the following five courses :

28) North 00°39'45" West 332.19 feet;

29) thence South 89°34'26" West 5.00 feet;

30) thence North 00°39'45" West, a distance of 113.04 feet to the beginning of a tangent curve concave Westerly and having a radius of 1,960.00 feet;

31) thence Northerly along last said curve 192.13 feet through a central angle of 05°36'59", last said curve having a chord bearing and chord distance of North 03°28'15" West 192.05 feet;

32) thence North 06°16'44" West, a distance of 27.52 feet to a point terminating in the Northerly line of last said portion of land, said point also being on the Southerly line of that parcel of land described in a Grant Deed recorded August 30, 2013 as Instrument No. 2013-0085811-00 of Official Records in said Office of the County Recorder;

thence along the Westerly line of last said parcel of land, the following six courses:

33) North 06°16'53" West, a distance of 150.39 feet to the beginning of a tangent curve concave Westerly and having a radius of 975.00 feet;

34) thence Northerly along last said curve 24.69 feet through a central angle of 01°27'04", last said curve having a chord bearing and chord distance of North 07°00'26" West 24.69 feet;

35) thence North 07°43'58" West, a distance of 184.34 feet to the beginning of a non-tangent curve concave Easterly a radius of 2,057.00 feet, a radial line to said curve bears South 88°27'10" West;

- 36) thence Northerly along last said curve 103.99 feet through a central angle of 02°53'48", last said curve having a chord bearing and chord distance of North 00°05'56" West 103.98 feet;
- 37) thence North 01°20'58" East 109.84 feet;
- 38) thence North 46°17'31" West 92.53 feet more or less, to a point terminating the southerly right-of-way of aforementioned Nicolaus Road, said right-of-way also being the corporate limits of the City of Lincoln as described in Exhibit "A" of the Airport Annexation recorded November 19, 1974, in Volume 1606, Page 200 of Official Records in said Office of the County Recorder;
- 39) thence North 89°33'32" East along the southerly right-of-way and corporate limits of the City of Lincoln, a distance of 155.83 feet, more or less, to a point on the easterly line of said Section 18;
- 40) thence continuing along said southerly right-of-way line and corporate limits of the City of Lincoln, North 89°54'02" East, a distance of 1,329.39 feet, more or less, to the **POINT OF BEGINNING**.

CONTAINING: 197.12 Acres, more or less.

EXHIBIT "B" attached and by this reference made a part hereof.

This description was prepared by me
or under my direction:

S
MI LS 6600 ▶

Michael S. Costa, L.S. 6600

T CHNICALLY CORRECT

Amson

Placer County Surveyor

Date

2022

RESOLUTION NO. 2019-098

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINCOLN CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE SPECIAL USE DISTRICT – B, NORTHEAST QUADRANT SPECIFIC PLAN PROJECT (ASSESSOR'S PARCEL NUMBERS 021-262-040, 021-262-034, 021-262-035, and 009-031-028), MAKING FINDINGS CONCERNING MITIGATION MEASURES ADOPTION OF A MITIGATION MONITORING PROGRAM, MAKING OF FINDINGS CONCERNING ALTERNATIVES, AND ADOPTION OF A STATEMENT OF OVERRIDING CONSIDERATIONS IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Recitals

WHEREAS, the Planning Division, on September 28, 2018, issued a Notice of Preparation (NOP) for the Environment Impact Report for the Special Use District B Northeast Quadrant Specific Plan Project (Project) and released the NOP for the required 45-day public review/comment period which began on September 28, 2018 and concluded on November 12, 2018 in accordance with Section 15082 of the CEQA Guidelines during which time the City of Lincoln received both agency and public comments; and

WHEREAS, the Planning Division conducted a public scoping meeting concerning the proposed project scope and content of the Draft Environmental Impact Report (DEIR) for Project on October 17, 2018, in accordance with Section 15082 of the CEQA Guidelines; and

WHEREAS, a Draft Environmental Impact Report was prepared for the Project in accordance with Public Resources Code Section 21000 et seq. and CEQA Guidelines Section 15000 et seq.; and

WHEREAS, the Planning Division distributed copies of the DEIR to the public agencies which have jurisdiction by law with respect to the project and to other interested persons and agencies and sought the comments of such person and agencies; and

WHEREAS, notice inviting comments on the DEIR was given in compliance with CEQA Guidelines Section 15085; and

WHEREAS, the DEIR for the Project was circulated to the public, responsible agencies and other interested parties as required by CEQA Guidelines §15087 and §15105(a) for a period of not less than 45 days commencing on September 28, 2018, and concluded on November 12, 2018, and which said notice and project DEIR was posted at the Lincoln City Hall Community Development Department; the Lincoln Public Library; and, the City of Lincoln website; and

WHEREAS, public comments were also invited and accepted during a City of Lincoln Planning Commission meeting held on October 17, 2018. At the conclusion of the 45-day public review/comment period, the Planning Division received six (6) public comment letters in addition to the three (3) independent verbal public comments received at the October 17, 2018, Planning Commission meeting regarding the Project DEIR; and

WHEREAS, the Planning Division has prepared a Final EIR for the Project in accordance with CEQA Guidelines, which includes responses to each of the six (6) public comment letters and three (3) verbal public comments that were received during the 45-day public review/comment period, and which the Response to Comments for the Final EIR was provided to each public agency commenter at least 10 days prior to the March 20, 2019 Planning Commission meeting in accordance with CEQA Guidelines Section 15088; and

WHEREAS, the SUD-B NEQ Specific Plan Project Final EIR consists of the following documents, included as Exhibits to this Resolution, as follows:

Exhibit A – SUD-B NEQ Specific Plan Project Draft Environmental Impact Report, dated September 2018 (SCH#2015032102) including Alternatives, Significant Impacts with feasible mitigation measures, significant unavoidable impacts and the Water Supply Assessment on file in the Community Development Department.

Exhibit B SUD-B NEQ Specific Plan Project Final Environmental Impact Report, dated February 2019 (SCH#2015032102) including Comments Letters, Response to Comments and Mitigation Monitoring and Reporting Program (MMRP) (Appendix L of the Final EIR) on file in the Community Development Department.

Exhibit C – Draft Findings of Fact and Statement of Overriding Considerations for the SUD-B NEQ Specific Plan Project Final Environmental Impact Report (SCH#2015032102), dated February 2019 attached hereto.

WHEREAS, the Planning Commission of the City of Lincoln has independently reviewed and analyzed the documents that constitute the Final EIR prepared for the Project, City Staff report pertaining to the Final EIR documents, and all evidence received at the duly noticed Public Hearing(s) on the Project prior to approving this Resolution. All of these documents and evidence are herein incorporated by reference into this Resolution; and

WHEREAS, the Final EIR identified certain significant and potentially significant adverse effects on the environment caused by the Project. It is the intent of the Planning commission that the mitigation measures contained in the EIR are implementation measures, unless otherwise modified by City action, for the development of the Project; and

WHEREAS, the City is required whenever possible, pursuant to CEQA, to adopt all feasible mitigation measures or feasible project alternatives that can substantially lessen or avoid any significant environmental effects; and

WHEREAS, the Planning Commission on March 23, 2019 at a duly notice public hearing consider the SUD- B Specific Plan and related entitlement documents Did recommend that the City Council certify the Final EIR by adoption of Planning Commission Resolution 2019-06, and

WHEREAS, the City Council desires, in accordance with CEQA, to declare that, despite the occurrence of significant environmental effects that cannot be substantially lessened or avoided through the adoption of feasible mitigation measures or feasible alternatives, there exist certain overriding economic, legal, social, technological and other considerations for approving the Project that the City Council has determined outweigh the occurrence of those impacts.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LINCOLN DOES HEREBY RESOLVE TO CERTIFY THE FINAL EIR FOR THE SUD-B NEQ SPECIFIC PLAN PROJECT BY THE CITY COUNCIL AS FOLLOWS:

~~Section 1~~ It is hereby certified that the Final EIR has been completed in accordance with CEQA and the CEQA Guidelines. The Final EIR consists of the Draft EIR, Response to Comments and Mitigation Monitoring and Reporting Program (MMRP) for the Final Environmental Impact Report, the Findings of Fact and Statement of Overriding Considerations, associated with SUD-B NEQ Specific Plan and all documents incorporated by reference in these documents. It is hereby recommended that the Final EIR be certified as having been completed in accordance with CEQA and the CEQA Guidelines.

~~Section 2~~ It is hereby certified that the Final EIR has been presented to the Planning Commission and City Council which each reviewed and considered the information and analysis contained herein before making the findings attached hereto, adopting the mitigation monitoring and reporting

program as set forth in the Final EIR, and issuing Findings and Statement of Overriding Considerations. The Findings and Statement of Overriding Considerations are contained in the "CEQA Findings of Fact and Statement of Overriding Considerations" attached hereto as Exhibit B and incorporated herein by reference.

Section 3. The City Council finds, pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091, that all feasible mitigation measures described in the EIR, unless specifically modified by City action, will become binding upon the City and affected landowners and their assigns or successors in interest when the Planning Commission approves the Project.

Section 4. The City Council finds that the mitigation measures described in the Final EIR are feasible and the City Council hereby binds itself, all landowners within the Project area, and their assigns and successors in interest to implement those measures. These findings are not merely informational, but constitute a binding set of obligations that will come into effect if and when the City approves the Project. The actual implementation of the mitigation measures hereby adopted shall occur by this certification in addition to and including them by reference within the conditions of approval by the City Council of the General Plan Amendment; the Resolution of Approval of the Specific Plan; the Ordinance Approving the General Development Plan; the Resolution approving the Water Supply Assessment; the Resolution Approving the Public Facilities (Infrastructure) Financing Plan; and, the Resolution by the City Council initializing annexation and filing of an application with the Local Agency Formation Commission (LAFCO).

Section 5. In order to comply with Public Resources Code Section 21080.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program as set forth in the Final EIR (Appendix L). If the Mitigation Monitoring and Reporting Program includes a mitigation measure that is different than that adopted by the City Council, or incorrectly references a mitigation measure that has been modified by the City Council, City staff is authorized to correct the reference to the mitigation measure so that it accurately reflects that which was adopted by the City Council. The program is designed to ensure that, during project implementation, the City, affected landowners, their assigns and successors in interest, and any other responsible parties comply with the feasible mitigation measures identified below. The Mitigation Monitoring and Reporting Program identifies, for each mitigation measure, the party responsible for implementation.

Section 6. The adoption of all feasible mitigation measures and the revised Project alternative will not substantially lessen or avoid all significant adverse environmental effects caused by the Project. The City Council hereby finds that those effects are acceptable for reasons set forth in the statement of overriding considerations, prepared pursuant to CEQA Guidelines Section 15093 and attached hereto as Exhibit B.

Section 7. Pursuant to SB610, a Water Supply Assessment (Appendix I of the Final EIR) was completed as part of the Environmental Impact Report. The City of Lincoln, based on the entire record, including the prepared Water Supply Assessment, has determined that projected water supplies will be sufficient to satisfy the demands of the project, in addition to existing and planned future uses.

Section 8. The EIR sets forth environmental impacts that would be significant or potentially significant in the absence of mitigation measures. As to each such impact, the City Council hereby finds either that (1) changes or alterations required or incorporated into the Project substantially lessen or avoid the significant or potentially significant environmental impacts; or (2) specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR.

Section 9. The City Council finds that the Project is consistent with the City of Lincoln General Plan, upon approval of the proposed Amendment to the General Plan, and is the best way to implement the goals and policies of the General Plan.

Section 10 The City Council recognizes that the Final EIR contains additions, clarifications, modifications and other changes in response to comments on the Draft EIR and finds that these changes and additional information contained in the Final EIR do not constitute significant new information that requires revisions to the EIR. There is no substantial evidence tending to show that the changes result in any new significant environmental impact not already evaluated or that there is any substantial increase in the severity of any environmental impact previously identified.

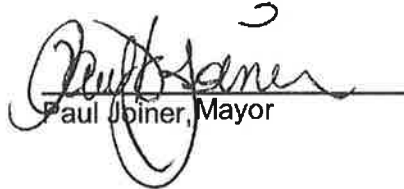
Section 11. The documents and other materials constituting the administrative record of the proceedings upon which the Planning Commission's recommendation is based are located at City Hall, 600 Sixth Street, Lincoln, CA 95648.

PASSED AND ADOPTED this 14th day of May, 2019, by the following roll call vote:

AYE: COUNCILMEMBERS: Andreatta, Gilbert, Karleskint, Silhi, Joiner

NOES : COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS :


Paul Joiner, Mayor

ATTEST:


Gwen Scanlon, City Clerk

EXHIBIT A

Special Use District B Northeast Quadrant Specific Plan Draft Environmental Impact Report, dated September 2018, by reference on-file at City Hall in the Community Development Department.

END

EXHIBIT B

Special Use District B Northeast Quadrant Specific Plan Final Environmental Impact Report, dated February 2019, by reference on-file at City Hall in the Community Development Department.

END

Exhibit C
CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS OF FACT AND
STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE
SPECIAL USE DISTRICT B NORTHEAST QUADRANT SPECIFIC PLAN

I. Introduction

No public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried unless one or more written findings is made for each of those significant effects (Public Resources Code Section 21081[a]).

The City of Lincoln ("City") proposed to approve the Special Use District B Northeast Quadrant Specific Plan ("SUD-B NEQ Specific Plan" or "Project"). The City has certified an Environmental Impact Report (EIR) for the Project which identifies significant effects on the environment (SCH# 2015032102). These findings, as well as the accompanying statement of overriding considerations in Section IX, *infra*, have been prepared in accordance with the California Environmental Quality Act ("CEQA") (Public Resources Code, Section 21000 et seq.) and its implementing guidelines, the CEQA Guidelines (California Code of Regulations Title 14, Section 15000 et seq.)

II. Project Overview

The City of Lincoln requires preparation of a specific plan prior to development in any area of the City designated a Special Use District (SUD). The 198.4-acre Project area is part of a larger planning area, SUD-B, containing 1,844 acres. Instead of adopting a single specific plan for the entire 1,844 SUD-B planning area, the City determined that the northeast quadrant of SUD-B could proceed with the entitlement process separate from the remainder of the SUD-B planning area. Thus, the Project applicant has prepared a specific plan (per Government Code Section 65450 et seq.) showing the location and type of land uses proposed, the infrastructure required to support the proposed land uses, and a funding and phasing plan for the development. The Project will also require approval of a General Plan Amendment, Pre-zoning, General Development Plan, a Development Agreement, a Water Supply Assessment, a Public Facilities Financing Plan, large and small lot subdivision maps, and Annexation of the Project area currently outside of the City Limits.

The SUD-B NEQ Specific Plan would provide for a mixed use village concept that includes low density residential comprised of 430 single family detached homes located along the eastern boundary of the Plan Area. Approximately 69.7 acres of land would be designated for commercial uses, 22.6 acres of open space and 4.0 acres of park / active recreation uses. The Project is further described in Chapter 3, Project Description, of the EIR (incorporated here by reference).

III. Project Objectives

The objectives and goals of the proposed Project are as follows :

- Establish a Specific Plan for the roughly 198-acre area that provides a mix of commercial, residential, and recreational land uses consistent with the City of Lincoln Goals and Policies in a way that enhances the local area.
- Implement the SUD-B Land Use Plan identified in the Lincoln 2030 General Plan.
- Maintain consistency with the Placer County Airport Land Use Compatibility Plan.
- Provide for excellent mobility, efficiency, and sustainability in an economically feasible and attractive smart-growth community.
- Provide infrastructure to support the proposed land use plan.
- Assure orderly growth in a logical manner with adequate public services.

IV. Environmental Review Process

Notice of Preparation

In accordance with CEQA Guidelines Section 15082, a Notice of Preparation (NOP) was circulated for public and agency review from April 1 through April 30, 2015 (included as Appendix A of the EIR). The purpose of the NOP was to provide notification that an EIR for the proposed Project was being prepared and to solicit guidance on the scope and content of the document. A summary of the comments received on the NOP is included in the Executive Summary, as well as in the introduction of each technical section in Chapter 4 of the EIR.

Pursuant to CEQA Guidelines Section 15082, the lead agency held a public scoping meeting on April 15, 2015. Responsible agencies and members of the public were invited to attend and provide input on the scope of the EIR. Comments from agencies and the public in response to the NOP are provided in Appendix A of the EIR. General concerns and issues raised in response to the NOP are summarized in the Executive Summary and addressed in the technical sections in Chapter 4 of the EIR.

Draft EIR and Public Review

The Draft EIR was circulated for public review and comment for a period of 45 days. The beginning and end dates of the comment period are identified in the Notice of Availability for the Draft EIR.

A public hearing to receive comments on the Draft EIR was held by the Planning Commission on October 17, 2018.

Final EIR

Upon completion of the Draft EIR public review period, this Final EIR has been prepared and includes written comments on the Draft EIR received during the public review period and the City's responses to those comments. The Final EIR also includes the Mitigation

Monitoring and Reporting Program (MMRP) prepared in accordance with Section 21081.6 of the Public Resource Code. The Final EIR includes revisions to the Draft EIR made in response to agency or public comments. The Draft EIR and Final EIR together comprise the EIR for the proposed Project.

V. Record of Proceedings

The record of proceedings, including the Final EIR and supporting documents is available during normal business hours (Monday through Friday, 8 a.m. to 4 p.m.) at:

City of Lincoln
Community Development Department
600 Sixth Street
Lincoln, California 95648

V. Significant Effects and Mitigation Measures

The EIR identifies significant environmental effects (or impacts) resulting from implementation of the Project.

The City's findings with respect to the Project's significant effects and mitigation measures are set forth below for each significant impact. The following statement of findings does not attempt to describe the full analysis of each environmental impact contained in the EIR. Instead, it provides a summary description of each impact, describes the applicable mitigation measures identified in the EIR and adopted by the City, and states the City's findings on the significance of each impact after imposition of the adopted mitigation measures, accompanied by a brief explanation. Full explanations of these environmental findings and conclusions can be found in the EIR. These findings hereby incorporate by

reference the discussion and analysis in those documents supporting the EIR's determinations regarding mitigation measures and the Project's impacts and mitigation measures designed to address those impacts. In making these findings, the City Council ratifies, adopts, and incorporates into these findings the analysis and explanation in the EIR and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

Significant Impacts That Can Be Mitigated to a Less-Than-Significant Level

The City finds that for the following impacts, changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

Impact	Mitigation Measure(s)	Finding
Aesthetics		
<p>4.1-4 The project would potentially create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.</p>	<p>MM-AES-1 Commercial development shall avoid mirrored or highly reflective building finish materials, and shall avoid excessively bright upward lighting, such as search lights, laser light displays, or distracting lights that could be mistaken for airport lights.</p>	<p>Implementation of feasible mitigation measure MM-AES-1 would substantially lessen the impact of new sources of light or glare.</p>
Biological Resources		
<p>4.4-1 The project would have a substantial adverse effect on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.</p>	<p>MM-BIO-1 <i>Workers Environmental Awareness Program.</i> All workers shall receive worker environmental awareness training (WEAP) conducted by a qualified biologist or an environmentally trained construction foreman. WEAP may also be conducted through a video created by a qualified biologist specifically for this project. WEAP shall instruct construction workers to recognize all special-status species potentially present in the project area, identify their habitat, and the nature and purpose of protective measures including best management practices (BMPs) and other required mitigation measures described in the EIR. They shall also be instructed to avoid Markham and Auburn Ravines, prevent construction-related fuel spills, and receive contact information for the qualified biologist in the event a special-status species is harmed or identified during project construction.</p> <p>MM-BIO-2 <i>Biological Monitor.</i> During project construction activities, a biological monitor shall monitor all construction activities in or adjacent to Auburn and Markham Ravines, as well as perform regular nesting bird surveys throughout the project area. The monitor shall have the authority to immediately stop any activity that is likely to impact special-status species or order any reasonable measure to avoid or minimize impacts to fish and wildlife resources. If any previously unknown special-status species are found within the project area during project construction, the monitor shall inform the USFWS and/or CDFW within 1 day, as appropriate for the species.</p> <p>MM-BIO-3 <i>Wetlands and Waters of the U.S.</i> Wetlands and waters of the U.S. lost as a result of construction activities shall be replaced on a "no-net-loss" basis in accordance with USACE regulations and one of the following methods:</p> <ol style="list-style-type: none"> a) If the PCCP is adopted and approved by the agencies, participation in the PCCP shall satisfy all mitigation requirements under CEQA. b) If the PCCP has not been adopted and approved by the agencies at the time the 	<p>Implementation of feasible mitigation measures MM-BIO-1 through BIO-12 would substantially lessen adverse effects to candidate, sensitive, or special status species.</p>

Impact	Mitigation Measure(s)	Finding
	<p>project applicants wish to proceed with permitting, the following process shall be used in planning for replacement:</p> <ol style="list-style-type: none"> <li data-bbox="678 344 1062 810">i. For new wetlands created on site in open space areas, a conceptual on-site wetlands mitigation plan shall be prepared by a qualified biologist pursuant to, and through consultation with, the USACE, including an agreed-upon replacement ratio of wetlands with the USACE. The mitigation plan shall quantify the total jurisdictional acreage lost, describe creation/replacement ratio for acres filled, annual success criteria, potential mitigation-sites, and monitoring and maintenance requirements. <li data-bbox="678 814 1062 982">ii. The plan may include funding mechanisms for future maintenance of the wetland and riparian habitat, which may include an endowment or other funding from the project applicant. <li data-bbox="678 987 1062 1835">iii. For those acres of wetlands or waters of the U.S. lost to development that cannot be replaced on site, the project applicant shall compensate for the loss of wetland habitat through the purchase of mitigation credits at a USACE-approved mitigation bank or otherwise USACE-approved location. The ratio of compensation shall be determined in consultation with the USACE as part of the CWA Section 404 permit process, but shall not be less than 1:1. The project applicant may pay in-lieu fees to the U.S. Army Corps of Engineers (ACOE), CDFW, and Regional Water Quality Control Board according to their established fee structures to compensate for the removal of jurisdictional wetland features within the project area. Additionally, off-site permittee-responsible compensatory mitigation in the form of preservation, creation, enhancement or restoration will be accepted as outlined in the ACOE <i>Permittee-Responsible Mitigation</i> 	

Impact	Mitigation Measure(s)	Finding
	<p><i>Guidance May 26, 2016 (Draft) document.</i></p> <ul style="list-style-type: none"> iv. Prior to the City issuing a grading permit, the project applicant shall acquire the appropriate CWA Section 404 permit for filling of wetlands and other waters of the U.S. in the project area. In addition to the CWA Section 404 Wetland Fill permit, a CWA Section 401 water quality certification shall also be required in conjunction with the Section 404 permit. v. For any construction activities affecting the bed, bank, or associated riparian vegetation of any streams or lakes subject to CDFW jurisdiction (such as Markham Ravine and Auburn Ravine), then a Streambed Alteration Agreement shall be obtained from CDFW, pursuant to Section 1600 of the California Fish and Game Code. If required, the project applicant shall coordinate with CDFW in developing appropriate mitigation, and shall abide by the conditions of any executed permits for any work related to on-site streams or associated riparian areas. <p>MM-BIO-4 <i>Native Oak Tree Planting.</i> The project applicant shall, to the extent feasible, design the project to retain protected trees and to protect on site trees during construction activities. If these trees cannot be retained in place, then the project applicant shall compensate for the loss of oaks on the project site based on the fee structure and guidance stated in the City of Lincoln Municipal Code. This may require either a fee payment to the City, or planting/establishment of native oak trees outside of the project area.</p> <p>MM-BIO-5 <i>Location of Construction Activities.</i> Wherever feasible, construction and stockpiling of materials shall be located away from Markham and Auburn Ravines, outside of the 100-year floodplain, and other sensitive habitats, as determined by the qualified project biologist. In areas that cannot be feasibly avoided, the project biologist shall monitor the activity on a daily basis to ensure impacts to native wildlife are avoided.</p> <p>MM BIO-6 <i>Rare Plant Surveys and Mitigation.</i> The project applicant shall retain a qualified</p>	

Impact	Mitigation Measure(s)	Finding
	<p>biologist/botanist to conduct protocol-level plant surveys. Suitable habitat may occur on the northerly 72.6 acres of the project site for the following species: dwarf downingia (<i>Downingia pusilla</i>), Ahart's dwarf rush (<i>Juncus leiospermus</i> var. <i>ahartii</i>), Red Bluff dwarf rush (<i>Juncus leiospermus</i> var. <i>leiospermus</i>), and Legenere (<i>Legenere limosa</i>).</p> <p>The surveys shall be conducted during the appropriate blooming periods (May to November). These plant surveys shall be conducted in accordance with 2009 California Department of Fish and Wildlife (CDFW) rare plant survey protocols. The results of the survey shall be summarized in a report and submitted to CDFW and USFWS, and would be valid for two years.</p> <p>If rare plants are present and cannot be avoided, the project applicant compensate for the loss of habitat, either on-site or off-site at a minimum of ratio of 1:1. Mitigation for losses could include replacing the amount, type, and value of habitat lost to project construction through an accredited mitigation bank, if approved by USFWS and CDFW.</p> <p>MM BIO-7 Vernal Pool Crustacean Avoidance and Mitigation. If suitable habitat for vernal pool crustaceans cannot be avoided during construction activities, the project applicant shall comply with applicable federal ESA regulations for mitigation of vernal pool crustaceans. The project applicant can either assume presence of vernal pool crustaceans within suitable habitat, or can conduct protocol-level surveys for vernal pool invertebrate species. The project applicant shall be responsible for offsetting the loss of any vernal pool crustacean habitat using one of the following methods:</p> <ul style="list-style-type: none"> a) If the PCCP has been adopted by the County, the City, and approved by the agencies, the project applicant shall comply with the PCCP and that participation shall satisfy all of the mitigation requirements for this impact. b) If the PCCP has not been adopted by the County and City and/or has not been approved by the agencies, the extent of any necessary compensatory mitigation shall be determined in consultation with the USFWS, but shall not be less than 1:1. Typically, recommended mitigation for the loss of vernal pool crustacean habitat has been at a ratio of 2:1 acres for preservation and 1:1 acres for creation. <p>MM BIO-8 Western Pond Turtle Avoidance and Relocation.</p>	

Impact	Mitigation Measure(s)	Finding
	<p>a) Prior to any work in suitable habitat, the project applicant/contractor shall arrange for a pre-construction survey for western pond turtles (WPT) to be conducted by a qualified biologist not more than 48 hours prior to the commencement of site disturbance.</p> <p>b) If WPT are determined to be present within the stream or pond, and the feature is to be retained, exclusionary fencing shall be used to prevent the turtle(s) from entering the construction area. The location of the fence shall be determined by a qualified biologist. Any turtles found in or near the construction zone shall be relocated to an appropriate area of suitable habitat a minimum of 100 feet from any active construction zone. Measures shall be implemented to ensure that the drainages or irrigation pond shall continue to provide adequate habitat for the WPT during and after construction by protecting water quality and ensuring that the reduction of drainage from the project site does not substantially diminish the water levels in the pond.</p> <p>c) If the stream or irrigation pond cannot be retained, the project applicant shall relocate any WPT found during surveys in a manner developed by a qualified biologist and approved by the CDFW to a suitable body of water in Placer County.</p> <p>MM BIO-9 Nesting Bird Avoidance.</p> <p>a) If construction would occur during the bird nesting season (generally March 1-August 30 for the native bird species likely to occur on the project site), a pre-construction nest survey shall be conducted within 14 days prior to the beginning of construction activities by a qualified biologist to identify active nests within 100 feet of construction activities (for songbirds) and within 300 feet for raptors. If active nests are found, a temporary buffer shall be established by a qualified biologist around the nest and all ground-disturbing and other construction-related activities shall be postponed/halted until the nest is vacated and juveniles have fledged and are no longer dependent upon the nest, as determined by the biologist from ongoing monitoring, and there is no evidence of a second attempt at nesting. The no-disturbance buffer shall generally be 100 feet for passerine bird species and 300 feet for raptor species (other than</p>	

Impact	Mitigation Measure(s)	Finding
	<p>Swainson's hawk; see MM BIO-10) or as otherwise determined by the biologist taking into consideration such factors as topography, the type, duration, and extent of disturbance, and the species of bird potentially affected. The buffer zone shall be delineated by high visibility temporary construction fencing. If no active bird nests are identified within the survey area, no further mitigation would be required.</p> <p>b) A report shall be submitted to the City of Lincoln, following the completion of the bird nest survey that includes, at a minimum, the following information:</p> <ul style="list-style-type: none"> i. A description of the methodology and results of the survey including dates of field visits, the names of survey personnel (and their qualifications), survey results, and a list of references cited and persons contacted. ii. A map showing the location(s) of any protected bird nests observed on the project site. <p>MM-BIO-10 Swainson's Hawk Nest Avoidance and Mitigation.</p> <p>a) The project applicant shall retain a qualified biologist to conduct a Swainson's hawk nest survey during the nesting season of the same calendar year that construction is expected to begin, and prior to the issuance of any grading permits. The survey shall be conducted pursuant to timing and methodology criteria outlined in the Swainson's Hawk Technical Advisory Committee 2000 survey protocol which includes all suitable nest habitat within 1/2 mile of the construction envelope. If this survey does not identify any nesting Swainson's hawk within the survey area, no further mitigation would be required.</p> <p>b) Should any active Swainson's hawk nests be located within the survey area, no construction activity (e.g., heavy equipment operation associated with construction, human activities, etc.) or other project-related activities that could cause nest abandonment or forced fledging, shall be initiated within 1/4-mile (buffer zone) of an active nest, or as otherwise determined by the biologist taking into consideration such factors as topography, the type, duration, and extent of disturbance, and the age of any young in the nest. Such activity shall be postponed until the nest is vacated and juveniles have fledged and are no longer</p>	

Impact	Mitigation Measure(s)	Finding
	<p>dependent upon the nest, as determined by the biologist from ongoing monitoring, and there is no evidence of a second attempt at nesting. The buffer zone may be increased if, as determined by the biologist during ongoing nest monitoring, the adult birds exhibit behavior that could lead to unnatural prolonged absences from the nest or nest abandonment. The buffer zone shall be delineated by high visibility temporary construction fencing.</p> <p>c) Nest trees should not be removed to the extent feasible. If a nest tree must be removed, a Management Authorization (including conditions to off-set the loss of the nest tree) must be obtained from CDFW with the tree removal period specified in the Management Authorization, generally from October 1 to February 1.</p> <p>MM BIO-11 Swainson's Hawk Foraging Habitat Mitigation. The project applicant, in consultation with CDFW, shall mitigate for loss of any Swainson's hawk foraging habitat by one of the following methods:</p> <p>a) If the PCCP has been adopted by the County, the City, and approved by the agencies, the project applicant shall comply with the PCCP and that participation shall satisfy all of the mitigation requirements for this impact.</p> <p>b) If the PCCP has not been adopted by the County and City and/or has not been approved by the agencies, the project applicant shall mitigate at a ratio of at least one acre of suitable foraging habitat for every one acre developed by the proposed project. The project applicant shall provide for the long-term endowment of compensatory mitigation lands by funding a management endowment (the interest on which shall be used for managing the mitigation lands) at a per acre rate (adjusted annually for inflation and varying interest rates). The project applicant shall submit a letter of approval from CDFW for the mitigation program for Swainson's impacts to the City of Lincoln prior to the issuance of grading permits. As an alternative, the project applicant may purchase conservation easements or fee title to suitable Swainson's hawk foraging habitat to protect the habitat from urban development, or purchase Swainson's hawk habitat credits at an agency-approved mitigation bank.</p>	

Impact	Mitigation Measure(s)	Finding
	<p>MM-BIO-12 Markham and Auburn Ravines. Markham and Auburn Ravines shall both be avoided during project activities to reduce impacts of noise, light and habitat destruction to wildlife species that regularly use these areas for local migration, cover and foraging. For any work that would involve disturbance of Auburn or Markham Ravine the City shall ensure grading permits and/or improvements plans, as appropriate, include the following requirements:</p> <ul style="list-style-type: none"> a) To the extent feasible, the project shall be designed to avoid direct or indirect impacts to Auburn or Markham Ravines, or to the water quality flowing to Auburn or Markham Ravines. If work in Auburn or Markham Ravines cannot be avoided, then the following mitigation measures shall apply. b) Restrict work in Auburn or Markham Ravines to low-flow periods between June 15 and October 15 to avoid effects on adult or juvenile steelhead and salmon life stages during their migratory seasons. c) Store all equipment outside of all waterways. Install a silt fence around the perimeter of all waterways where construction is to occur adjacent to waterways. The staging areas shall be situated a minimum of 50 feet from existing drainages. d) Install Environmentally Sensitive Area (ESA) fences in the vicinity of work along Auburn or Markham Ravines. The ESA fencing shall be delineated on the final plans and the fence shall be installed and remain on-site until the project is completed. e) Install silt fences and/or fiber rolls on the slopes adjacent to the work area to prevent silt from entering Auburn or Markham Ravines. f) If dewatering is necessary along portions of Auburn or Markham Ravines, use appropriate temporary coffer dams to dewater the construction sites and divert water through the area during the construction period to prevent impeding creek flow or water flow through the work areas. If dewatering at a site is required, a qualified biologist shall be present during the dewatering period to inspect and ensure that steelhead shall not be trapped within the temporary coffer dams. If steelhead are found, a qualified biologist shall capture and relocate these fish to an appropriate area away from the construction site. The project applicant or their representative shall submit for approval the dewatering and fish capture 	

Impact	Mitigation Measure(s)	Finding
	<p>and relocation plans to the NOAA and CDFW once the design plans are finalized.</p> <ul style="list-style-type: none"> g) Maintain erosion controls during the construction periods. h) At the completion of the construction project, remove from the streambed all materials used to maintain flow and divert water from the area during the construction period, including coffer dams, pipes, filter fabric, and gravel. i) Dispose of all excess soil at an approved upland site. j) Remove all project-introduced material once the work is complete. k) Recontour any disturbed stream channel areas, to the extent practicable, to pre-project conditions or better. l) Use reflectors on portable light trees to focus the light on the work area and to minimize the amount of light spilling over to adjacent areas during any night work. 	
<p>4.4-2 The project would have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.</p>	<p>Mitigation Measures BIO-1, BIO-2, BIO-4, BIO-5, and BIO-12 (see above).</p>	<p>Implementation of feasible mitigation measures MM-BIO-1, BIO-2, BIO-4, BIO-5, and BIO-12 would substantially lessen adverse effects on riparian habitat or other sensitive natural communities.</p>
<p>4.4-3 The project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.</p>	<p>Mitigation Measure BIO-3 (see above).</p>	<p>Implementation of feasible mitigation measure MM-BIO-3 would substantially lessen adverse effects on federally protected wetlands.</p>
<p>4.4-4. The project would interfere with the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.</p>	<p>Mitigation Measure BIO-12 (above).</p> <p>MM BIO-13. Wildlife Movement Corridor Protection. To the extent feasible, construction of the project's open space shall be designed to minimize the restriction of wildlife movement through the project area, specifically along and through Markham and Auburn Ravines. This shall include design measures that provide the greatest amount of space feasible underneath bridge or culvert structures such that wildlife species are not forced to cross roadways or move into urban areas to move from one area of natural habitat to another.</p>	<p>Implementation of feasible mitigation measure MM-BIO-12 and BIO-13 would substantially lessen impacts to the movement of migratory fish or wildlife species, wildlife corridors or native wildlife nursery sites.</p>

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	All outdoor lighting associated with the project shall be designed to minimize light pollution into the open space or adjoining undeveloped land, except where it is necessary for public safety or security. Minimization measures may include light fixture placement (e.g., as low to the ground as possible), lamp designs (e.g., shielding, low glare, or no lighting), directing light away from open space or undeveloped lands, or other means to avoid or minimize light pollution.	
4.4-5 The project would conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	Mitigation Measure BIO-4 (see above).	Implementation of feasible mitigation measure MM-BIO-4 would substantially lessen conflicts with local policies for the protection of biological resources, including native oak trees.
4.4-7. The effects of the proposed project, when considered with other projects in the region, would result in a cumulative impact to grassland, oak woodland and riparian habitat.	Mitigation Measure BIO-1 through BIO-13 (see above).	Implementation of feasible mitigation measures MM-BIO-1 through BIO-13 would substantially lessen cumulative impacts to grasslands, oak woodland, and riparian habitat.
Cultural Resources		
4.5-2 The project could cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.	MM-CUL-1 Discovery of Archaeological / Paleontological Resources: In the event that archaeological / paleontological resources are discovered during ground disturbing activities, grading and construction work within 100 feet of the find shall be suspended until the significance of the features can be determined by a qualified professional archaeologist / paleontologist as appropriate. The applicant shall immediately notify the City of Lincoln Community Development Director, who will coordinate investigation of the site with a qualified archaeologist or paleontologist as needed to assess the resource (i.e., whether it is a "historical resource", a "unique archaeological resource", or "unique paleontological resource") and provide proper management recommendations should potential impacts to the resource be found to be significant. Possible management recommendations for historical or unique archaeological/paleontological resources could include resource avoidance or, where avoidance is infeasible in light of the project or is unnecessary to avoid significant effects, data recovery excavations. In consultation with the qualified staff, the contractor shall implement any measures deemed by the Community Development Director to be necessary and feasible to avoid or minimize significant effects to the resource.	Implementation of feasible mitigation measure MM-CUL-1 would substantially lessen the impacts to previously unidentified archaeological resources.
4.5-3. The project could directly or indirectly destroy a unique paleontological	Mitigation Measure CUL-1 (see above).	Implementation of feasible mitigation measure MM-CUL-1 would substantially lessen the

Impact	Mitigation Measure(s)	Finding
resource or site or unique geologic feature.		impacts to previously unidentified paleontological resources.
4.5-4. The project could disturb human remains, including those interred outside of formal cemeteries.	<p>MM-CUL-2 Accidental Discovery of Human Remains. Pursuant to Section 5097.98 of the California Public Resources Code and Section 7050.5 of the California Health and Safety Code, as well as California Environmental Quality Act Guidelines Section 15064.5(e), in the event of the discovery of human remains, work shall be suspended within 100 feet of the find, and the Placer County Coroner/Sherriff and the City of Lincoln Community Development Director shall be immediately notified. The County Coroner/Sherriff will determine if an investigation is necessary. If the remains are determined to be Native American:</p> <ol style="list-style-type: none"> 1. The Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours. 2. The NAHC shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. 3. The MLD shall have an opportunity to make a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98. <p>If the Native American Heritage Commission is unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission, the City and/or County will notify the United Auburn Indian Community (UAIC) Tribal Council and solicit their input prior to allowing work to resume.</p>	Implementation of feasible mitigation measure MM-CUL-2 would substantially lessen the impacts to human remains in the event of accidental discovery.
Geology and Soils		
4.6.3 The project would be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.	<p>MM-GEO-1 The following notes, or recommendations of the design-level geotechnical report, whichever is more detailed and stringent, will be included on project plans to be approved by the Building Division of the City of Lincoln Community Development Department prior to receipt of grading and building permits:</p> <ul style="list-style-type: none"> • The upper 18 inches of subgrade at building pads, sidewalk, pavements, and concrete flatwork shall be replaced with compacted on-site soils with low to very low expansion potential and/or non-expansive imported engineered fill mixed with lime. 	Implementation of feasible mitigation measure MM-GEO-1 would substantially lessen the effects of a potentially unstable geologic unit or soil.

Impact	Mitigation Measure(s)	Finding
	<ul style="list-style-type: none"> • On-site soils and imported engineered fill to be used to replace expansive clays shall be evaluated/tested and approved by project geotechnical engineer prior to establishment of fill pads during construction. • Subgrade soil replacement/lime treatment shall extend to at least 5 feet (horizontally) from the outer edge of the footings and 2 feet (horizontally) from the outer edge of flatwork, sidewalks, and pavement. • Footings shall be constructed with a minimum 24-inch embedment below the lowest adjacent grade. • If soils are treated with lime, lime treatment shall be performed by a specialty contractor experienced in this work and in accordance with Caltrans Standard Specifications. • If soils are treated with lime, lime treatment submittal (including proposed equipment, materials, and construction procedures) shall be provided to applicant's geotechnical engineer for review at least 2 weeks prior to construction. • If soils are treated with lime, Plasticity Index and Expansion Index tests shall be performed on lime-treated soils during construction to assure that they meet the project requirements. • If soils are treated with lime, lime-treated soils shall be removed from landscape areas. 	
<p>4.6-4. The project would potentially be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.</p>	<p>Mitigation Measure GEO-1 (see above).</p>	<p>Implementation of feasible mitigation measure MM-GEO-1 would substantially lessen the effects of potentially expansive soils.</p>
Hazards and Hazardous Materials		
<p>4.8-5. The project could result in a safety hazard for people residing or working in the project area due to an airport land use plan.</p>	<p>Mitigation Measure AES-1 and Mitigation Measure LU-1.</p>	<p>Implementation of feasible mitigation measure MM-AES-1 and LU-1 would substantially lessen potential safety hazards for people residing or working in the influence area of Lincoln Regional Airport.</p>
Hydrology and Water Quality		
<p>4.9-1. The project would potentially violate water quality standards or waste discharge requirements.</p>	<p>HYD-1 Storm Water Quality Plan: Through all phases of construction, development, and operation of the proposed project, the project applicant or designee, homeowners' association (HOA), and/or</p>	<p>Implementation of feasible mitigation measures MM-HYD-1 and BIO-12 would substantially lessen impacts to water quality.</p>

Impact	Mitigation Measure(s)	Finding
	<p>project contractor, as applicable, shall conduct planning, design, construction, and maintenance activities consistent with the performance criteria, design standards, and water quality best management practices contained in the project's Master Drainage Study and Storm Water Quality Plan (SWQP) (Appendix F). For each phase of development, a project-specific SWQP shall be developed and approved by the City of Lincoln to show parcel-level source control measures, structural treatment controls, and low-impact development (LID) designs, refined as necessary from the master SWQP. This includes meeting or exceeding the requirements of the Small Municipal Separate Storm Sewer System (MS4) Permit (SWRCB Order 2013-0001-DWQ, as amended), Section 8.6 of the City's Municipal Code (Post-Construction Storm Water Runoff Control), and the <i>West Placer County Storm Water Quality Design Manual</i>.</p> <p>The developers, their contractors, and the planned community's governance entities shall be required to select, size, and maintain the LID designs and implement water quality best management practices (BMPs) to address the following, consistent with Appendix F:</p> <ul style="list-style-type: none"> • <i>Post-Construction Source Control BMPs:</i> Source control BMPs shall be incorporated into site development plans and maintenance operations to avoid pollutant generating sources and activities. Examples include ensuring the protection of waste and hazardous materials from contact with stormwater, minimizing the use of pesticides and fertilizers through integrated pest management and landscape design, ensuring vehicle maintenance occurs indoors or in covered areas, and plumbing interior floor drains to the sewer system. • <i>LID Treatment BMPs:</i> Site preservation practices coupled with small-scale distributed treatment measures that rely on vegetation and soils, or systems that mimic the treatment obtained by soils and vegetation and soils, shall comprise the LID control approach. LID BMPs include strategies such as stream setbacks, tree and natural landscape preservation, disconnection of impervious surfaces, green roofs, porous pavement, vegetated swales, and infiltration/bioretention swales/basins. LID BMPs shall be sized to treat the volume of stormwater runoff produced from the 85th percentile, 24-hour 	

Impact	Mitigation Measure(s)	Finding
	<p>storm event (water quality design volume), and on-site LID retention BMPs shall be selected to retain the water quality design volume to the extent feasible. If it is infeasible to retain all or part of the water quality design volume, LID biotreatment BMPs shall be used and shall be sized to capture and treat the remaining portion of the water quality design volume. LID BMPs may be located on site or at one of the water quality basins shown in Appendix F. The hydromodification performance standard shall be achieved through on-site or regional LID BMPs, on-site or regional flow control facilities, or a combination thereof.</p> <ul style="list-style-type: none"> <p><i>Stormwater Facility Operation and Maintenance:</i> Depending on the type and location of stormwater quality BMPs, either the commercial land lessor or HOA shall be responsible for maintenance of all LID, treatment, and hydromodification control facilities. Maintenance responsibility shall be documented in the project's conditions, covenants, and restrictions. The commercial leases or HOAs shall also prepare a written operations and maintenance plan that identifies the anticipated inspection/monitoring and maintenance activities and frequencies for each BMP, including coordination requirements with City of Lincoln.</p> <p>Prior to the vesting of subdivision maps and issuance of building permits, the City of Lincoln shall verify that all applicable water quality measures have been integrated into applicable plans and maintenance agreements in accordance with Appendix F, the MS4 Permit, and City ordinances pertaining to stormwater quality.</p> <p>HYD-3 Implement Mitigation Measure BIO-12. Refer to Section 4.4.</p>	

Impact	Mitigation Measure(s)	Finding
4.9-3. The project could substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.	Mitigation Measure HYD-1 (see above).	Implementation of feasible mitigation measure MM-HYD-1 would substantially lessen impact on- or off-site erosion or siltation.
4.9-4. The project could substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.	Mitigation Measure HYD-1 (see above).	Implementation of feasible mitigation measure MM-HYD-1 would substantially lessen the impact of increased surface runoff.
4.9-8. The project could place within a 100-year flood hazard area structures which would impede or redirect flood flows.	HYD-2 Floodplain Modifications. Prior to issuance of grading and building permits, parcel-level drainage studies shall be submitted to the City of Lincoln Public Works Department for review and approval. Structures and fill within the fringes of the Markham Ravine floodplain shall be considered in a detailed hydraulic analysis for their impacts on FEMA base flood elevations and flood extents. Final maps and improvements plans shall not be approved by the City if the analysis shows the project would increase base flood elevations more than 1 foot or otherwise place private property or public facilities at additional risk of flooding in a 100-year storm. In addition, the applicant shall process through FEMA a new Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR) in order to map the new floodplain based on the future development and all of the proposed improvements such as bridges and drainage outfalls. FEMA shall be provided with detailed hydraulic analyses, Base Flood Elevation Data and revised floodplain maps showing the new floodplain and floodway limits. The applicant shall also coordinate with the Central Valley Flood Protection Board to obtain a permit prior to City approval of improvement plans.	Implementation of feasible mitigation measure MM-HYD-2 would substantially lessen impacts to a 100-year flood hazard area.
4.9-9. The effects of the proposed project, when considered with other projects in the region, could result in a cumulative impact to hydrology and water quality.	Mitigation Measure HYD-1, HYD-2, and HYD-3 (see above).	Implementation of feasible mitigation measures MM-HYD-1, HYD-2, and HYD-3 would substantially lessen the cumulative hydrology and water quality impacts.
Land Use		
4.10-2. The project would not conflict with any	MM-LU-1 All water quality detention basins shall be designed to avoid creating an increased attraction for	Implementation of feasible mitigation measure MM-LU-1

Impact	Mitigation Measure(s)	Finding
<p>applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.</p>	<p>wildlife, consistent with FAA rules and regulations including, but not limited to, FAA Advisory Circular 150/5200-33B, Hazardous Wildlife Attractants On or Near Airports and Advisory Circular 150/5200-34A, Construction or Establishment of Landfills near Public Airports.</p>	<p>would substantially lessen impacts related to land use conflicts within the influence area of Lincoln Regional Airport.</p>
Noise		
<p>4.11-1. The project would result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.</p>	<p>MM-NOI-1 Noise Barriers. The applicant shall install additional sound barriers (i.e., noise wall, berm or a combination of these) and/or modifications to already-proposed sound barriers, as shown in Figure 4.1102 and described as follows:</p> <ul style="list-style-type: none"> a) At the southwestern-most proposed residential lot (Receiver 24, Lot 177), a minimum 6-foot high, solid noise barrier shall be constructed along the southern lot line, so as to shield the private exterior rear and side yards. Additionally, the planned wall to the west of Receiver 24 (between the project's commercial land uses and the residential uses) should be constructed to a minimum 8 foot height from Lot 177 to Lot 182, at which point the height may be 6 feet. b) At the proposed park site along the southeastern edge of the project site (Receiver 31), the planned noise barrier should be 12 feet in height along the length of the park frontage with SR 65, at which point the wall height may then transition to 10 feet and then 8 feet. <p>MM-NOI-2 Commercial Uses. During design review for the proposed project, the applicant shall demonstrate that outdoor areas associated with residential units will be protected from noise by one or a combination of the following and/or equally effective measures:</p> <ul style="list-style-type: none"> a) Mechanical equipment associated with the commercial uses shall be shielded from view of adjacent residential uses by building parapets or located within mechanical equipment rooms, AND/OR b) Commercial loading docks located within 300 feet of existing or proposed residences shall be positioned in areas shielded from 	<p>Implementation of feasible mitigation measures MM-NOI-1 through NOI-4 would substantially lessen the exposure of persons to noise levels in excess of applicable standards.</p>

Impact	Mitigation Measure(s)	Finding
	<p>view of those residences by intervening commercial buildings, AND/OR</p> <ul style="list-style-type: none"> c) Solid noise barrier shall be constructed at the boundary of the commercial uses of sufficient height to intercept line of sight between heavy trucks and the affected area of the residential use, AND/OR d) Truck deliveries shall be limited to daytime hours (7 a.m.–10 p.m.) AND/OR e) Signs shall be posted prohibiting Idling of delivery trucks to 10 minutes or less. <p>MM-NOI-3 Recreational Uses. One or a combination of the following shall be used to minimize the effects of outdoor noise on nearby residences during evenings and nighttime:</p> <ul style="list-style-type: none"> a) Any outdoor activity areas, such as sports fields or an amphitheater that seat large numbers of spectators and/or include mechanical amplification shall be sited and oriented away from residential areas, and shall be designed so that residential areas are shielded from noise from these sources; AND/OR b) Loudspeakers and other forms of amplification shall not be used in outdoor activity areas after 10 p.m.; AND/OR c) The City shall place a nuisance easement over residential lots in the vicinity of the proposed park. <p>MM-NOI-4 Construction Activity Limits.</p> <ul style="list-style-type: none"> a) Construction activity occurring within 500 feet of occupied residential or other NSLU shall be restricted to the hours between 7 a.m. to 7 p.m., Monday through Friday (unless extended by special permit). b) All internal combustion engines associated with stationary and mobile construction equipment shall have mufflers/silencers in good working condition equal to or better than those supplied with the equipment by the manufacturer. c) On-site construction staging and equipment and material laydown areas shall be located as far as practical from existing residential areas. 	
<p>4.11-3. The project would result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.</p>	<p>Mitigation Measure NOI-1 through NOI-3 (see above).</p>	<p>Implementation of feasible mitigation measures MM-NOI-1 through NOI-3 would substantially lessen increases in ambient noise levels.</p>

Impact	Mitigation Measure(s)	Finding
4.11-4. The project would result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.	Mitigation Measure NOI-2 through NOI-4 (see above).	Implementation of feasible mitigation measures MM-NOI-2 through NOI-4 would substantially lessen the temporary or periodic increase in ambient noise levels.
Recreation		
4.12-2. The project would include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.	MM-REC-1 The Project Applicant shall pay in-lieu fees for the construction of parks and recreational facilities in the vicinity of the proposed project. These fees shall be determined according to the City of Lincoln Municipal Code Chapter 17.32, after considering park and open space facilities to be constructed on the project site. The fee amount shall be based upon the fair market value of the outstanding acreage of dedicated park land required by Municipal Code Section 17.32.040, according to the increase in population generated by the proposed project. The fair market value shall be determined at the time of filing the tentative map or parcel map.	Implementation of feasible mitigation measure MM-REC-1 would substantially lessen the impact of the Project to park facilities.

Significant Unavoidable Impacts

The City finds that for the following impacts, changes or alterations have been required in, or incorporated into, the Project. However, specific economic, legal, social, technological, or other considerations, make infeasible for the mitigation measures or alternatives identified in the EIR to reduce the potential impacts to a less than significant level. For the reasons set forth in the Statement of Overriding Considerations, below, the City has determined that overriding considerations that there are economic, legal, social, technological, or other benefits that outweigh the unavoidable adverse environmental effects associated with the Project.

Impact	Mitigation Measure(s)	Findings
Air Quality		
4.3.2 The project would exceed air quality standards.	<p>MM-AQ-1 Prior to approval of any construction-related permits, the project applicant or its designee shall place the following requirements on all plans, which shall be implemented during grading of each phase of the proposed project to minimize NO_x and PM₁₀ emissions:</p> <ul style="list-style-type: none"> • Off-road heavy-duty diesel-powered construction equipment with engines rated as 75 horsepower or greater, shall be equipped with Tier 4 Final or better diesel engines, except where Tier 4 Final or better engines are not available for specific construction equipment. The City shall verify and approve all pieces within the construction fleet that would not meet Tier 4 Final standards; • Minimize simultaneous operation of multiple construction equipment units. During 	Implementation of mitigation measures MM-AQ-1 through AQ-4 would reduce impacts to air quality. MM-AQ-1 through AQ-3 would reduce the construction and operational air emissions. Construction emissions would be reduced to less than significant. MM-AQ-4 requires the purchase of offsets for operational emissions in excess of applicable standards. While offsets are a form of mitigation that would reduce air quality impacts to less than significant, feasible offsets in the amount necessary to

Impact	Mitigation Measure(s)	Findings
	<p>construction, vehicles in loading and unloading queues shall not idle for more than 5 minutes and shall turn their engines off when not in use to reduce vehicle emissions;</p> <ul style="list-style-type: none"> • All construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications; • The use of electrical or natural gas-powered construction equipment shall be employed where feasible including forklifts and other comparable equipment types; • The use of catalytic reduction for gasoline-powered equipment shall be employed where feasible; • All diesel-fueled on-road construction vehicles shall meet the emission standards applicable to the most current year to the greatest extent possible. To achieve this standard, new vehicles shall be used, or older vehicles shall use post-combustion controls that reduce pollutant emissions to the greatest extent feasible; • In order to control dust, an operational watering truck shall be on site during construction hours. In addition, dry chemical sweeping is prohibited. Watering at the construction site shall be carried out in the compliance with operating Placer County Air Pollution Control District rules and City of Lincoln requirements; • Fugitive dust shall not exceed 40% opacity and not go beyond the project boundary at any time as required by District Rule 228 Fugitive Dust (Section 300). If lime or other drying agents are used to dry out wet grading areas, they shall be controlled so as to not exceed District Rule 228 Fugitive Dust limitations. The prime contractor shall be responsible for having an individual, CARB-certified to perform Visible Emissions Evaluations (VEE), who shall routinely evaluate compliance to Rule 228, Fugitive Dust on a weekly basis; • The prime contractor shall be responsible for keeping adjacent public thoroughfares clean of silt, dirt, mud, and debris, and shall "wet broom" the streets (or use another method to control dust as approved by the individual jurisdiction) if silt, dirt, mud or debris is carried over to adjacent public thoroughfares; 	<p>avoid a significant impact have not been identified at this time. Therefore, the City finds that economic and technological factors make mitigation to a level less-than-significant infeasible.</p>

Impact	Mitigation Measure(s)	Findings
	<ul style="list-style-type: none"> • During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less; • To control dust once grading is complete, the prime contractor shall apply methods such as surface stabilization, establishment of the vegetative cover, paving, or other methods approved by the City.vi. The prime contractor shall suspend all grading activities when wind speeds (including instantaneous gusts) are high (typically winds greater than 25 miles per hour), and dust is traveling offsite; • Stockpiles of dirt shall be covered when not being used or otherwise controlled to prevent erosion and/or dust. <p>MM-AQ-2 Application of low VOC coatings used for exterior and interior of all surfaces of at least 50 g/L, which is beyond the local requirements (Placer County Air Pollution Control District Rule 228, Architectural Coatings).</p> <p>MM-AQ-3 To reduce operational emissions of ROG, NO_x, and PM₁₀ emissions, the following Placer County Air Pollution Control District Standard Operational Air Quality Mitigation Measures shall be implemented as part of the proposed project's final design:</p> <ul style="list-style-type: none"> • Diesel trucks shall be prohibited from idling more than five minutes. Prior to the issuance of a Building Permit, the applicant shall show on the submitted building elevations that all truck loading and unloading docks shall be equipped with one 110/208 volt power outlet for every two dock doors. Diesel Trucks idling for more than the allotted time shall be required to connect to the 110/208 volt power to run any auxiliary equipment. A minimum 2'x3' signage which indicates "Diesel engine Idling limited to a maximum of five minutes" shall be included with the submittal of building plans. • Prior to Design Review approval, the Site Plan shall show that the applicant has provided the number of preferential parking spaces for employees that carpool/vanpool/rideshare as required by the District. Such stalls shall be clearly demarcated with signage as approved by the Design Review Board. 	

Impact	Mitigation Measure(s)	Findings
	<ul style="list-style-type: none"> • Prior to Design Review approval, the applicant shall show that on-site bicycle racks will be provided as required by the District. <p>MM-AQ-4 For individual projects to be developed under the Specific Plan that exceed the Placer County Air Pollution Control District criteria air pollutant thresholds after implementation of on-site mitigation, the following measures shall be applied, as determined feasible through coordination with the Placer County Air Pollution Control District:</p> <ul style="list-style-type: none"> • Establish mitigation off-site within the same region (i.e., City of Lincoln, western Placer County) by participating in an off-site mitigation program, coordinated through the Placer County Air Pollution Control District and/or by funding energy-efficiency measures (e.g., installation of insulation and/or dual pane windows in existing buildings), vehicle emission reduction measures (e.g., replace diesel school buses with natural gas buses), and/or trip-reduction measures (e.g., bike lanes and/or NEV lanes on streets that do not have them); and/or • Participate in the District's Off-site Mitigation Program by paying the equivalent amount of money, which is equal to the proposed projects contribution of pollutants (ROG and NO_x), which exceeds the cumulative thresholds of 55 pounds per day. The actual amount to be paid shall be determined, and satisfied per current California Air Resource Board guidelines, at the time of recordation of the Final Map (residential projects), or issuance of a Building Permit (non-residential projects). 	
<p>4.3.5 The project would result in a cumulatively considerable new increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative threshold emissions which exceed quantitative thresholds for ozone precursors).</p>	<p>MM-AQ-1, 2, 3, and 4</p>	<p>Implementation of mitigation measures MM-AQ-1 through AQ-4 would reduce cumulative impacts to air quality. MM-AQ-1 through AQ-3 would reduce the cumulative construction and operational air emissions. Construction emissions would be reduced to less-than-cumulatively-significant level. MM-AQ-4 requires the purchase of offsets for operational emissions in excess of</p>

Impact	Mitigation Measure(s)	Findings
		<p>applicable standards. While offsets are a form of mitigation that would reduce air quality impacts to less than significant, feasible offsets in the amount necessary to avoid a significant cumulative impact have not been identified at this time. Therefore, the City finds that economic and technological factors make mitigation to a level less-than-significant infeasible.</p>
Greenhouse Gas Emissions		
<p>4.7.1 Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</p> <p>4.7.2 Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</p>	<p>MM-GHG-1 Greenhouse Gas Emissions Reduction Measures. The following GHG emission reduction measures shall be implemented:</p> <p><i>All residential buildings shall:</i></p> <ul style="list-style-type: none"> • Meet or exceed CALGreen Tier 2 requirements in place at the time of Building Permit issuance. • Be pre-plumbed and structurally engineered for the future installation of a complete solar energy system. • Include a tankless water heating system, a whole house ceiling fan, and "Energy Star" appliances (stoves, dishwashers, and any other appliances typically included within the initial installation by the builder). • Include an energy efficient air conditioning unit(s) that exceeds the SEER ratio by a minimum of two points at the time of building permit issuance. • Include programmable thermostat timers. • Include exterior outlets on all single-family and multi-family buildings to allow the use of electrically-powered landscape equipment. • Include wiring for at least one electric car charging station. • Prior to the issuance of a Building Permit, the floor plans and/or exterior elevations submitted in conjunction with the Building Permit application for each residence within the approved subdivision shall show that each residence shall only utilize low flow water fixtures such as low flow toilets, faucets, showers, etc. • Prior to approval of Improvement Plans the applicant shall only show energy efficient lighting for all street, parking, and area lighting associated with the project, including all on-site and off-site lighting. <p><i>All non-residential buildings shall:</i></p>	<p>Implementation of mitigation measure MM-GHG-1 would reduce the emissions of GHG gases. However, the implementation of MM-GHG-1 would not reduce the impact to less than significant. The GHG emissions that cannot be substantially reduced are primarily from mobile sources (vehicle emissions). The City does not have the authority to mandate vehicle GHG emissions beyond State and federal requirements. The Project is consistent with the SACOG Sustainable Communities Strategy, which seeks to reduce GHG emissions through efficient land use patterns. Therefore, the City finds that additional mitigation to further reduce GHG emissions to a less-than-significant level are infeasible.</p>

Impact	Mitigation Measure(s)	Findings
	<ul style="list-style-type: none"> • Be pre-plumbed and structurally engineered for the future installation of a complete solar energy system. • Install photovoltaic rooftop energy systems on all community buildings and any commercial buildings over 100,000 square feet. • Use "Energy Star" rated (or greater) roofing materials. • Use both indoor and outdoor energy efficient lighting that meets or exceeds Title 24 requirements. • Prior to the issuance of a Building Permit, the floor plans and/or exterior elevations submitted in conjunction with the Building Permit application shall show that the proposed project includes a complete solar water heating system. • Include an energy efficient heating system and an air conditioning system that exceeds the SEER ratio by a minimum of two points at the time of building permit issuance. • Only use low flow water fixtures such as low flow toilets, faucets, showers, etc. • Only use programmable thermostat timers. • Include enough bike parking facilities to meet peak demand. This will include: <ul style="list-style-type: none"> ○ Providing secure bicycle racks and/or storage within 200 yards of a building entrance for five percent or more of all Full Time Equivalent (FTE) staff (measured at peak periods) and provide showers and changing facilities in the building, or within 200 yards of a primary staff building entrance, for 0.5 percent of FTE staff (measured at peak periods), or ○ Provide secure bike racks and/or storage within 200 yards of a public building entrance according to the following guidelines based on project square footage: <ul style="list-style-type: none"> ▪ Up to 5,000 square feet, two or more bicycle racks, ▪ 5,001 – 20,000 square feet, three or more bicycle racks, ▪ 20,001 – 50,000 square feet, six or more bicycle racks, ▪ More than 50,000 square feet, ten or more bicycle racks. • Prior to approval of Improvement Plans, the applicant shall only show energy efficient lighting for all street, parking, and area lighting associated with the proposed project, including all on-site and off-site lighting. 	

Impact	Mitigation Measure(s)	Findings
	<ul style="list-style-type: none"> ○ Install two 110/208 volt power outlets for every two loading docks. ○ Provide preferential parking for carpool, shared, electric, and hydrogen vehicles. ○ Include pedestrian-friendly paths and cross walks in all parking lots. ○ Pave all parking lots with reflective coatings (albedo = 0.30 or better). This measure is considered feasible if the additional cost is less than 10 percent of the cost of applying a standard asphalt product. ○ Maximize the amount of drought tolerant landscaping by minimizing the amount of turf in all areas where this option is feasible. ○ Ensure recycling of construction debris and waste through administration by an on-site recycling coordinator and presence of recycling/separation areas. 	
<p>4.15-1. The project would conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance or the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.</p>	<p>MM-TRA-1 Project applicant shall contribute to the installation of a traffic signal at the intersection of Nicolaus Road and Nelson Lane/Aviation Boulevard. These improvements are included in the proposed update to the City's PFE fee program. If the PFE program is adopted prior to the issuance of building permits, the PFE payment will satisfy this requirement. If the PFE update is not adopted prior to the issuance of building permits, the City may require the project applicants to construct the improvements and pay the project's fair share of the intersection improvement cost. The City would provide the project applicant with a right of reimbursement from third parties who also benefit from the improvements.</p> <p>MM-TRA-2 Project applicant shall contribute to the provision of separate northbound and southbound right turn lanes at the intersection of Joiner Parkway and First Street. These improvements are included in the proposed update to the City's PFE fee program. If the PFE program is adopted prior to the issuance of building permits, the PFE payment will satisfy this requirement. If the PFE update is not adopted prior to the issuance of building permits, the project applicant shall pay the project's fair share of the improvement costs.</p> <p>MM-TRA-3 Project applicant shall contribute toward the provision of a protected eastbound right turn movement at the intersection of Joiner Parkway and Nicolaus Road. These improvements are included in the proposed update to the City's PFE fee program. If the PFE program is adopted prior to the issuance of building permits, the PFE payment will satisfy this requirement. If the PFE update is not adopted prior to the issuance of building permits, the project</p>	<p>Implementation of feasible mitigation measure MM-TRA-1 would substantially lessen direct project impacts to the intersection of Nicolaus Road and Nelson Lane/Aviation Boulevard. Implementation of mitigation measures MM-TRA-2, TRA-3, TRA-5 and TRA-6 would substantially lessen the cumulative impact of the project on transportation facilities, including Joiner Parkway/Nicolaus Road , Joiner Parkway/First Street, SR 65 Southbound Ramps/ Ferrari Ranch Road , and the Twelve Bridges Northbound Off-Ramp. Implementation of mitigation measure MM-TRA-4 would substantially lessen the cumulative impact of the project on Nelson/SR 65. However, implementation of MM-TRA-4 is considered infeasible as funding has not been identified and the necessary intersection improvements have not been programmed.</p>

Impact	Mitigation Measure(s)	Findings
	<p>applicant shall pay the project's fair share of the improvement costs.</p> <p>MM-TRA-4 Project applicant shall contribute toward the construction of a grade-separated interchange to replace the current intersection of Nelson Lane and State Route 65. These improvements are included in the proposed update to the City's PFE fee program. If the PFE program is adopted prior to the issuance of building permits, the PFE payment will satisfy this requirement. If the PFE update is not adopted prior to the issuance of building permits, the project applicant shall pay the project's fair share of the improvement costs.</p> <p>MM-TRA-5 Project applicant shall contribute toward the provision of a channelized protected eastbound right turn movement at the intersection of State Route 65 southbound ramps and Ferrari Ranch Road. These improvements are included in the proposed update to the City's PFE fee program. If the PFE program is adopted prior to the issuance of building permits, the PFE payment will satisfy this requirement. If the PFE update is not adopted prior to the issuance of building permits, the project applicant shall pay the project's fair share of the improvement costs.</p> <p>MM-TRA-6 Project applicant shall contribute toward improvements to the Twelve Bridges Northbound Off-Ramp. The PFE program includes restriping the northbound off-ramp converting the existing shared through-right turn lane to a shared through-left turn lane. If the PFE program is adopted prior to the issuance of building permits, the PFE payment will satisfy this requirement. If the PFE update is not adopted prior to the issuance of building permits, the project applicant shall pay the project's fair share of the improvement costs.</p>	

VI. Alternatives

Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The CEQA Guidelines state that an EIR shall describe a reasonable range of alternatives that would avoid or substantially lessen any significant effects of the project, but need not consider every conceivable alternative. The CEQA Guidelines further state that "the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly" (CEQA Guidelines Section 15126.6[b]). Therefore, an EIR must describe a range of reasonable alternatives to the proposed project (or to its location) that could feasibly attain most of the basic objectives of the project. The feasibility of an alternative may be

determined based on a variety of factors, including, but not limited to, site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and site accessibility and control (CEQA Guidelines Section 15126.6[f][1]).

Alternatives in an EIR must be potentially feasible (CEQA Guidelines, Section 15126.6[a]). Agency decision makers ultimately decide what is “actually feasible.” (*California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal. App. 4th 957, 981 (CNPS).) Under CEQA, “feasible” is defined as capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors (CEQA Guidelines Section 15364). The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1506-1509; CNPS, *supra*, 177 Cal. App. 4th at p. 1001; *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1165, 1166.) Moreover, “‘feasibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.)

The EIR discussed and found several potential alternatives infeasible. These alternatives include:

- Off-site alternative
- Reduced Density Alternative
- Wetlands Avoidance Alternative
- Farmland Preservation Alternative
- Northern Commercial Alternative

The EIR analyzes two alternatives:

- No Project Alternative
- Expanded Park Alternative

Alternative 1: No Project Alternative

Basis for Consideration

An EIR alternatives analysis must include the “no project” alternative to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project (CEQA Guidelines Section 15126.6(e)(1)). The no project discussion will follow one of two lines of analysis: (1) where the project includes a change to a land use plan or policy (including zoning), what kind of development would reasonably be expected to occur under existing plans and considering available infrastructure and services; or (2) if no development would occur (the “no build” alternative), what would the effects be of the project site remaining in its existing state, compared to the circumstances if the proposed project were approved. As the proposed project is consistent with the planning designations for the project site, the first line of analysis (development consistent with existing plans) would not offer a meaningful comparison. Therefore, the “no project” alternative is considered the “no build” scenario.

The southernmost portion of the project site is currently within the City and zoned low density residential, and could theoretically be developed without annexation of the SUD-B site and approval of a specific plan. However, this portion of the project site cannot easily be developed without

development of the adjacent SUD-B area, due to the need to extend roadway and make a second connection for emergency and evacuation access, and the need to create a looped potable water system. Therefore, development of this area is not considered in the "no project" alternative.

Description

Under the No Project Alternative, no development would occur on the project site. The site would remain in its current condition

Comparative Analysis of Environmental Effects

The No Project/No Development Alternative would produce no changes on the project site, because the site would remain in its current condition, effectively eliminating those project impacts described in Chapter 4 of the EIR (see Table 6-1). Regarding significant and unavoidable impacts, there would be no cumulative change in the visual setting, no conversion of farmland to urban uses, no air emissions or GHG emissions associated with project operation, and no cumulative increase in vehicle traffic.

Findings

The No Project Alternative would not achieve any of the project objectives, including implementation of the adopted General Plan. Therefore, the City finds the No Project Alternative to be infeasible.

Alternative 2: Expanded Park Alternative

Basis for Consideration

The proposed project does not include adequate park acreage to serve the future project residents on-site. As noted in Impact 4.14-1, the proposed project provides 4 acres of on-site active recreation, compared to 9 acres needed. The project applicant can pay fees to fund off-site recreation, as described in Mitigation Measure REC-1. This would reduce the impact to less than significant. As an alternative, the project could include additional active recreation facilities on-site.

Description

Under the Expanded Park Alternative, an additional 5-acre park would be constructed on-site. This would require either a reduction in commercial acreage, or increased residential densities in other portions of the project site to maintain the 430 residential units in the proposed project.

Comparative Analysis of Environmental Effects

The Alternative would avoid the potentially significant recreation impact by providing additional active recreation park land within the project site. No other impacts would be avoided or substantially reduced.

Findings

The Expanded Park Alternative would not conflict with any of the project objectives. The Expanded Park Alternative is the Environmentally Superior Alternative, other than the No Project Alternative (when the No Project Alternative is environmentally superior, the EIR must identify an environmentally superior alternative among the other alternatives). The Expanded Park Alternative would avoid the significant impact to park facilities by providing additional park land within the project area. However, Mitigation Measure MM-REC-1 would also avoid impacts to parks by funding off-site park improvements. By providing flexibility to the City and the opportunity for efficiency by expanding existing or planned facilities (and thereby reducing operational costs), the City finds this alternative infeasible.

VII. Statement of Overriding Considerations

As set forth in the preceding sections, approving the Project will result in some significant adverse environmental effects that cannot be avoided even with the adoption of all feasible mitigation measures. As determined above, however, there are no feasible alternatives to the project that would fully mitigate or substantially lessen the impacts. Despite these effects, the City, in accordance with CEQA Guidelines section 15093, chooses to approve the Project because, in its judgment, the following economic, social, and other benefits that the project will produce will render the significant effects acceptable. The benefits of the project are several, but any one of these reasons is sufficient to justify approval of the project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City would stand by its determination that each remaining individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and in the documents included in the Record of Proceedings.

1. As stated in Government Code Section 65580, the availability of housing is of vital statewide importance. Local and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing. The Project would provide 430 units of new housing.
2. The Project would implement the City General Plan 2050, which identifies a mix of land uses within a "village" concept. Development of the Project, consistent with the General Plan would provide contiguous and efficient development to the City, and would contribute to the development of infrastructure needed to serve planned development within the General Plan 2050 Planning Area.
3. The market area for the Project, which includes the City of Lincoln, has a sales "leakage" of approximately \$157 million (see Appendix H of the EIR). This indicates that (a) residents of the City, are travelling to more distance commercial areas, with associated traffic, GHG, energy, and air quality impacts; and (b) the City is losing considerable sales tax revenues that would fund public services and utilities within the City. Implementation of the Project would capture a large portion of the economic activity currently being lost by the City. Therefore, there are economic and benefits to the project to the City of Lincoln and its residents.
4. The Project's design promotes compatibility with the Lincoln Regional Airport. By locating commercial, open space, and residential uses in the appropriate areas, the Project minimizes the potential for conflict with the Airport. As stated in the *California Airport Land Use Planning Handbook* (State of California Department of Transportation 2011), "[i]ncompatible development near an airport can lead to a politically contentious relationship between an airport and the communities around it, resulting in complaints and demands for restrictions on airport operations, ultimately threatening the airport's ability to operate efficiently and serve its function in the local economy."

VIII. Conclusion

The City Council has balanced these benefits and considerations against the significant unavoidable environmental effects of the Project. The City Council hereby concludes that those impacts are outweighed by these benefits, among others. After balancing the environmental costs against the Project's benefits, the City concludes that the benefits outweigh the adverse environmental impacts. The City believes that the project's benefits outlined above, and each of them individually, override the significant unavoidable environmental costs associated with the Project.

Attachment D

RESOLUTION 2024 - 00+

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINCOLN APPROVAL OF SUD-B NEQ OFFSITE REMNANT PARCELS CONSISTING OF A CITY- INITIATED GENERAL PLAN AMENDMENT, PRE-ZONING AND PRE-ANNEXATION PROCEEDINGS OF ASSESSOR'S PARCEL NUMBER (APN) 021-321-091 AND ADJACENT PORTIONS OF STATE HIGHWAY 65

Recitals

WHEREAS, the City Council, adopted the Special Use District Area B-Northeast Quadrant (SUD-B NEQ) Specific Plan on May 14, 2019 under City Council Resolution No. 2019-100; and

WHEREAS, the City Council, authorized the initiation of annexation proceedings of Special Use District Area B-Northeast Quadrant (SUD-B NEQ) Specific Plan with Local Agency Formation Commission (LAFCo) under City Council No. 2019-101 on May 14, 2019; and

WHEREAS, the Community Development Department, formally filed an application for annexation of Special Use District Area B-Northeast Quadrant (SUD-B NEQ) Specific Plan with LAFCo on October 8, 2020; and

WHEREAS, the Local Agency Formation Commission (LAFCo) adopted Resolution No. 2023-22, on March 8, 2023, approving a Special Use District Area B-Northeast Quadrant (SUD-B NEQ) Specific Plan with specific Conditions of Approval; and

WHEREAS, the Local Agency Formation Commission (LAFCo) adopted Resolution No. 2023-02, issuing a Certificate of Completion for the official annexation of Special Use District Area B-Northeast Quadrant (SUD- B NEQ) Specific Plan on April 10, 2023 with specific Conditions of Approval; and

WHEREAS, in fulfilling the conditions imposed on the annexation of the Special Use District Area B-Northeast Quadrant (SUD-B NEQ) Specific Plan into the City, the City of Lincoln initiated a General Plan Amendment and Pre-Zone amending the land use and zoning designations and Pre-Annexation of said properties; and

WHEREAS, the General Plan Amendment would result in the applicable mapping and designation of said properties according to the land use designation of the City of Lincoln General Plan Land Use Map; and

WHEREAS, the Pre-Zoning would result in the applicable mapping and designation of said properties according the zoning designation of the City of Lincoln Zoning Map; and

WHEREAS, the initiation of Pre-Annexation proceedings would authorize the City Manager formal annexation of said properties in order fulfill the annexation SUD-B NEQ Specific Plan; and

WHEREAS, the project qualifies for a Categorical Exemption under the California Environmental Quality Act (CEQA) Sections 15319 (Annexations of Existing Facilities and Lots for Exempt Facilities) and 15061(b)(3) (Common Sense Exemption); and

WHEREAS, notices describing the proposed Project and the time and place of the Planning Commission hearing, including a general explanation of the matter to be considered was published in a newspaper of local circulation and sent to neighboring property owners pursuant to Section 18.92 of the Lincoln Municipal Code; and

WHEREAS, on April 19, 2023 the Planning Commission of the City of Lincoln did hold a duly noticed public hearing and following discussion and public testimony recommended the City Council approval of the General Plan Amendment, Pre-Zoning, and Pre-Annexation of properties identified as Assessor's Parcel Number APN 021-321-091 and portions of State Highway 65.

NOW, THEREFORE, BE IT RESOLVED the Planning Commission of the City of Lincoln does hereby make the following determinations:

Section 1. The foregoing recitals are true and correct, and are hereby incorporated by reference.

Section 2. The proposed General Plan Amendment, Pre-Zoning, and Pre-Annexation of said properties would be consistent with the General Plan and Zoning and are within the Sphere of Influence.

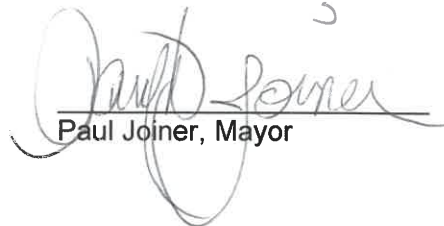
Section 3. The Planning Commission's recommendation to the City Council of determination of Categorical Exemption under CEQA Guidelines Sections 15319 (Annexations of Existing Facilities and Lots for Exempt Facilities) and 15061(b)(3) (Common Sense Exemption) shall serve as the appropriate environmental documentation for the project.

PASSED AND ADOPTED this 9th day of January 2024, by the following roll call vote:

AYES: COUNCILMEMBERS: Karleskint, Brown, Andreatta, Lauritsen, Joiner


NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:



Paul Joiner, Mayor

ATTEST:



Gwen Scanlon, City Clerk

Table of Lincoln’s Plan for Providing Services - LAFCO Project No. 2023-02 SUD-B NEQ Remnant Parcels

Service	Current Provider	Proposed Provider	Describe the Level and Range of Service to be Provided	Approx. date service will be available	Method to finance service
Water	APN 021-321-091: None State Route Hwy 65 ROW: None	APN 021-321-091: None State Route Hwy 65 ROW: None	No water service is proposed given no development is proposed that would need this service	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable
Wastewater / Sewer¹	APN 021-321-091: City of Lincoln State Route Hwy 65 ROW: None	APN 021-321-091: None. No sewer service is proposed given no development is proposed that would need this service State Route Hwy 65 ROW: None	APN 021-321-091: No sewer service is proposed given no development is proposed that would need this service State Route Hwy 65 ROW: None	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable
Police	APN 021-321-091: Placer County Sheriff State Route Hwy 65 ROW: California Highway Patrol / COL Police	APN 021-321-091: City of Lincoln State Route Hwy 65 ROW: California Highway Patrol/COL Police	APN 021-321-091: Minimal police service will be provided given no development is proposed that would need this service	APN 021-321-091: Winter 2024-25 State Route Hwy 65 ROW: On-Going	APN 021-321-091: City of Lincoln State Route Hwy 65 ROW: California Highway Patrol
Fire and Emergency Services	APN 021-321-091: Placer County Fire Department State Route Hwy 65 ROW: California Fire / COL Fire Department	APN 021-321-091: City of Lincoln State Route Hwy 65 ROW: California Fire / COL Fire Department	APN 021-321-091: Minimal fire service will be provided given no residential development is proposed that would need this service. Any anticipated service need would be limited to maintenance of vegetation for fire management. State Route Hwy 65 ROW: California Fire / COL Fire Department (No change anticipated)	APN 021-321-091: Winter 2024-25 State Route Hwy 65 ROW: On-Going	APN 021-321-091: City of Lincoln State Route Hwy 65 ROW: California Fire / COL Fire Department
Road and Street Maintenance	APN 021-321-091: Placer County State Route Hwy 65 ROW: Caltrans	APN 021-321-091: City of Lincoln State Route Hwy 65 ROW: Caltrans	APN 021-321-091: Existing Moore Road provides direct frontage access to the property. Given the Open Space use of the property, anticipated street improvements and service would be limited to ensuring access needed for regular vegetation management and maintenance of sewer lines. State Route Hwy 65 ROW: Caltrans (no change anticipated)	APN 021-321-091: Winter 2024-25 State Route Hwy 65 ROW: On-Going	APN 021-321-091: City of Lincoln State Route Hwy 65 ROW: Caltrans

Table of Lincoln's Plan for Providing Services - LAFCO Project No. 2023-02 SUD-B NEQ Remnant Parcels

Stormwater	APN 021-321-091: Placer County State Route Hwy 65 ROW: Caltrans	APN 021-321-091: City of Lincoln State Route Hwy 65 ROW: Caltrans	APN 021-321-091: Given the location and setting of the property along Auburn Ravine and its open space use no additional storm drainage improvement would be needed. State Route Hwy 65 ROW: Caltrans (No change anticipated)	APN 021-321-091: Winter 2024-25 State Route Hwy 65 ROW: On-Going	APN 021-321-091: City of Lincoln State Route Hwy 65 ROW: Caltrans
Parks & Recreation	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable
Solid waste	APN 021-321-091: City of Lincoln Public Works- Solid Waste State Route Hwy 65 ROW: Caltrans	APN 021-321-091: City of Lincoln Public Works- Solid Waste (No change anticipated) State Route Hwy 65 ROW: Caltrans (No change anticipated)	APN 021-321-091: No refuse service anticipated State Route Hwy 65 ROW: No change anticipated	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: No change anticipated	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: No change anticipated
Streetlighting	APN 021-321-091: City of Lincoln State Route Hwy 65 ROW: Caltrans	APN 021-321-091: City of Lincoln State Route Hwy 65 ROW: Caltrans	APN 021-321-091: Given open space use of property, minimal street lighting needed. Any street lighting needed would be in association with nearby development. State Route Hwy 65 ROW: No change anticipated	APN 021-321-091: Given minimal need for streetlighting, no timeline for this service has been identified. State Route Hwy 65 ROW: On-Going. No change anticipated	APN 021-321-091: City of Lincoln State Route Hwy 65 ROW: Caltrans
Library	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable
Cemetery	APN 021-321-091: Placer County Cemetery District No. 1 State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: City of Lincoln State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: Given the open space use of the property, no cemetery service would be needed. State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable
Public Transit	APN 021-321-091: Placer County State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: Given the open space use of the property, no public transit would be needed. State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable
Airport	APN 021-321-091: City of Lincoln State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: Given the open space use of the property, no public transit would be needed. State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable	APN 021-321-091: Not Applicable State Route Hwy 65 ROW: Not Applicable

Notes:

Table of Lincoln's Plan for Providing Services - LAFCO Project No. 2023-02 SUD-B NEQ Remnant Parcels

1. A 36-inch sewer line runs north-south bisecting the middle portion of APN 021-321-091. The sewer line, which originates from the north crossing Auburn Ravine Creek, serves the existing development in the north and is anticipated to provide connection to future development to the south. APN 021-321-091 has been approved and restricted for open space use.



September 12, 2024

Placer County Local Agency Formation Commission (LAFCo)
c/o Michelle McIntyre – Executive Officer
110 Maple St.
Auburn, CA 95603

RE: SUD B NEQ Remnant Annexation

Dear Ms. McIntyre,

This letter is in regard to the proposed annexation for SUD-B NEQ remnant parcel and right-of-way.

For purposes of your determination under California Government Code Section 56658 and Revenue & Tax Code Section 99(b)(8)(A), please reference the previously submitted SUD-B NEQ Tax Sharing Agreement (copy attached) between the City of Lincoln and Placer County and note that this Tax Sharing Agreement will apply to this annexation.

Sincerely,

Sean Scully
City Manager

cc: Kristine Mollenkopf, City Attorney
Dan Karleskint, City Mayor / LAFCO Commissioner
Cindy Gustafson, LAFCO Chair
Christian Svensk, CDD Director

City Hall
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Lincoln, CA 95648
(916) 434-2400

www.lincolncalifornia.gov

City Manager's Office ♦ Community Development ♦ Engineering ♦ Fire
Information Technology ♦ Library ♦ Recreation ♦ Police ♦ Public Works ♦ Finance

Before the Board of Supervisors County of Placer, State of California

In the matter of: A RESOLUTION APPROVING THE USE OF THE PROPERTY TAX REVENUE EXCHANGE AGREEMENT EXECUTED ON MAY 24, 2022, BETWEEN THE COUNTY OF PLACER AND THE CITY OF LINCOLN FOR ANNEXATION OF SPECIAL USE DISTRICT-B NORTHEAST QUADRANT REMNANT PARCELS.

Resolution No.: 2025-087


The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held May 13, 2025, by the following vote:

AYES: LANDON, DEMATTEI, GUSTAFSON, GORE

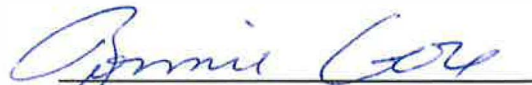
NOES: NONE

ABSENT: JONES

THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE
ATTEST

MEGAN WOOD
Clerk of the Board of Supervisors, County of Placer, State of California

Deputy Clerk

Signed and approved by me after its passage.



Chair, Board of Supervisors

Attest:



Clerk of said Board

WHEREAS, the City of Lincoln ("City") has proposed an annexation of Special Use District-B Northeast Quadrant ("SUD-B NEQ") Remnant Parcels, a portion of the SUD-B Specific Plan comprised of 90± acres of land (hereinafter referred to as "SUD-B NEQ Remnant Parcels" or "Annexation Area"), which land is currently within the unincorporated area of Placer County ("County"); and

WHEREAS, Revenue and Taxation Code section 99 requires a city seeking annexation of property and the county affected by such annexation to agree upon a property tax revenue exchange and to provide a resolution of approval of the same by each legislative body to the Local Agency Formation Commission ("LAFCO") prior to consideration of the annexation; and

WHEREAS, the Placer County LAFCO requires a resolution authorizing the exchange of tax revenues between the City and the County for taxes generated in the Annexation Area, prior to consideration of the annexation; and

WHEREAS, previous negotiations between the County and the City resulted in the approved SUD-B NEQ Property Tax Revenue Exchange Agreement ("Executed Agreement"), executed on May 24, 2022, and attached hereto as Exhibit 1; and

WHEREAS, the County received a letter from the City on September 4, 2024, seeking the County's concurrence to use the existing Executed Agreement between the County and the City for the SUD-B NEQ Annexation; and

WHEREAS, the parties acknowledge that the resulting agreement to use the existing Executed Agreement is not intended to set a precedent for future agreements; and

WHEREAS, it is not anticipated that overall countywide funding for the provision of services would be materially impacted by this property tax revenue exchange agreement; and

WHEREAS, the Board is making a determination that the action to use the existing Executed Agreement is not a project pursuant to the California Environmental Quality Act ("CEQA") Guidelines Section 15378(b)(5), as this action is an organizational activity between the County and City; and

WHEREAS, the County also recognizes that the City prepared and certified a Final Environmental Impact Report and Addendum for the SUD-B Specific Plan, and the County can alternatively rely upon the same to support approval of using the existing Executed Agreement.

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF CALIFORNIA AS FOLLOWS:

1. The Board of Supervisors approves the use of the existing Property Tax Revenue Exchange Agreement executed on May 24, 2022 between the City of Lincoln and County of Placer for annexation of Special Use District-B Northeast Quadrant Remnant Parcels, a portion of the Special Use District-B Specific Plan, which Agreement is attached hereto as Exhibit 1 and incorporated herein as if set forth in full.
2. The Board of Supervisors' approval is contingent upon approval by the Placer County LAFCO of the proposed annexation of SUD-B NEQ Remnant Parcels, attached hereto as Exhibit 2 and Exhibit 3.
3. The Board of Supervisors authorizes the transmittal of this resolution with the identified exhibits to the Placer County LAFCO upon adoption of this resolution.
4. This resolution shall become effective immediately upon adoption.

Exhibit 1: 2022 Executed Agreement Between the City of Lincoln and County of Placer Regarding Transfer of Property Tax Special Use District B Northeast Quadrant Specific Plan Annexation

Exhibit 2: Legal Description of Annexation Area – Remnant Parcels

Exhibit 3: Map Depiction of Annexation Area - Remnant Parcels

**ATTACHMENT A, EXHIBIT 1: 2022 Executed Agreement Between the City of Lincoln and County of Placer
Regarding Transfer of Property Tax Special Use District B Northeast Quadrant Specific Plan Annexation
for 5.13.25 SUD-B NEQ Property Tax Revenue Exchange Agreement**

**AGREEMENT BETWEEN THE CITY OF LINCOLN AND COUNTY OF PLACER
REGARDING TRANSFER OF PROPERTY TAX
SPECIAL USE DISTRICT B NORTHEAST QUADRANT SPECIFIC PLAN
ANNEXATION**

This AGREEMENT is entered into by and between the CITY OF LINCOLN, a municipal corporation ("City") and the COUNTY OF PLACER, a political subdivision of the State of California ("County"), (collectively, the "Parties").

RECITALS

- A. The City will file an application with the Placer County Local Agency Formation Commission ("Placer LAFCo") for reorganization amendments, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Gov. Code Section 56000, et. seq.). The City requests approval of an annexation into the City boundaries of that real property legally described in Exhibit A and depicted in Exhibit B to this Agreement ("Annexation Area") and otherwise known as the "SUD-B" project.
- B. Said Annexation Area is currently located in the unincorporated portion of the County. This Agreement would enable the annexation of approximately 197.12 acres into the City. The SUD-B project is located west of the existing City limits, north of Highway 65, east of Nelson Lane and south of Nicolaus Road and proposes 529 housing units for an estimated 1,341 new residents and approximately 950,000 square feet of Non-Residential Development.
- C. Revenue and Taxation Code section 99 requires a city seeking to annex property and the county affected by such annexation to agree upon a property tax revenue exchange agreement in order for Placer LAFCo to issue a Certificate of Completion for the annexation.
- D. The City and the County wish to work together to develop a fair and equitable approach to sharing of property tax revenues within the Annexation Area. The City and the County recognize the importance of the City's and the County's services and maintaining adequate service levels to the Annexation Area for the health, safety, and welfare of the citizens of the City and the County. The City and the County wish to cooperate as provided in this Agreement in an effort to address the City's and the County's fiscal considerations in providing such services, as well as their respective present and future economic and planning needs. This Agreement is intended to satisfy the requirements of Revenue and Taxation Code section 99 (b).

AGREEMENT

NOW, THEREFORE, the Parties agree as follows:

Section 1. Recitals. The City and the County each acknowledge the factual accuracy of the Recitals and agree that the Recitals are incorporated in this Agreement as though fully set forth in full.

Section 2. Definitions.

"AFFECTED TAX RATE AREA" (or "TRA" or "TRAs") shall mean as to this Agreement those base property tax revenues and/or incremental property tax revenues available from the Annexation Area. As to this Agreement, the TRA is: TRA 076-055.

The County Auditor has notified the City and County pursuant to Revenue and Taxation Code section 99(b)(2) that of the 1% Ad Valorem Property Tax imposed pursuant to Article 13A, section 1 of the State Constitution, the Property Tax Revenue which is subject to negotiated exchange consists of the following elements.

<u>TRA 076-055</u>	<u>% AB 8 (2020-2021)</u>
County General Fund	29.2972%
Library Control Fund	1.4572%
Fire Control Fund	1.2902%
TOTAL	32.0446%

The above percentages are estimates and are subject to correction by the Auditor.

"SUD-B" shall mean the development proposed for that real property described in Exhibit A. SUD-B is a 197.12-acre project located west of the existing City limits, north of Highway 65, east of Nelson Lane and south of Nicolaus Road as described in Recital B above, legally described in Exhibit A and depicted in Exhibit B.

"ANNEXATION AREA" shall mean the area legally described in Exhibit A and depicted in Exhibit B, in the unincorporated area of the County, which consists of ± 197.12 acres.

"ANNEXATION DATE" shall mean the date specified by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Gov. Code, §§ 56000, et seq.) as the effective date of Placer LAFCo's action on the City's application for the Annexation Area.

"NON-RESIDENTIAL DEVELOPMENT" shall mean a completed building within the Annexation Area that has received a certificate of occupancy, that is not intended for residential use, and that is not exempt from property taxes. Non-Residential Development may include land uses such as retail, office, industrial, hotel, mixed-use (excluding residential), or other uses with a non-residential purpose.

"PROPERTY TAX REVENUE" shall mean "ad valorem real property taxes on real property" as said term is used in Section 1 of Article 13A of the California Constitution and more particularly defined in subsection (c) of Section 95 of the California Revenue and Taxation Code, and includes both the base (total amount of property tax revenue based upon the AB -8 gross levy for the fiscal year) and the Incremental (amount of property tax revenue attributable to the annual tax increment change in assessed valuation in each fiscal year) and supplemental property tax revenues as more particularly defined in Section 75 of the California Revenue and Taxation Code.

Section 3. General Purpose of Agreement. The general purpose of this Agreement is to devise an equitable exchange of Property Tax Revenue between the City and the County on and after the Annexation Date as required by Government Code section 56815(b) and Revenue and Taxation Code section 99.

Section 4. Establishment of Separate Tax Rate Area(s). County will work with the County Auditor and the State Board of Equalization to establish a separate Tax Rate Area or Areas (TRA(s)) for the Annexation Area prior to allocation and distribution of property tax under this Agreement and will report to City the actual amount of the Property Tax Revenue from the TRA(s) available for allocation and distribution pursuant to this Agreement.

Section 5. Conditions Precedent to Annexation. The City shall perform the following actions prior to annexation of the Annexation Area to the City:

- 5.1. Community Facilities District. The City shall adopt a Resolution of Intention to form a Community Facilities District with a Rate, Method, and Apportionment of Special Taxes for the Annexation Area of sufficient amount to cover projected fiscal deficit to support City services to the Annexation Area. The City shall provide the County with copies of the certified Resolution of Intention within ten (10) business days of adoption.

Section 6. Receipt and Allocation of Property Tax Revenues.

6.1 For the Annexation Area formerly in TRA 076-055:

6.1.1 Commencing the first fiscal year following the date the new TRA(s) appear on the State Board of Equalization's Tax Rate Area Chart, the County shall retain sixty-one-point-six percent (61.6%) pre-ERAF of the 1% property tax and supplemental tax revenue levied for the Annexation Area

6.1.2 The City shall be apportioned the remaining balance of the property tax in the affected funds subject to the apportionment of taxes for the Annexation Area and all general sales tax received from sales in the Annexation Area (thirty-eight-point-four percent (38.4%) of the Property Tax Revenue levied for the Annexation Area.)

Section 7. Modification of Allocation of Property Taxes. The Parties agree that certain circumstances may result in a significant change to the revenues anticipated in this Agreement. These changes, identified in Section 7.1, could negatively impact the consideration of this Agreement to reach a fair and equitable approach to sharing of property tax revenues within the Annexation Area pursuant to Revenue and Taxation Code section 99 (b). As a result, the Parties agree to follow the process defined below to amend this Agreement to modify the allocation of property taxes.

- 7.1. The Parties agree to discuss and update the City / County fiscal impact model (Model) if either Party believes there has been a significant change in: (1) the revenue assumptions in the Model for either the City or the County; (2) State action has imposed a significantly increased service level for either the City or the County without providing a funding source; or (3) other State action has occurred which has the effect of altering the fiscal outcomes that the tax sharing agreement was intended to provide. For purposes of this provision, the term State action includes action or inaction by the State of California, or action by the voters or judiciary.
- 7.2. If the Parties agree there has been a significant change, the Parties agree to update the Model and share equally in the cost of the same. If the Parties determine the updated Model necessitates changes to this Agreement, the Parties will each bring and recommend approval of the agreed-to amendments to the respective legislative bodies, each of which has the final decision on any updates to the Model and amendments to this Agreement.
- 7.3. If the Parties cannot reach agreement on the need to update the Model, or on whether there has been significant change necessitating an update to the Model, or on the nature of the modifications to the Model in response to

a significant change, the City and the County shall mutually select a fiscal expert consulting firm to analyze and informally mediate the dispute. The Parties agree to participate in good faith in mediation. The City and the County will bear equally the cost of the services of the expert consultant and mediation. If after the informal mediation process the parties still cannot reach agreement, the Parties may request the fiscal expert consulting firm make final recommendations but recognize that such recommendations are advisory and not binding to either party.

- 7.4. Notwithstanding the above paragraphs of this Section, the increment distribution to the County and City established in Section 6 above shall be modified if the amount of Non-Residential Development (defined in Section 2) within the Annexation Area exceeds 450,000 gross square feet. The City shall provide documentation to the County Executive Office, and the County Executive Office shall review whether that Non-Residential Development within the Annexation Area has exceeded 450,000 gross square feet. Such documentation may include building permit data, a short-form or other appraisal(s), information contained in the County Assessor's database or other County databases, or other information deemed acceptable to the County. The County may require additional documentation or seek clarification of documentation the City submits. If the County Executive Office confirms that Non-Residential Development within the Annexation Area has exceeded 450,000 gross square feet, the County's increment distribution in Section 6.1.1 shall be changed to fifty-four-point-four percent (54.4%) and the City's increment distribution in Section 6.1.2 shall be changed to forty-five-point-six percent (45.6%) pre-ERAF. Said changes are first subject to the Parties bringing resolutions to the respective legislative bodies documenting the same, and requesting the legislative bodies adopt said resolutions. The increment distribution changes will take effect in the fiscal year following the fiscal year in which the resolutions are approved.
- 7.5. Notwithstanding the above paragraphs of this Section, the increment distribution to the County and City established in Section 6 shall be modified if the amount of Non-Residential Development within the Annexation Area exceeds 900,000 gross square feet. The City shall provide documentation to the County Executive Office, and the County Executive Office shall review whether that Non-Residential Development within the Annexation Area has exceeded 900,000 gross square feet. Such documentation may include building permit data, a short-form or other appraisal(s), information contained in the County Assessor's database or other County databases, or other information deemed acceptable to the County. The County may require additional documentation or seek clarification of documentation the City submits. If the County Executive Office confirms that Non-Residential Development within the Annexation Area has exceeded 900,000 gross square feet, the County's increment distribution in Section 6.1.1 shall be changed to forty-seven-point-three percent (47.3%) and the City's increment distribution in Section 6.1.2 shall be changed to fifty-two-point-seven percent

(52.7%) pre-ERAF. Said changes are first subject to the Parties bringing resolutions to the respective legislative bodies documenting the same, and requesting the legislative bodies adopt said resolutions. The increment distribution changes will take effect in the fiscal year following the fiscal year in which the resolutions are approved.

Section 8. Capital Facilities Fee.

- 8.1. The City will require the developers of the Annexation Area to pay the County's Capital Facilities Fee to County pursuant to County Ordinance No. 4769-B, adopted October 15, 1996, through inclusion of this requirement as a condition of approval or provision of the development agreement(s) for the SUD-B project. The City will require the developers to pay the fee to the City per building permit issued and the City will remit the fee revenues to County within thirty (30) days of receipt.
- 8.2. In the event that the City fails to impose this requirement on the SUD-B project or subsequently terminates that requirement or for any reason, is unable to collect said fee from developers for countywide facilities, City agrees (a) at the time of issuance of a building permit within the Annexation Area to pay the equivalent amount of the County Capital Facilities Fee to the County as established from time to time; or (b) to modify the allocation of property taxes as set forth in Section 6 herein so as to provide for sufficient funding in the County's share of property taxes to be received from the Annexation Area to fully fund the cost of capital facilities needed to serve all residents of the Annexation Area. Such modification of allocation shall provide full funding for all of the Capital Facilities Fees which City is unable to collect from the developers with an adjustment factor to take into account projected future increases in the Capital Facilities Fee.
- 8.3. Notwithstanding the provision of this Section, the City shall have no liability under this Section to pay the Capital Facilities Fee to the County if the County's Capital Facilities Fee or any amendments to it are determined invalid by final judgment of a court of competent jurisdiction or if the authority to impose the Capital Facilities Fee in the unincorporated area is withdrawn from the County by an act of the Legislature.

Section 9. Exchange by County Auditor. The City and the County further agree that all of the exchanges of property taxes required by this Agreement shall be made by the County Auditor.

Section 10. Effect of Tax Exchange Agreement. This Agreement shall be applicable solely to the Annexation Area and does not constitute a master tax sharing agreement or an agreement on potential future property tax exchanges with the City.

Section 11. Administrative Charges. Administrative charges for preparation of property tax calculations, tracking, and invoicing shall be charged to the City based on actual costs and documented expenses. The County will invoice the City annually for administrative charges, with payment due within thirty (30) days of receipt of invoice.

Section 12. Effective Date of Agreement. This Agreement shall become effective on the last date of execution set forth below ("Effective Date").

Section 13. Termination. This Agreement may be terminated only by formal action of both the City Council and County Board of Supervisors.

Section 14 Indemnification. In the event this Agreement is the subject of a third party legal challenge, including but not limited to a third party legal challenge to the SUD-B project entitlements or any action taken by Placer LAFCo and that challenge names the County as a defendant/respondent, City will defend any such action on behalf of itself and County, and will indemnify County against any damages which may be awarded against County in such a legal challenge.

Section 15. General Provisions.

15.1. Modification. This Agreement may only be modified or amended in writing duly authorized and executed by both the City and the County, after action by both legislative bodies.

15.2. Entire Agreement. This Agreement supersedes any and all previous negotiations, proposals, commitments, writings, and understandings between the City and the County with respect to and strictly limited to the sharing of Property Tax Revenue for the Annexation Area.

15.3. Notices. All notices, requests, certifications, or other correspondence provided by the Parties to this Agreement shall be in writing and shall be personally delivered or delivered by first class mail to the respective Parties at the following addresses:

County
Placer County Executive Officer
County of Placer
175 Fulweiler Avenue
Auburn, CA 95603

City
City Manager
City of Lincoln
600 Sixth Street
Lincoln, CA 95648

Notice by personal delivery shall be effective immediately upon delivery. Notice by mail shall be effective upon receipt or five (5) days after mailing, whichever is earlier.

15.4. Agreement or Consent. Wherever this Agreement requires a party's agreement or consent, the party shall make its decision to give or withhold such agreement or consent in good faith and shall not withhold such agreement unreasonably or without good cause.

15.5. Construction of Captions. Captions of the sections of this Agreement are for convenience and reference only. The words in the captions in no way explain, modify, amplify, or interpret this Agreement.


15.6. Authority to Execute Agreement. The undersigned declare each has the authority of its legislative body to execute this Agreement. That authority is further evidenced by the citation to the passage of the authorizing resolution cited to below.

15.7. Venue. This Agreement is made in the County of Placer in the State of California. Any action to enforce or interpret its terms shall be brought in Placer County Superior Court.

15.8. Severability. Should any part, term or provision of this Agreement be decided by the courts to be illegal or in conflict with any law of the State of California, or otherwise be rendered unenforceable or ineffectual, the validity of the remaining parts, terms or provisions hereof shall not be affected thereby.

15.9. Counterparts. This Agreement may be executed in counterparts, each of which shall constitute an original.

CITY OF LINCOLN, a municipal corporation



Sean Scully, City Manager

ATTEST:



City Clerk

Date approved by City Council: 03/08/2022

Resolution No. 2022-51

APPROVED AS TO FORM:



City Attorney

COUNTY OF PLACER


~~Todd Leopold, County Executive Officer~~
Same Christenson, Acting County Executive Officer
ATTEST:

Clerk of the Board

Date approved by Board of Supervisors: _____

Resolution No. _____

APPROVED AS TO FORM:



Karin Schwab, County Counsel

Exhibits:

- A: Legal Description of Annexation Area
- B: Depiction of Annexation Area

City Attorney

COUNTY OF PLACER

Jane Clark

~~Todd Leopold, County Executive Officer~~
Jane Christenson, Acting County Executive Officer

ATTEST:

Meepm Ward

Clerk of the Board

Date approved by Board of Supervisors: 5/24/22

Resolution No. 2022-097

APPROVED AS TO FORM:

Karin Schwab

Karin Schwab, County Counsel

Exhibits:

A: Legal Description of Annexation Area

B: Depiction of Annexation Area

EXHIBIT "A"
LEGAL DESCRIPTION
LAFCO ANNEXATION NO. 2020-03
SUD-B (NEQ) ANNEXATION TO THE CITY OF LINCOLN

That certain parcel of land situated in the unincorporated territory of the County of Placer, State of California, being that portion of Sections 17 and 18, Township 12 North, Range 6 East, Mount Diablo Base and Meridian, more particularly described as follows:

BEGINNING at a point along the southerly corporate limits of the City of Lincoln per the Airport Annexation recorded November 19, 1974, in Volume 1606, Page 200 of Official Records in said Office of the County Recorder, said corporate limits line also being the southerly right-of-way line of Nicolaus Road, and said point being at an intersection with the easterly line of the West half of the Northwest one-quarter of said Section 17 as described in Exhibit "A" of the City of Lincoln Sewer Plant Annexation, recorded December 30, 1975 in Volume 1691, page 675 of Official Records of said County Recorder;

- 1) Thence, along said Easterly line and continuing along said corporate limits, South 00°24'59" East, a distance of 2,624.52 feet more or less to a point on the East-West centerline of said Section 17;
- 2) thence North 89°45'49" East along said corporate limits and East-West centerline, a distance of 1,330.87 feet to a point on the Easterly line of Parcel One as described in a Grant Deed recorded November 13, 2019 as Instrument No. 2019-0091021 of Official Records in said Office of the County Recorder;
- 3) thence South 00°27'08" East along said Easterly line of Parcel One, a distance of 1,325.89 feet to a point on the Northerly line of Parcel Two as described in a Grant Deed recorded November 13, 2019 as Instrument No. 2019-0091021 of Official Records in said Office of the County Recorder, said Easterly line also being the corporate limits of the City of Lincoln as described in Exhibit "B" of the Lincoln West Annexation recorded January 25, 1995, as Instrument No. 95-003837 of Official Records in said Office of the County Recorder;
- 4) thence North 89°42'00" East along said Northerly line of Parcel Two, a distance of 2,664.06 feet to a point on the Easterly line of said Section 17, said Northerly line also being the corporate limits of the City of Lincoln as described in Exhibit "B" of the Lincoln West Annexation recorded January 25, 1995, as Instrument No. 95-003837 of Official Records in said Office of the County Recorder;
- 5) thence South 00°31'28" East along last said Easterly line, a distance of 1,315.49 feet to a point on the new Caltrans Highway 65 northerly right-of-way, also being the southerly line of said Parcel Two, said Easterly line also being the corporate limits of the City of

Lincoln as described in Exhibit "A" of the South Lincoln Annexation recorded March 24, 1994, as Instrument No. 94-021630 of Official Records in said Office of the County Recorder;

thence, departing said corporate limits of the City of Lincoln, travelling along said Northerly Caltrans right-of-way the following six courses:

- 6) North 51°47'31" West 309.69 feet to the beginning of a tangent curve concave Southerly and having a radius of 4,921.26 feet;
- 7) thence Northwesterly along said curve 3,132.94 feet through a central angle of 36°28'31", said curve having a chord bearing and chord distance of North 70°01'46" West 3,080.30 feet;
- 8) thence North 88°16'02" West 1,973.21 feet to the beginning of a tangent curve concave Northeasterly and having a radius of 98.43 feet;
- 9) thence Northwesterly along last said curve 151.01 feet through a central angle of 87°54'01", last said curve having a chord bearing and chord distance of North 44°19'02" West 136.63 feet;
- 10) thence North 00°22'01" West 224.94 feet;
- 11) thence North 06°36'31" West 503.38 feet;

thence, departing said Caltrans right-of-way, along the right-of-way relinquished to the County of Placer as recorded June 3, 2014 as Instrument No. 2014-0036439-00 of Official Records in said Office of the County Recorder, the following four courses:

- 12) thence South 89°43'16" West 142.63 feet;
- 13) thence North 06°06'28" East 230.49 feet;
- 14) thence North 00°22'02" West 97.02 feet;
- 15) thence North 89°37'58" East 2.48 feet to a point on the Westerly line of that parcel of land described in a Grant Deed recorded December 9, 2013 as Instrument No. 2013-0112797-00 of Official Records in said Office of the County Recorder, said Westerly line also being the Westerly right of way of Nelson Lane;

thence, continuing along the Westerly right of way of Nelson Lane, the following twenty-three courses:

16) thence North 01°34'50" East along said Westerly line, a distance of 164.29 feet to a point terminating in the Northerly line of last said parcel of land, said point also being on the Southerly line of that parcel of land described in a Final Order of Condemnation recorded April 10, 2014 as Instrument No. 2014-0022324-00 of Official Records in said Office of the County Recorder;

17) thence North 01°07'09" East along the Westerly line of last said parcel of land, a distance of 16.51 feet to a point terminating in the Northerly line of line of last said parcel, said point also being on the Southerly line of that parcel of land described in a Grant Deed recorded December 3, 2013 as Instrument No. 2013-0111324-00 of Official Records in said Office of the County Recorder;

thence along the Westerly line of last said parcel of land the following three courses:

18) North 01°42'29" East, a distance of 59.40 feet to the beginning of a tangent curve concave Westerly and having a radius of 1,960.00 feet;

19) thence Northerly along last said curve 76.71 feet through a central angle of 02°14'33", last said curve having a chord bearing and chord distance of North 00°27'32" East 76.71 feet;

20) thence North 00°39'45" West, a distance of 179.36 feet to a point terminating in the Northerly line of last said parcel, said point also being on the Southerly line of that parcel of land described in a Grant Deed recorded September 3, 2013 as Instrument No. 2013-0086886-00 of Official Records in said Office of the County Recorder;

21) thence South 89°34'41" West along the Southerly line of last said parcel of land, a distance of 7.96 feet to a point on the Westerly line of last said parcel;

22) thence North 00°41'17" West along the Westerly line of last said parcel, a distance of 307.18 feet to a point terminating in the Northerly line of last said parcel, said point also being on the Southerly line of a roadway easement described in documents recorded in Book 1090, Page 511 and Book 1536, Page 562 of Official Records of said Office of the County Recorder;

23) thence continuing North 00°20'51" West in said roadway easement, a distance of 25.00 feet;

24) thence North 89°34'56" East in said roadway easement, a distance of 6.56 feet to the Southwesterly corner of that parcel of land described as "Area J, Highway Easement" on a map filed in Book 21, Page 107 of Parcel Maps in said Office of the County Recorder, and as also described in a document recorded in Book 2786, Page 217 of Official Records of said Office of the County Recorder;

25) thence North 00°22'52" West along the Westerly line of said "Area J", a distance of 332.20 feet to a point terminating in the Southerly line of that parcel of land described as "Area K" on a map filed in Book 23, Page 70 of Parcel Maps in said Office of the County Recorder;

26) thence continuing North 00°22'52" West along the Westerly line of said "Area K", a distance of 332.20 feet to a point terminating in the Northerly line of said "Area K", said point also being on the Southerly line of that portion of land described in a Grant Deed recorded December 6, 2013 as Instrument No. 2013-0112274-00 of Official Records in said Office of the County Recorder;

27) thence South 89°34'36" West along the Southerly line of last said portion of land, a distance of 1.83 feet to the Southwesterly corner of last said portion of land;

thence along the Westerly line of last said portion of land, the following five courses:

28) North 00°39'45" West 332.19 feet;

29) thence South 89°34'26" West 5.00 feet;

30) thence North 00°39'45" West, a distance of 113.04 feet to the beginning of a tangent curve concave Westerly and having a radius of 1,960.00 feet;

31) thence Northerly along last said curve 192.13 feet through a central angle of 05°36'59", last said curve having a chord bearing and chord distance of North 03°28'15" West 192.05 feet;

32) thence North 06°16'44" West, a distance of 27.52 feet to a point terminating in the Northerly line of last said portion of land, said point also being on the Southerly line of that parcel of land described in a Grant Deed recorded August 30, 2013 as Instrument No. 2013-0085811-00 of Official Records in said Office of the County Recorder;

thence along the Westerly line of last said parcel of land, the following six courses:

33) North 06°16'53" West, a distance of 150.39 feet to the beginning of a tangent curve concave Westerly and having a radius of 975.00 feet;

34) thence Northerly along last said curve 24.69 feet through a central angle of 01°27'04", last said curve having a chord bearing and chord distance of North 07°00'26" West 24.69 feet;

35) thence North 07°43'58" West, a distance of 184.34 feet to the beginning of a non-tangent curve concave Easterly a radius of 2,057.00 feet, a radial line to said curve bears South 88°27'10" West;

- 36) thence Northerly along last said curve 103.99 feet through a central angle of 02°53'48", last said curve having a chord bearing and chord distance of North 00°05'56" West 103.98 feet;
- 37) thence North 01°20'58" East 109.84 feet;
- 38) thence North 46°17'31" West 92.53 feet more or less, to a point terminating the southerly right-of-way of aforementioned Nicolaus Road, said right-of-way also being the corporate limits of the City of Lincoln as described in Exhibit "A" of the Airport Annexation recorded November 19, 1974, in Volume 1606, Page 200 of Official Records in said Office of the County Recorder;
- 39) thence North 89°33'32" East along the southerly right-of-way and corporate limits of the City of Lincoln, a distance of 155.83 feet, more or less, to a point on the easterly line of said Section 18;
- 40) thence continuing along said southerly right-of-way line and corporate limits of the City of Lincoln, North 89°54'02" East, a distance of 1,329.39 feet, more or less, to the **POINT OF BEGINNING**.

CONTAINING: 197.12 Acres, more or less.

EXHIBIT "B" attached and by this reference made a part hereof.

This description was prepared by me
or under my direction:

Michael S. Costa LS 6600
Michael S. Costa, L.S. 6600

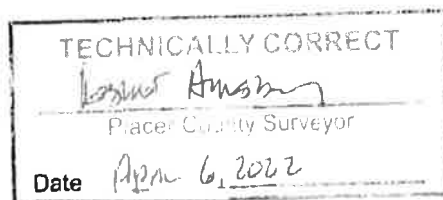
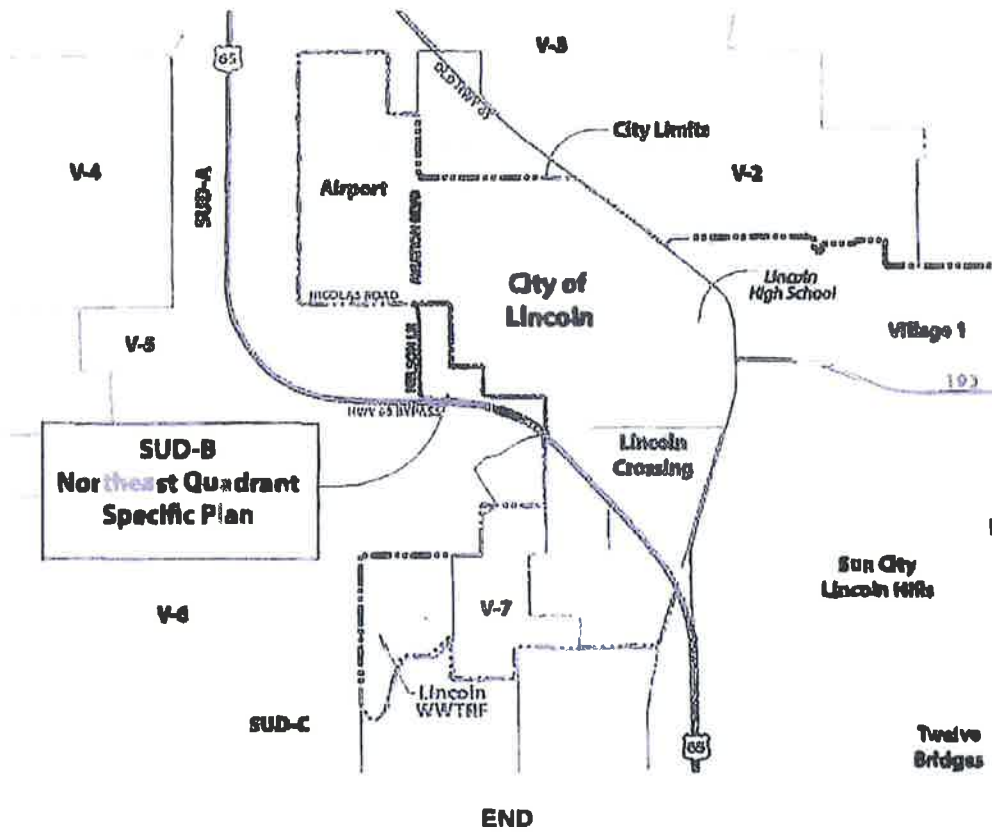


Exhibit B

Special Use District B North East Quadrant Specific Plan Project Area
Assessor's Parcel No.'s: 021-262-040, 021-262-034, 021-262-035, and 008-031-028.



RESOLUTION 2022 - 51

**RESOLUTION OF THE CITY COUNCIL OF LINCOLN APPROVING
AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND COUNTY OF PLACER
REGARDING TRANSFER OF PROPERTY TAX SPECIAL USE DISTRICT B NORTHEAST
QUADRANT SPECIFIC PLAN ANNEXATION**

WHEREAS, in May of 2019 the City Council approved the Special Use District B North East Quadrant Specific Plan and associated documents; and

WHEREAS, it is required that the City of Lincoln and the County of Placer enter into a property tax sharing agreement regarding the apportionment of property taxes between the City and County due to the jurisdictional change; and

WHEREAS, the City has reviewed the attached property tax sharing agreement with the County of Placer establishing the apportionment of property tax revenues and has determined that the agreement is acceptable to the City and would allow for the completion of the above referenced annexation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINCOLN AS FOLLOWS:

Section 1. The City Council hereby approves the attached agreement (Exhibit A) for the apportionment of property tax revenues due to the jurisdictional change.

Section 2. The City Manager is hereby authorized to execute the property tax agreement attached hereto and incorporated by this reference, including minor revisions that are in substantial conformance with the agreement on behalf of the City of Lincoln.

PASSED AND ADOPTED this 8th day of March, 2022:


AYES: COUNCILMEMBERS: Karleskint, Silhi, Joiner, Lauritsen, Andreatta

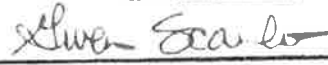
NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:


Holly Andreatta, Mayor

ATTEST:


Gwen Scanlon, City Clerk

I hereby certify that this is a true and correct copy of
Resolution 2022-51
adopted by the City of Lincoln City Council on the
following date March 8, 2022.

City Clerk

Before the Board of Supervisors County of Placer, State of California

In the matter of:

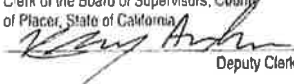
A RESOLUTION APPROVING A PROPERTY TAX REVENUE EXCHANGE AGREEMENT WITH THE CITY OF LINCOLN FOR PROPOSED ANNEXATION OF SPECIAL USE DISTRICT - B AND AUTHORIZING THE COUNTY EXECUTIVE OFFICER TO EXECUTE THE AGREEMENT.

Resolution No.: 2022-097


The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held May 24, 2022, by the following vote:

Ayes: GORE, WEYGANDT, HOLMES, JONES, GUSTAFSON
Noes: NONE
Absent: NONE

THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE
ATTEST

MEGAN WOOD
Clerk of the Board of Supervisors, County of Placer, State of California

Deputy Clerk

Signed and approved by me after its passage.


Chair, Board of Supervisors

Attest:

Clerk of said Board

WHEREAS, the City of Lincoln ("City") has proposed an annexation of 197.12± acres of land proposed as "Special Use District - B" ("Annexation Area") which land is currently within the unincorporated area of Placer County ("County"); and

WHEREAS, Revenue and Taxation Code section 99 requires a city seeking annexation of property and the county affected by such annexation to agree upon a property tax revenue exchange and to provide a resolution of approval of the same by each legislative body to the Local Agency Formation Commission (LAFCO) prior to consideration of the annexation; and

WHEREAS, the Placer County Local Agency Formation Commission ("Placer LAFCO") requires a resolution authorizing the exchange of tax revenues between the City and the County for taxes generated in the Annexation Area, prior to consideration of the annexation; and

WHEREAS, the County will retain Countywide service responsibilities and transfer responsibility for municipal services to the City; and

WHEREAS, the parties acknowledge that the resulting agreement is not intended to set a precedent for future agreements; and

WHEREAS, it is not anticipated that overall countywide funding for the provision of services would be materially impacted by this property tax revenue exchange agreement; and

WHEREAS, the County acting as a responsible agency has relied upon the City's certified Final Environmental Impact Report for the Special Use District – B project to support the proposed action.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER:

1. The Board of Supervisors approves the Property Tax Revenue Exchange Agreement pertaining to the City of Lincoln's annexation of Special Use District - B area, which Agreement is attached hereto as Exhibit 1 and incorporated herein as if set forth in full.
2. The County Executive Officer is authorized to execute the attached Property Tax Revenue Sharing Agreement between the County of Placer and the City of Lincoln for the Special Use District - B annexation.
3. This resolution shall become effective immediately upon adoption.
4. Said approvals are contingent upon the City of Lincoln's approval and execution of the Property Tax Revenue Sharing Agreement, and approval by LAFCO of the proposed annexation.
5. Upon full execution of the Agreement, the Board authorizes the transmittal of this resolution and a copy of the Agreement to the Placer County Local Agency Formation Commission.

Exhibit 1: Property Tax Revenue Exchange Agreement

**ATTACHMENT A, EXHIBIT 2: Legal Description of Annexation Area -
Remnant Parcels**

for 5.13.25 SUD-B NEQ Property Tax Revenue Exchange Agreement

LAFCO Project No.: 2023-02

Sud-B-Neq-Remnant Parcels

Description consists of 2 pages (Exhibit A)

Map Exhibit consists of 1 page (Exhibit B)

Surveyor's Statement

This description and exhibit of the Sud-B-Neq-Remnant Parcels annexation boundary is not a legal property description as defined in the Subdivision Map Act and may not be used as a basis for an offer for sale of the land described. It is for annexation purposes only.

Prepared on January 29, 2025, by or under the direction of



Raymond Michael Manger

PLS No. 5154

Manger Solutions



County Surveyor's Statement

This description and exhibit meet the requirements of the State Board of Equalization, the Placer County Surveyor's Office and conforms to the lines of annexation.

dated Feb. 4, 2025



Benjamin J. Bardakjian, PLS # 8373

Placer County Surveyor



Approval by Placer County Local Agency Formation Commission:

Dated: _____, 2025

Michelle McIntyre,
Placer LAFCO Executive Officer

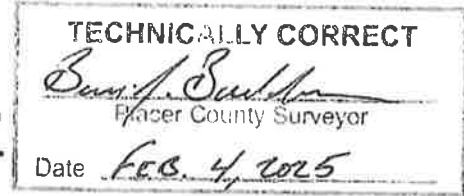


EXHIBIT "A"

LAFCO PROJECT NO. 2023-02

SUD-B-NEQ-REMNANT PARCELS

GEOGRAPHIC DESCRIPTION

Those portions of Sections 17, 20 and 21, all in Township 12 North, Range 6 East, Mount Diablo Meridian being a portion of that certain right of way of State of California, Department of Transportation as shown on "Right of Way, Record Map No. R-333802-4A and R-333802-05" together with a portion of said Section 21 described as follows:

Beginning at the common Section Corner of Sections, 16, 17, 20 and 21, thence along the north line of Section 21 and the City of Lincoln Boundary Lincoln per LAFCO Annexation No. 93-1, recorded as Document No. 94-021630 on March 24, 1994, Official Records of Placer County,

{1} North 89° 11'41" East 389.89 feet to a point on the curved northwesterly line of Moore Road having a radius of 630 feet as described in Book 1458 Page 477, Official Records of Placer County also being the westerly boundary of the City of Lincoln said point being the beginning of a non-tangent curve concave to the southeast having a radius of 630 feet and to which beginning a radial line of said curve to said point bears North 19° 30'56" West;

{2} thence along said City of Lincoln Boundary and Moore Road southwesterly 671.17 feet along said curve through a central angle of 61°02'24", having a chord bearing of South 39°57'52" West and a distance of 639.88 feet; to the intersection with the southwesterly line of said State Right of Way, thence leaving said Boundary of the City of Lincoln and along said State Right of Way the following courses:

{3} thence North 42°22'06" West 119.73 feet,

{4} thence North 49°14'44" West 251.42 feet,

{5} thence North 53°50'11" West 188.77 feet to the beginning of a tangent curve concave to the southwest having a radius of 5905.99 feet,

{6} thence northwesterly 951.19 feet along said curve through a central angle of 09°13'40", having a chord bearing of North 58°27' 01" West and a distance of 950.16 feet,

{7} thence North 63°03'51" West 105.22 feet to the beginning of a tangent curve concave to the southwest having a radius of 4921.66 feet, thence,

{8} northwesterly 618.62 feet along said curve through a central angle of 07°12'06", having a chord bearing of North 66°39' 54" West and a distance of 618.21 feet,

{9} thence North 70°15'57" West 37.23 feet to the beginning of a tangent curve concave to the southwest having a radius of 4921.66 feet,

{10} thence northwesterly along said curve 683.80 feet through a central angle of 07°57'38", having a chord bearing of North 74°14' 46" West and a distance of 683.26 feet,

{11} thence North 78°13'35" West 2.56 feet; to the beginning of a tangent curve concave to the southwest having a radius of 3609.21 feet,

{12} thence northwesterly 676.61 feet along said curve through a central angle 10°44'28" having a chord bearing North 83°35' 49" West and a distance of 675.62 feet, thence,

{13} North 88°58'03" West, 1805.98 feet to the east line of the said City of Lincoln LAFCO Annexation No. 2024-02, Village 5A, thence along said City of Lincoln LAFCO Annexation No. 2024-02 and leaving said southwesterly State Right of Way,

{14} North 03°56'42" West a distance of 335.90 feet to the northerly line of said State Highway Right of Way and the South line of the City of Lincoln Annexation 2020-03, Sud-B-Neq as recorded as Document No. 2023-0018419, Official Records of Placer County, thence leaving said Annexation No. 2024-02, Village 5A, and along said Annexation 2020-03, Sud-B Neq and said State Right of Way,

{15} thence South 88°16' 02" East 1973.36 feet to the beginning of a tangent curve concave to the southwest having a radius of 4921.65 feet,

{16} thence easterly and southeasterly along said curve through a central angle of 36°28'31" an arc distance of 3133.19 feet and having a chord bearing of South 70°01'47" East and a distance of 3080.55 feet, thence,

{17} South 51°47'31" East a distance of 309.71 feet to a point on the East line of said Section 17 and the boundary of said City of Lincoln LAFCO Annexation 93-1, recorded as Document No. 1994-0021630, Official Records of Placer County,

{18} thence leaving said Right Of Way and along said City of Lincoln LAFCO Annexation No. 93-1, South 0°31' 25" East a distance of 6.98 feet to the Point of Beginning.

Containing 90.133 acres, more or less.

Said parcel are shown on the attached Exhibit "B, attached hereto and made a part hereof.

This legal description is prepared by me on January 29, 2025.

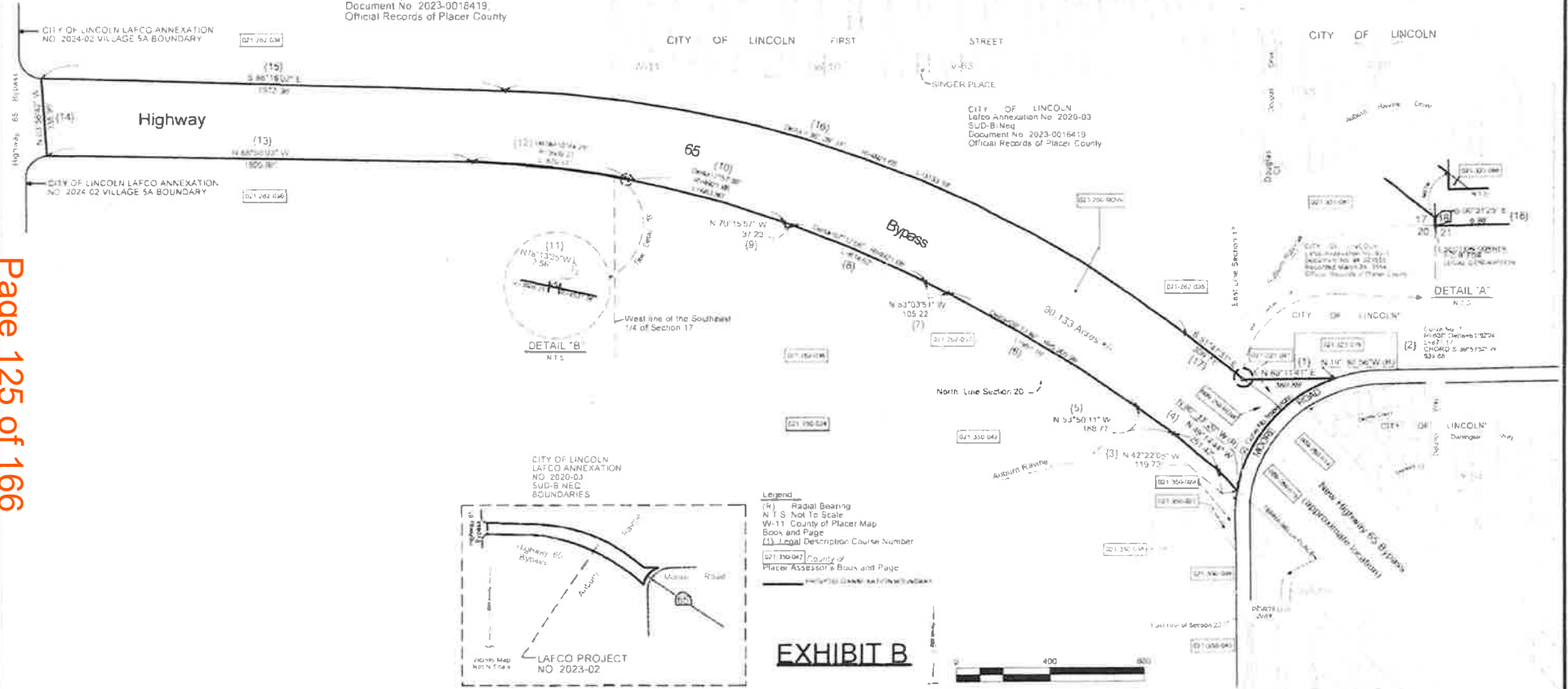


Raymond Michael Manger
L.S. No. 5154

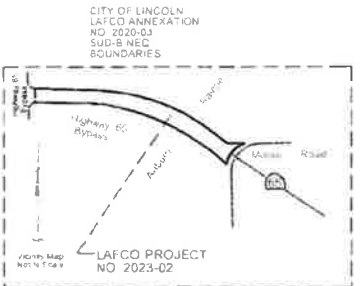
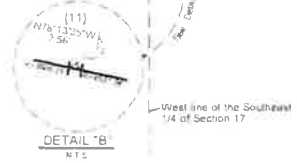


**ATTACHMENT A, EXHIBIT 3: Map Depiction of Annexation Area -
Remnant Parcels** for 5-13-25 SUD-B-NEQ Property Tax Revenue Exchange Agreement

Existing CITY OF LINCOLN
Lafco Annexation No 2020-03
SUD-B-Neq
Document No 2023-0016419
Official Records of Placer County



Page 125 of 166



Legend

- (R) Radial Bearing
- N-T-S Not To Scale
- W-11 County of Placer Map Book and Page
- (1) Legal Description Course Number
- (2) Placer County of Placer Assessor's Book and Page

EXHIBIT B



TECHNICALLY CORRECT
Raymond Michael Manger
Placer County Surveyor
Date FEB. 4, 2025

Raymond Michael Manger
Raymond Michael Manger, L.S. 5154
Date January 14, 2025



SUD-B-NEQ-REMNANT PARCELS		
ANNEXATION NO 2023-02		
SECTIONS 17 20 21-T 12 N.R. 6 E		
DATE 1-28-2025	SCALE 1" = 400'	DRAWN BY R.M.M.

Agenda Item 7
Attachment F

Order No.: 123415
123415

123415

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that on **Wednesday, July 9, 2025, at 4:00 P.M.** or as soon as thereafter as the matter may be heard, the **Placer County Local Agency Formation Commission (LAFCO)** will hold a Public Hearing in person and remotely to consider the following proposal: **LAFCO Project No. 2023-02: SUD-B-NEQ Remnant Parcels Annexation to the City of Lincoln.** The proposal consists of the following requested actions to allow for the annexation of approximately 25.5 acres of unincorporated territory to the City of Lincoln:

- Annexation to the City of Lincoln
- Detachment from the Placer County Service Area No. 28 (CSA 28)

The project site lies southwest of Moore Road and includes the entire right-of-way for State Route (SR) 65 adjacent to the City of Lincoln city limits. No development is proposed with this annexation.

All interested persons are invited to attend, be heard, and participate in the Public Hearing in person or remotely. At the Public Hearing, LAFCO will consider all written and oral comments that have been submitted regarding the proposal and will review and approve (with or without amendments, wholly, partially, or conditionally) or disapprove the proposal, or continue the hearing.

Under GC section 56663, any owner of land within the proposal area or any registered voter residing within the proposal area may submit written opposition to the proposal at any time before the conclusion of the subject Public Hearing. Unless written opposition to this proposal or written opposition to LAFCO's intention to waive protest proceedings is received before the conclusion of the Public Hearing on July 9, 2025, the Commission intends to waive protest proceedings.

Written communications may be directed to: Placer LAFCO, c/o Michelle McIntyre, Executive Officer, 110 Maple St. Auburn, CA 95603, or lafco@placer.ca.gov.

The complete notice with annexation map exhibits and link to attend the meeting remotely is available on the LAFCO website at www.placercounty.ca.gov/lafco.

All interested persons may attend the meeting in-person at the Placer County Administrative Building, Board of Supervisors Chambers, 175 Fulweiler Ave, Auburn, CA 95603

PUBLISHED IN LINCOLN NEWS MESSENGER: JUNE 13, 2025

The above space is reserved for Court/County Filed Date Stamp

**PROOF OF PUBLICATION
(2015.5 C.C.P.)**

**STATE OF CALIFORNIA
County of Placer**

I am a citizen of the United States and employed by a publication in the County aforesaid. I am over the age of eighteen years, and not a party to the mentioned matter. I am the principal clerk of **Lincoln News Messenger**, a newspaper of general circulation, in the **City of Lincoln**, which is printed and published in the **County of Placer**. This newspaper has been judged a newspaper of general circulation by the Superior Court of the State of California, in and for the **County of Placer**, on the date of April 1, 1952, (Case Number 89429). The notice, of which the attached is a printed copy (set in type not smaller than nonpareil) has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

CWEB: 6/13/2025

LNM: 6/13/2025

I certify, under penalty of perjury, that the foregoing is true and correct.



RITA MARANELLI

Dated in Roseville, California

6/19/2025

**PROOF OF PUBLICATION
AUBURN JOURNAL
1030 High Street
Auburn, CA 95603
P.O. Box 5910
Auburn, CA 95604**

From: Daniel Gonzalez <daniel794g@gmail.com>
Sent: Wednesday, June 25, 2025 1:23 PM
To: LAFCO Placer Local Agency Formation Commission <LAFCO@placer.ca.gov>
Subject: Moore Rd

I am writing as a concerned resident to formally express my opposition to the proposed annexation and development project near Moore Road and the Auburn Ravine area, as outlined in the public hearing notice scheduled for July 9, 2025.

This land may appear underutilized on paper, but it is actively used by families and children in our community on a daily basis. Dozens of kids ride their bikes along Moore Road, and the open fields serve as informal recreational space — something that is increasingly rare and deeply valued.

The proposed changes, from what we understand, do not serve a meaningful or necessary function for local residents. The planned road connections lead to nowhere, and would not save more than 1–2 minutes of commute time at most. However, the potential risks — including increased traffic, reduced safety for children, and loss of community open space — are significant.

Simply put, we don't want this development. It introduces more danger than benefit and threatens the character and safety of our neighborhood. I urge you and the Planning Department to take these community concerns seriously and consider alternative plans that preserve the space and prioritize the well-being of those who live here.

Thank you for your time and consideration.

Daniel Gonzalez
916-871-8235

From: Lizzy Hernandez <lizzy_317@yahoo.com>
Sent: Wednesday, June 25, 2025 1:31 PM
To: LAFCO Placer Local Agency Formation Commission <LAFCO@placer.ca.gov>
Subject: Moore Road

I am writing as a concerned resident to formally express my opposition to the proposed annexation and development project near Moore Road and the Auburn Ravine area, as outlined in the public hearing notice scheduled for July 9, 2025.

This land may appear underutilized on paper, but it is actively used by families and children in our community on a daily basis. Dozens of kids ride their bikes along Moore Road, and the open fields serve as informal recreational space — something that is increasingly rare and deeply valued.

The proposed changes, from what we understand, do not serve a meaningful or necessary function for local residents. The planned road connections lead to nowhere, and would not save more than 1–2 minutes of commute time at most. However, the potential risks — including increased traffic, reduced safety for children, and loss of community open space — are significant.

Simply put, we don't want this development. It introduces more danger than benefit and threatens the character and safety of our neighborhood. I urge you and the Planning Department to take these community concerns seriously and consider alternative plans that preserve the space and prioritize the well-being of those who live here.

Thank you for your time and consideration.

Lizette Hernandez



Placer County Local Agency Formation Commission
110 Maple Street Auburn, CA 95603 | (530) 889-4097

COMMISSIONERS STAFF REPORT

Joshua Alpine
Chair
(Special District)

DATE: July 9, 2025

Whitney Eklund
Vice Chair
(City)

TO: Chair Alpine and members of the Commission

Judy Friedman
(Special District)

FROM: Amy Engle

Cindy Gustafson
(County)

SUBJECT: CALAFCO Annual Conference, Board of Directors
Nominees and Voting Delegates

Shanti Landon
(County)

Sean Lomen
(City)

Susan Rohan
(Public)

**ALTERNATE
COMMISSIONERS**

David Bass
(City)

Anthony DeMattei
(County)

Cherri Spriggs
(Public)

Stephanie
Youngblood
(City)

Vacant
(Special District)

COUNSEL

Michael Walker
General Counsel

STAFF

Michelle McIntyre
Executive Officer

Amanda Ross
Acting Assistant
Executive Officer

Amy Engle
Commission Clerk

SUMMARY

The 2025 California Association of Local Agency Formation Commissions (CALAFCO) Annual Conference is scheduled for October 22-24, 2025, in San Diego. CALAFCO routinely calls for candidates for its Board of Directors before the Annual Conference and seeks both a voting and an alternate voting delegate from each Local Agency Formation Commission (LAFCO). The election for CALAFCO Board members will take place on October 23, 2025, during the conference.

DISCUSSION

The CALAFCO Board Election Committee is currently accepting nominations for the 2025-2026 Board of Directors. This fall, the City and Public Member seats for the Central Region will be up for election, and Placer LAFCO is included in this region. Placer LAFCO is encouraged to consider nominating a qualified candidate. Vice-Chair Whitney Eklund has expressed interest in serving on the Board. If the Commission chooses to nominate someone from our local LAFCO, nominations must be submitted by September 19, 2025. The Commission should nominate interested and qualified candidates early, allowing them enough time to prepare their election materials and reach out to other LAFCOs in the region.

According to CALAFCO bylaws, each member LAFCO must appoint a voting delegate to represent them, and they may also appoint an alternate delegate. The delegate and the alternate can be a commissioner, an alternate commissioner, or the executive officer, as long as they are scheduled to attend the conference. The names of the voting delegates must be submitted to CALAFCO by September 19, 2025. Delegates will cast their votes during the CALAFCO Annual Conference on October 23, 2025, in San Diego, California.

STAFF RECOMMENDATION

Through the Executive Officer, staff recommends that members of the Commission who wish to attend the CALAFCO Conference in San Diego should inform the Commission. The Commission should appoint voting and alternate voting delegates from among those attending. Additionally, the Commission should consider nominating Vice Chair Whitney Eklund or any other eligible and interested member to run for a seat representing the Central Region on the CALAFCO Board of Directors.

ATTACHMENT

A. CALAFCO Board Recruitment and Nomination Packet



Date: June 25, 2025

To: Local Agency Formation Commission Members and Alternate Members

From: Wendy Root Askew, Committee Chair
CALAFCO Board Election Committee / CALAFCO Board of Directors

RE: CALAFCO Board of Directors Nomination Period Now Open for 2025-2026

The Nomination period is now open for the fall elections of the CALAFCO Board of Directors for the following seats:

CENTRAL REGION	COASTAL REGION	NORTHERN REGION	SOUTHERN REGION*
City Member	City Member	County Member	County Member
Public Member	Public Member	District Member	

Please inform your Commission that the CALAFCO Election Committee will be accepting nominations for the above-cited seats until:

FRIDAY, SEPTEMBER 19, 2025

This is a critical transition time for CALAFCO and the Association is looking for Board members who are fully committed to moving the organization forward. While the work is challenging, requiring engagement, collaboration, dedication, and the ability to make difficult decisions, this time of transition creates ample opportunities for positive change and growth.

**Due to the pending departure of four of the LAFCOs in the Southern Region, the Executive Committee of the CALAFCO Board, along with the Election Committee, approved holding the two pending open seats in the southern region vacant for a one-year period (District and Public). The two remaining LAFCO Executive Officers in that region have also provided their approval. This decision is scheduled to be ratified by the full Board on July 25, 2025.*

Serving on the CALAFCO Board is a unique opportunity to work with other LAFCO professionals throughout the state on legislative, fiscal, and operational issues that affect us all. The Board meets four to five times each year. You will find the 2026 meeting calendar included in this nomination packet, and you are asked to commit to full attendance and participation. There is typically a hybrid option available for most meetings. However, strategic plan retreats and other meetings may be scheduled in-person and locations may alternate around the state. A job description is attached that more fully describes Director responsibilities and time commitment (which will be revised at some time in the next year).

Board terms span a two-year period, with no term limits, and any LAFCO commissioner or alternate commissioner is eligible to run for a Board seat. Elections will be conducted during Regional Caucuses at the CALAFCO Annual Conference prior to the Annual Membership Meeting on Thursday, October 23, 2025 at the Wyndham Bayside Hotel, San Diego, California.

Please consider your desire to participate on the CALAFCO Board of Directors carefully. Especially during this time of transition, as it is an important commitment.

All candidates must:

- Have the support of their Commission;
- Have the support of their respective Executive Officer;
- Complete the Nomination Form and Candidate Form in their entirety; and
- Submit all required paperwork by the deadline.

All candidates are encouraged to attend a 1-hour candidate nomination orientation to be held virtually on Friday, September 5, 2025, at 9 a.m. Should you be interested, please notify Pamela Miller at pmiller@millermcg.com no later than Friday, August 29, 2025 at 3 p.m. and a meeting access link will be provided to you. Your Executive Officer is also strongly encouraged to attend with you.

All newly elected Board members and their Executive Officers are required to attend a Board Member Orientation between the election and the December 5, 2025 Board meeting. You will receive a one-to-one orientation either in person or virtually, depending upon your location. This must be completed prior to your first full Board meeting.

Should your Commission nominate a candidate, please return the completed Nomination Form and Candidate Form by the deadline. Completed nomination forms and all materials must be RECEIVED by CALAFCO by the deadline of September 19, 2025.

Electronic filing of nomination forms is *highly encouraged* to facilitate the recruitment process. Please email to info@calafco.org. However, hard copy forms and materials may also be mailed to:

Election Committee c/o Interim Executive Director
California Association of Local Agency Formation Commissions
1451 River Park Drive, Suite 185
Sacramento, CA 95815

Complete nomination packets received by the **September 19, 2025** deadline will be included in the Election Committee's Report that will be distributed to LAFCO members. Candidate names will be listed in the report, and on the ballot, in the order nominations are received. The Election Committee Report will be distributed no later than October 8, 2025, with ballots made available to Voting Delegates at the Annual Conference.

Nominations received after the deadline will be returned; however, nominations may be made from the floor during the Regional Caucuses or during at-large elections, if required, at the Annual Membership Meeting.

For those member LAFCOs who cannot send a voting delegate to the Annual Meeting, an electronic ballot will be made available *if requested in advance*. **Ballot requests must also be received no later than Friday, September 19, 2025, with completed absentee ballots due to CALAFCO no later than Friday, October 17, 2025.**

2025 NOMINATION/ELECTION PROCESS DEADLINES AND TIMELINES

- **June 25** – Nomination Announcement and packet sent to LAFCO membership and posted on the CALAFCO website.
- **September 19** – Completed Nomination packet due @ 12 p.m.
- **September 19** – Request for an absentee/electronic ballot due @ 12 p.m.
- **September 19** – Voting delegate name due to CALAFCO @ 12 p.m.
- **October 8** – Distribution of the Election Committee Report (includes all completed/submitted nomination papers)
- **October 8** – Distribution of requested absentee/electronic ballots.
- **October 17** – Absentee ballots due to CALAFCO @ 12 p.m.
- **October 23** - Elections

If you have any questions about the election process, please contact CALAFCO Transition Team Specialist Pamela Miller at pmiller@millermcg.com. Or you may contact the CALAFCO Interim Executive Director José Henríquez at jhenriquez@calafco.org or by calling 916-442-6536 and leaving a message.

Members of the 2025/2026 CALAFCO Election Committee are:

Wendy Root Askew, Committee Chair (831) 883-7570	Monterey LAFCO (Coastal Region) District4@countyofmonterey.gov
Gay Jones (916) 874-6458	Sacramento LAFCO (Central Region) h2ogay@pacbell.net
Steve Sanchez (951) 369-0631	Riverside LAFCO (Southern Region) ssanchez@laquintaca.gov
Paul Minchella (916) 926-7793	Modoc LAFCO (Northern Region) Pminchella@yahoo.com

To assist you in this consideration, included for your reference are the following documents:

- Nomination Form (to be completed and returned)
- Candidate Form (to be completed and returned)
- CALAFCO Board Member Job Description
- Board of Directors meeting calendar December 2025 through December 2026
- CALAFCO Board of Directors Nomination and Election Policies
- Current listing of Board Members and corresponding terms of office. The seats eligible for election this year are highlighted.

We sincerely hope you will consider joining us in making a difference for LAFCOs statewide, and for CALAFCO's future.



Board of Directors Nomination and Election Policies, Procedures and Forms

5.1 Board Nomination and Election Procedures

The procedures for nominations and election of CALAFCO Board [Board] are designed to assure full, fair and open consideration of all candidates, provide confidential balloting for contested positions and avoid excessive demands on the time of those participating in CALAFCO Annual Conference.

The Board nomination and election procedures shall be:

1. APPOINTMENT OF AN ELECTION COMMITTEE:

- a. Following the Annual Membership Meeting the Board shall appoint an Election Committee of four members of the Board. The Election Committee shall consist of one member from each region whose term is not ending.
- b. The Board Chair shall appoint one of the members of the Election Committee to serve as Election Committee Chair. The CALAFCO Executive Director shall either serve as staff to the Election Committee or appoint a Regional Officer to serve as staff in cooperation with the Executive Director.
- c. Each Regional Officer shall serve as staff liaison to the Election Committee specifically to assist in conducting the election as directed by the Executive Director and Committee.
- d. Goals of the Election Committee are to encourage and solicit candidates by region who represent member LAFCoS across the spectrum of geography, size, and urban-suburban-rural population, and to provide oversight of the elections process.

2. ANNOUNCEMENT TO ALL MEMBER LAFCoS:

- a. No later than four months prior to the Annual Membership Meeting, the Election Committee Chair shall send an announcement to each LAFCo for distribution to each commissioner and alternate. The announcement shall include the following:
 - i. A statement clearly indicating which offices are subject to the election.
 - ii. A regional map including LAFCoS listed by region.
 - iii. The specific date by which all nominations must be received by the Election Committee. The deadline shall be no later than 30 days prior to the opening of the Annual Conference. Nominations received after the closing date shall be returned to the proposing LAFCo marked "Received too late for Election Committee action."
 - iv. The names of the Election Committee members and the name of their LAFCo, regional representation, email address and phone number. The name, email address and phone number of the Executive Director shall also be included.

- v. The email address and physical address to send the nominations forms.
 - vi. A form for a Commission to use to nominate a candidate and a candidate resume form of no more than one page each to be completed for each nominee.
 - vii. The specific date by which all voting delegate names are due.
 - viii. The specific date by which absentee ballots must be requested, the date CALAFCO will distribute the absentee ballots and the date by which they must be received by the Executive Director.
- b. A copy of these procedures shall be posted on the web site.

3. THE ELECTION COMMITTEE:

- a. The Election Committee and the Executive Director have the responsibility to monitor nominations and help assure that there are adequate nominations from each region for each seat up for election. No later than two weeks prior to the Annual Conference, the Election Committee Chair shall distribute to the members the Committee Report organized by regions, including copies of all nominations and resumes, which are received prior to the end of the nomination period.
- b. At the close of the nomination period, the Election Committee shall prepare regional ballots. Each region will receive a ballot specific to that region. Each region shall conduct a caucus at the Annual Conference for the purpose of electing their designated representatives. Caucus elections must be held prior to the annual membership meeting at the Conference. The assigned Regional Officers along with a member of the Election Committee shall tally ballots at each caucus and provide the Election Committee the names of the elected Board members and any open seats. In the event of a tie, the Regional Officer and Election Committee member shall immediately conduct a run-off ballot of the tied candidates.
- c. Make available sufficient copies of the Committee Report for each Voting Delegate by the beginning of the Annual Conference. Only the designated Voting Delegate, or the designated Alternate Voting Delegate shall be allowed to pick up the ballot packet at the Annual Conference.
- d. Make available blank copies of the nomination forms and resume forms to accommodate nominations from the floor at either the caucuses or the annual meeting (if an at-large election is required).
- e. Advise the Executive Director to provide "CANDIDATE" ribbons to all candidates attending the Annual Conference.
- f. Advise the Executive Director to provide "VOTING DELEGATE" ribbons to all voting delegates attending the Annual Conference.
- g. Post the candidate statements/resumes organized by region on a bulletin board or other easily accessible location near the registration desk.
- h. Regional elections shall be conducted as described in Section 4 below. The representative from the Election Committee shall serve as the Presiding Officer for the purpose of the caucus election and shall be assisted by a Regional Officer from a region other than their own, as assigned by the Executive Director.

- i. Following the regional elections, in the event that there are open seats for any offices subject to the election, the Election Committee Chair shall notify the Chair of the Board that an at-large election will be required at the annual membership meeting and to provide a list of the number and category of seats requiring an at-large election.

4. ELECTRONIC BALLOT FOR LAFCO IN GOOD STANDING NOT ATTENDING ANNUAL MEETING

Limited to the elections of the Board:

- a. Any LAFCo in good standing shall have the option to request an electronic ballot if there will be no representative attending the annual meeting.
- b. LAFCos requesting an electronic ballot shall do so in writing to the Executive Director no later than 30 days prior to the annual meeting.
- c. The Executive Director shall distribute the electronic ballot no later than two weeks prior to the annual meeting.
- d. LAFCo must return the ballot electronically to the Executive Director no later than three working days prior to the annual meeting.
- e. LAFCos voting by electronic ballot may discard their electronic ballot if a representative is able to attend the annual meeting.
- f. LAFCos voting under this provision may only vote for the candidates nominated by the Election Committee as noted on the ballot and may not vote in any run-off elections.

5. AT THE TIME FOR ELECTIONS DURING THE REGIONAL CAUCUSES OR ANNUAL MEMBERSHIP MEETING:

- a. The Presiding Officer shall:
 - i. Review the election procedure with the membership of their region.
 - ii. Present the Election Committee Report (previously distributed).
 - iii. Call for nominations from the floor by category for those seats subject to this election:
 1. For city member.
 2. For county member.
 3. For public member.
 4. For special district member.
- b. To make a nomination from the floor, a LAFCo, which is in good standing, shall identify itself and then name the category of vacancy and individual being nominated. The nominator may make a presentation not to exceed two minutes in support of the nomination.
- c. When there are no further nominations for a category, the Presiding Officer shall close the nominations for that category.
- d. The Presiding Officer shall conduct a "Candidates Forum". Each candidate shall be given time to make a brief statement for their candidacy. If a candidate is absent from the regional caucus, they may ask someone in their region to make a brief statement on their behalf.
- e. The Presiding Officer shall then conduct the election:

- i. For categories where there are the same number of candidates as vacancies, the Presiding Officer shall:
 1. Name the nominees and offices for which they are nominated.
 2. Call for a voice vote on all nominees and thereafter declare those unopposed candidates duly elected.
- ii. For categories where there are more candidates than vacancies, the Presiding Officer shall:
 1. Poll the LAFCoS in good standing by written ballot.
 2. Each LAFCo in good standing may cast its vote for as many nominees as there are vacancies to be filled. The vote shall be recorded on a tally sheet.
 3. Any ballots submitted electronically for candidates included in the Election Committee Report shall be added to the tally.
 4. With assistance from the Regional Officer, tally the votes cast and announce the results.
- iii. Election to the Board shall occur as follows:
 1. A majority of the total number of LAFCoS in a given region are required for a quorum. Returned absentee ballots shall count towards the total required for a quorum.
 2. The nominee receiving the majority of votes cast is elected.
 3. In the case of no majority, the two nominees receiving the two highest number of votes cast shall face each other in a run-off election. Electronic ballots are not included in the tally for any run-off election(s).
 4. In case of tie votes:
 - a. A second run-off election shall be held with the same two nominees.
 - b. If there remains a tie after the second run-off, the winner shall be determined by a draw of lots.

6. ADDITIONAL PROCEDURES

- a. For categories where there are more candidates than vacancies, names shall be listed on the ballot in the order the nomination was received and deemed complete.
- b. The Election Committee Chair shall announce and introduce all Board Members elected during the Regional Caucuses at the annual business meeting.
- c. In the event that Board seats remain unfilled after a Regional Caucus, an election will be held immediately at the annual business meeting to fill the position at-large. Nominations will be taken from the floor and the election process will follow the procedures described in Section 4 above. Any commissioner or alternate from a member LAFCo may be nominated for at-large seats.
- d. Seats elected at-large become subject to regional election at the expiration of the term. Only representatives from the region may be nominated for the seat.

- e. As required by the Bylaws, the members of the Board shall meet as soon as possible after election of new Board Members for the purpose of electing officers, determining meeting places and times for the coming year, and conducting any other necessary business.

7. LOSS OF ELECTION IN HOME LAFCO

Board Members and candidates who lose elections in their home office shall notify the Executive Director within 15 days of the certification of the election.

8. FILLING BOARD VACANCIES

Vacancies on the Board may be filled by appointment by the Board for the balance of the unexpired term. Appointees must be from the same category as the vacancy, and should be from the same region.

CALAFCO policies and procedures were adopted by the CALAFCO Board of Directors on 12 January 2007 and amended on 9 November 2007, 8 February 2008, 13 February 2009, 12 February 2010, 18 February 2011, 29 April 2011, 11 July 2014, 27 October 2017, 11 May 2018, 24 July 2020, 30 April 2021, 30 July, 2021, and 21 January, 2022. They supersede all previous versions of the policies.

CALAFCO's Four Regions



As of June 25, 2025, the LAFCOs in each of the four regions consist of the following:

Northern Region

Butte
Colusa
Del Norte
Glenn
Humboldt
Lake
Lassen
Mendocino
Modoc
Nevada
Plumas
Shasta
Sierra
Siskiyou
Sutter
Tehama
Trinity
Yuba

CONTACT: Stephen Lucas
Butte LAFCO
slucas@buttecounty.net

After June 30:
Shannon Costa
Butte LAFCO
scosta@buttecounty.net

Southern Region

Imperial
Los Angeles*
Orange*
Riverside
San Bernardino*
San Diego*

CONTACT: Adriana Romo
Los Angeles LAFCO
aromo@lalafco.org

After June 30:
José Henriquez
Interim Executive Director
jhenriquez@calafco.org

Coastal Region

Alameda
Contra Costa
Marin
Monterey
Napa*
San Benito
San Francisco
San Luis Obispo
San Mateo
Santa Barbara
Santa Clara
Santa Cruz
Solano
Sonoma
Ventura

CONTACT: Joe Serrano
Santa Cruz LAFCO
joe@santacruzlafco.org

Central Region

Alpine
Amador
Calaveras
El Dorado*
Fresno
Inyo
Kings
Madera
Mariposa
Merced
Mono
Placer
Sacramento
San Joaquin
Stanislaus
Tulare
Tuolumne
Yolo

CONTACT: José Henriquez
Sacramento LAFCO
henriquezj@sacounty.net

LAFCOs noted with an asterisk () have provided CALAFCO official notice they will end their membership effective June 30, 2025.*



Board of Directors

2025/2026 Nomination Form

(Must accompany the Candidate Form)

Nomination to the CALAFCO Board of Directors

In accordance with the Nominations and Election Procedures of CALAFCO,

_____ LAFCO of the _____ Region

Nominates _____

for the (check one) City County Special District Public

Position on the CALAFCO Board of Directors to be filled by election at the next Annual Membership Meeting of the Association. *As Chair, I attest that our LAFCO fully supports this Commissioner as a CALAFCO Board member. Further, I attest that our Executive Officer will support this Commissioner during their tenure on the CALAFCO Board.*

_____ LAFCO Chair

_____ Date

NOTICE OF DEADLINE

Nomination Packets must be received by **September 19, 2025** to be considered by the Election Committee.

Send completed nominations to info@calafco.org

Or, mail to:

CALAFCO Election Committee
CALAFCO
1451 River Park Drive, Ste. 185
Sacramento, CA 95815



Board of Directors 2025/2026 Candidate Form

(All sections and questions must be thoroughly answered)

Please attach your professional resume or vitae to this form.

Nominated By: _____ LAFCO Date: _____

Region (please check one): Northern Coastal Central Southern

Category (please check one): City County Special District Public

Candidate Name _____

Address _____

Phone Office _____ Mobile _____

e-mail _____

PART ONE - LAFCO experience:

- How many years on your LAFCO?
- How many of your LAFCO meetings have you missed in the past 2 years?
- What are some examples of major projects, applications, or issues your LAFCO has undertaken/addressed during your tenure?

PART TWO - CALAFCO experience:

- How many CALAFCO conferences have you attended?
- When was the last time you attended a LAFCO 101 session?

PART THREE - Pertinent professional background:

- What background besides LAFCO experience do you have that may be applicable to representing LAFCOs statewide as a CALAFCO Board member?

- What particular set of skills do you bring to the CALAFCO Board that you believe will be useful at this critical transition time?

PART FOUR - Confirmation of availability:

- I confirm my understanding that being elected to the Board is a responsibility that requires my commitment to showing up, being fully present, and fully engaged.
- I confirm that I understand the Board’s attendance policy and that I will attend the following Board meetings for 2025/2026 (barring any unforeseen emergency):
 - December 5, 2025 – in-person with hybrid option (San Jose or Sacramento)
 - February 26, 2026 – in-person full day teambuilding & strategic plan retreat (no hybrid - Sacramento)
 - February 27, 2026 – in-person Board meeting (Sacramento)
 - May 8, 2026 – virtual
 - August 7, 2026 - in-person with hybrid option
 - October 23, 2026 – in-person at annual conference (Sacramento)
 - December 11, 2026 – in-person with hybrid option (southern CA)
- I confirm that I will volunteer for and fully participate in at least one of the following Board Committees:
 - Legislative
 - Annual Conference Planning
 - Elections
 - Achievement Awards

PART FIVE - Other Comments or information:

NOTICE OF DEADLINE

Complete Nomination Packets must be received by **September 19, 2024** to be considered by the Election Committee.

Send completed nominations to info@calafco.org

Or, mail to:

CALAFCO Election Committee
CALAFCO
1451 River Park Drive, Ste. 185
Sacramento, CA 95815



Board Member Job Description Adopted April 12, 2024

Duties

Board members have the following legal duties:

1. **Duty of Care:** *Ensuring prudent use of all assets including financial, facility, people, and good will.*
2. **Duty of Loyalty:** *Ensuring that the association's activities and transactions are, first and foremost, advancing its mission; Recognizing and disclosing conflicts of interest; Making decisions that are in the best interest of the association and not in the best interest of an individual board member, or any other individual or entity.*
3. **Duty of Obedience:** *Ensuring that the association obeys applicable laws and regulations; follows its own bylaws and policies; and that it adheres to its stated corporate purposes/mission.*

Position

Serving as a CALAFCO Board member is an extraordinary opportunity for an individual who is passionate about the importance of the role that LAFCOs play in the sustainable growth of a region, and who has a track record of leadership. His/her accomplishments will allow him/her to interface effectively with the state legislature, as well as attract other well-qualified, high- performing board members.

As a governing body, the Board is expected to support the work of CALAFCO by providing mission-based leadership and strategic governance. While day-to-day operations are led by CALAFCO's Executive Director (E.D.), the Board-E.D. relationship is a partnership and the appropriate involvement of the Board is both critical and expected. Board members are tasked with the Leadership, Governance, and Oversight of the association through the following responsibilities:

- Representing CALAFCO to stakeholders; acting as an ambassador for the organization to regional members and California legislators.
- Approving policies that provide the appropriate authority and guidance for/to the E.D. in the administration of the organization.
- Serving as a trusted advisor to the E.D.
- Participating in strategic planning retreats.
- Reviewing agenda and supporting materials, and communicating questions to the E.D., prior to board and committee meetings.
- Weighing the organization's outcomes against strategic plan initiatives.

- Approving CALAFCO's annual budget, financial reports, and business decisions; being informed of, and meeting all, legal and fiduciary responsibilities.
- Assisting the E.D. and board chair in identifying and recruiting other board members to ensure CALAFCO's commitment to a diverse board and staff that recognizes the differing perspectives among LAFCOs.
- Partnering with the E.D. and other board members to ensure that board resolutions are carried out.
- Serving on committees or task forces and taking on special assignments, as needed.



Board of Directors Meeting Calendar December 2025 – December 2026

*Approved by the Executive Committee of the Board on Wednesday, June 18, 2025
To be ratified by the full Board on July 25, 2025*

For regular meetings, please schedule from approx. 9 a.m. – 2 p.m. Meetings may be shorter in duration.

Teambuilding / strategic planning session is an all-day event. The Board meeting the following day is typically 9 a.m. – 12 p.m.

All CALAFCO members will have virtual access to attend Board meetings except for the February 26, 2026 retreat. There is no virtual option for this session.

- December 5, 2025 – in-person with hybrid option (San Jose or Sacramento - TBD)
- February 26, 2026 – in-person full day teambuilding & strategic plan retreat (no hybrid - Sacramento)
- February 27, 2026 – in-person Board meeting (Sacramento)
- May 8, 2026 – virtual
- August 7, 2026 - in-person with hybrid option
- October 23, 2026 – in-person at annual conference (Sacramento)
- December 11, 2026 – in-person with hybrid option (southern CA)

CALAFCO Board Members 2024-25 (as of June 23, 2025)		
Board Member Name	LAFCO – Region	Type – Term Expires
Jaron Brandon	Tuolumne – Central	County – 2026
Virginia Chang Kiraly	San Mateo – Coastal	District – 2026
Kimberly Cox	San Bernardino – Southern	District – 2025 Seat being held open for 1 year
Yxstian Gutierrez	Riverside – Southern	County – 2025
Gay Jones	Sacramento – Central	District – 2026
Kenneth Leary	Napa – Coastal	Public – 2025
Derek McGregor	Orange – Southern	Public – 2026 Seat being held open for 1 year upon vacating
Paul Minchella	Modoc – Northern	City – 2026
Nancy Ogren	Siskiyou – Northern	County – 2025
Anita Paque	Calaveras – Central	Public – 2025
Wendy Root Askew	Monterey – Coastal	County – 2026
Steve Sanchez	Riverside – Southern	City – 2026
Josh Susman	Nevada – Northern	Public – 2026
Vacant	Central	City – 2025
Vacant	Coastal	City – 2025
Vacant	Northern	District – 2025

Seats up for election for the 2025-26 year



CORRESPONDENCE ITEMS

COMMISSIONERS

Joshua Alpine
Chair
(Special District)

Whitney Eklund
Vice Chair
(City)

Judy Friedman
(Special District)

Cindy Gustafson
(County)

Shanti Landon
(County)

Sean Lomen
(City)

Susan Rohan
(Public)

ALTERNATE COMMISSIONERS

David Bass
(City)

Anthony DeMattei
(County)

Cherri Spriggs
(Public)

Stephanie
Youngblood
(City)

Vacant
(Special District)

COUNSEL

Michael Walker
General Counsel

STAFF

Michelle McIntyre
Executive Officer

Amanda Ross
Acting Assistant
Executive Officer

Amy Engle
Commission Clerk

- A. Response to LAFCO Request For Clarification on Sewer Maintenance Districts, May 2, 2025
- B. Placer County Sewer Maintenance Districts Clarification Request, dated May 7, 2025
- C. Response to LAFCO Info Request on CSA 28 Agreements, dated May 30, 2025
- D. Placer LAFCO Comments on Placer Vineyards Property 3 SLVTSM Project, dated June 12, 2025
- E. FDAC Zone 1 Report & Fire Funding White Paper, June 2025
- F. LAFCO Final Workplan and Budget FY 2025-26 Transmittal, June 24, 2025
- G. CALAFCO Action Plan Update, June 25, 2025
- H. Request to Convene City Selection Committee Meeting, June 27, 2025
- I. CALAFCO U Summer 2025 Webinar Series, June 27, 2025



COUNTY OF PLACER

BOARD of SUPERVISORS

BONNIE GORE
District 1

ANTHONY DEMATTEI
District 3

SHANTI LANDON
District 2

SUZANNE JONES
District 4

CINDY GUSTAFSON
District 5

**OFFICE OF
COUNTY EXECUTIVE**

Daniel Chatigny, County Executive Officer

175 FULWEILER AVENUE / AUBURN, CALIFORNIA 95603
TELEPHONE: 530/889-4030
FAX: 530/889-4023
www.placer.ca.gov

May 2, 2025

Michelle McIntyre, MPA
Executive Director
Placer County Local Agency Formation Commission (LAFCO or Commission)
110 Maple Street
Auburn, CA 95603
mmcintyre@placer.ca.gov

Subject: Response to Your Letter Dated April 21, 2025, Requesting Clarification on Sewer Maintenance District Nos. 1-3

Dear Ms. McIntyre:

This letter is in response to your April 21, 2025, letter regarding Placer County Sewer Maintenance Districts.

The County is actively conducting in-depth research to address this inquiry. Some of the documentation needed to respond is contained within voluminous records, including materials that date back more than 60 years. Given the complexity and historical scope of the records involved, additional time will be required to complete a thorough and accurate response. This effort is essential to ensure that the information provided is both reliable and comprehensive to appropriately inform any future decisions or actions.

We will keep you updated on our review as it progresses. Please feel free to contact us if you have any further questions or if you would like to discuss the scope or timing of this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Shawna Purvines".

Shawna Purvines
Placer County Deputy CEO

Cc: Daniel Chatigny, Placer County CEO
Karin Schwab, County Counsel, Placer County
Michael Walker, LAFCO Counsel



Placer County Local Agency Formation Commission
110 Maple Street Auburn, CA 95603 | (530) 889-4097

May 7, 2025

COMMISSIONERS

Cindy Gustafson
*Chair
(County)*

Joshua Alpine
*Vice Chair
(Special District)*

Whitney Eklund
(City)

Shanti Landon
(County)

Sean Lomen
(City)

Susan Rohan
(Public)

Vacant
(Special District)

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COUNSEL

Michael Walker
General Counsel

STAFF

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Executive Officer

Amanda Ross
*Acting Assistant
Executive Officer*

Amy Engle
Commission Clerk

Daniel Chatigny, County Executive Officer
Placer County

175 Fulweiler Avenue
Auburn CA 95603

dchatigny@placer.ca.gov

Subject: **Placer County Sewer Maintenance Districts**

Dear Mr. Chatigny,

The Placer County Local Agency Formation Commission (Placer LAFCO), like all local agency formation commissions, is charged with conducting service reviews of all special districts within its jurisdiction at least once every five years. In preparing its workplan for the required service reviews, Placer LAFCO is in need of background information from the County of Placer (County) concerning Placer County Sewer Maintenance District No. 1, Placer County Sewer Maintenance District No. 2 and Placer County Sewer Maintenance District No. 3 (collectively, SMDs or SMD Nos. 1-3).

According to their resolutions of formation from the early 1960s, the SMDs were all “formed under the provisions of the Improvement Act of 1911” (Sts. & Hwys. Code, § 5000 et seq.). The resolutions further state that the SMDs were formed “to pay for the cost of maintaining and operating” sanitary sewer systems built by the County of Placer to serve specified areas within the County. (See County Resolution Nos. 61-8, 61-9 & 64-31.)

As used in chapter 26 of the Improvement Act of 1911 governing “maintenance districts” (Sts. & Hwys Code, §§ 5820-5856), “‘maintenance district’ means an assessment district which a county board of supervisors or the legislative body of a city has created pursuant to this chapter.” (See also *Knox v. City of Orland* (1992) 4 Cal.4th 132, 139 [state Supreme Court describes Improvement Act of 1911 as “assessment scheme”].) Consistent with this, a County letter dated November 7, 2002, states that, as of that time, SMD No. 1 and SMD No. 2 “are used solely for the purpose of collecting special “assessments.”

Placer County Sewer Maintenance Districts

May 7, 2025

From this, it appears that the SMDs were formed as assessment districts, for purposes of collecting revenue to pay for County sewer operations and maintenance.

Assessment districts, because they do not provide services, are not subject to service reviews by Placer LAFCO (nor, for the same reason, are changes in their boundaries subject to approval by Placer LAFCO).

That said, other information indicates that one or more of the SMDs provides sewer services. For example, the County's 2024 Annual Comprehensive Financial Report (ACFR) states that the SMDs "were formed to provide sewer maintenance services within the County." (2024 ACFR, p. 61.) The 2024 ACFR also characterizes the SMDs as "Enterprise Funds." (2024 ACFR, at pp. 52-55.) One statute defines a county "enterprise fund" as "a fund which accounts for services furnished to the general public and which is financed primarily by charges for such services." (Gov. Code, § 25261.) In addition, Placer LAFCO recently received from the State Controller's Office "Financial Transaction Reports" for SMD **Nos. 1-3** for fiscal year 2024 stating that **each SMD** had both operating revenues (for service charges) and operating expenses (for treatment and disposal) as well as capital assets (land, buildings and improvements, equipment **(except for SMD No. 3), and** infrastructure). Placer LAFCO also notes that the County's July 9, 2019, resolution annexing the "Bickford Sewer" into SMD No. 1 cites to "Health and Safety Code [s]ections 4896 and 4897," which are part of the Sewer Maintenance District Act, not the Improvement Act of 1911.

Districts that provide services, including districts governed by the Sewer Maintenance District Act, are subject to service reviews by Placer LAFCO, and any change to their jurisdictional boundaries, such as an annexation, are subject to approval by Placer LAFCO (see, e.g., Gov. Code, § 56100, subd. (a)).

Because of the apparently conflicting information concerning the nature and operation of the SMDs, Placer LAFCO seeks clarification from the County as to whether SMD Nos. 1-3 provide services and, if so, under what legal authority. This information will assist Placer LAFCO in determining whether service reviews of SMD Nos. 1-3 (and approval of their changes of organization) are required by Placer LAFCO.

Thank you in advance for your cooperation and assistance.

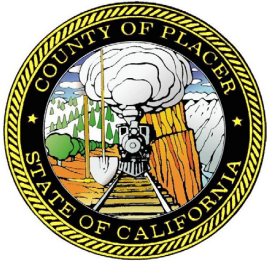
Sincerely,

Michelle McIntyre

Michelle McIntyre, Executive Officer

Placer LAFCO

cc: Karin E. Schwab, County Counsel, County of Placer



COUNTY OF PLACER

BOARD of SUPERVISORS

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District 1

ANTHONY DEMATTEI
District 3

SHANTI LANDON
District 2

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District 5

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Daniel Chatigny, County Executive Officer

175 FULWEILER AVENUE / AUBURN, CALIFORNIA 95603
TELEPHONE: 530/889-4030
FAX: 530/889-4023
www.placer.ca.gov

May 30, 2025

Michelle McIntyre, MPA (via email mmcintyre@placer.ca.gov)
Executive Director
Placer County Local Agency Formation Commission (LAFCo or Commission)
110 Maple Street
Auburn, CA 95603

Subject: Response to LAFCo's May 21, 2025, Request for Information Regarding County Service Area (CSA) 28 Agreements/Overlapping Boundary Research Project

Dear Ms. McIntyre:

This letter is in response to your May 21, 2025, letter regarding your CSA 28 Agreements/Overlapping Boundary Research Project. Thank you for your follow up email, dated May 23, 2025, confirming you are not waiting on Placer County (County) for additional research related to this matter.

The County continues to actively research, gather and co-locate historical CSA 28 documents. This research includes voluminous records dating back over 40 years. Given the complexity and historical scope of the records involved, the County's efforts are ongoing. In addition, we anticipate receiving your research on the same when it is available.

As a reminder and in the spirit of continued partnership, please keep referring to the LAFCo/County's shared CSA 28 BOX file (<https://placercounty.box.com/s/bb494lbb2ez8gzo0047hafcl371xw4yf>) that we jointly established in November 2023 as a centralized repository for CSA 28 documents. As we locate additional documents, we continue to add them to the shared file in real-time. Hundreds of documents have been added to-date, and the file size continues to grow, which makes sharing via email a challenge.

Please feel free to contact us if you have any further questions or would like to discuss the scope or timing of our joint efforts. If you have a need for a specific document related to CSA 28, please clarify the scope of your request and the County will conduct targeted research to locate responsive records.

Regards,

Daniel Chatigny
Placer County Executive Officer

Cc: Karin Schwab, County Counsel, Placer County
Michael Walker, LAFCO Counsel
Shawna Purvines, Deputy County Executive Officer, Placer County
Genna Martin, Principal Management Analyst, Placer County



Placer County Local Agency Formation Commission
110 Maple Street Auburn, CA 95603 | (530) 889-4097

June 12, 2025

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Youngblood
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COUNSEL

Michael Walker
General Counsel

STAFF

Michelle McIntyre
Executive Officer

Amanda Ross
Acting Assistant
Executive Officer

Amy Engle
Commission Clerk

Placer County Community Development Resource Agency
Attn: Meghan Schwartz, Senior CDRA Technician
3091 County Center Dr, Suite #190
Auburn, CA 95603

Subject: Comments on the Notice of Preparation of an Initial Study for the Placer Vineyards Property 3 SLVTSM Project

Dear Ms. Schwartz,

Thank you for sending Placer Local Agency Formation Commission (LAFCO) the early consultation for the *Placer Vineyards Property 3 Small Lot Vesting Tentative Subdivision Map (SLVTSM)*. Placer LAFCO appreciates the opportunity to provide meaningful comments regarding the scope and content of the Initial Study in accordance with CEQA Guidelines Section 15063(g). LAFCO staff has reviewed the supplied documents and offers the following comments.

Placer Vineyards Property 3 Small Lot Vesting Tentative Subdivision Map (SLVTSM) Project

As detailed in the Project Narrative, the project encompasses a total of 99.92-acres south of Baseline Road, west of Placer Creek Drive and east of Watt Avenue (APN: 023-200-037-000). Per the approved Placer Vineyards Specific Plan (PVSP) 2007/2015, Administrative Modification (2016) and Large Lot Vesting Tentative Subdivision Map (2016), the Project is proposed to consist of Medium Density Residential (MDR), High Density Residential (HDR), Commercial (Com), Public/Quasi Public Religious (REL), Open Space (OS), and major roadway.

The Project is proposed to be a residential community comprised of two (2) single-family residential villages, 17 commercial lots, a P/QP Religious lot and 2 open space lots. The PVSP allocates 258 dwelling units to the Project; however, 176 dwelling units (105 MDR / 71 HDR) are proposed with the project at this time, resulting in a remainder of 82 HDR units. The remaining units will be reserved on-site within Commercial lots 14-17 for potential future development.

Comments on the Notice of Preparation of an Environmental Impact Report for the Placer Vineyards Property 3 Residential Project

June 12, 2025

The proposed single-family residential lots will range in size from 40-50' in width by 80-90' in depth. Class 1 trails are provided in locations consistent with the adopted PVSP on the south side of Baseline Road, west side of Placer Creek Drive, and along the east side of Watt Avenue.

Consistent with the goals and policies contained in the County's General Plan and the Placer Vineyards Specific Plan, Developer shall work in partnership with the County to develop or cause ten percent (10%) of the total residential units which are constructed within the Project to be developed as affordable housing. The Developer will provide two percent (2%) of the total residential units as affordable to moderate income households, four percent (4%) of the total residential units as affordable to low-income households, and four percent (4%) of the total residential units as affordable to very low-income households.

The proposed Small Lot Vesting Tentative Subdivision Map is substantially similar to the previously approved Large Lot Vesting Tentative Subdivision Map. The small changes to acreage are a result of improved boundary information.

LAFCO Responsibility

LAFCO is an independent, regulatory agency with discretion to approve, wholly, partially or conditionally, or disapprove, changes of organization or reorganizations. In accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH Act"), LAFCO is required to consider various factors when evaluating a proposal, including, but not limited to, impacts to agricultural and open space lands, the provision of municipal services and infrastructure to the project site, timely and available supply of water, fair share of regional housing, consistency with regional plans, and other factors. The statutory mission of LAFCO is to discourage urban sprawl and encourage the orderly formation and development of local agencies.

LAFCO Comments

The following sections detail Placer LAFCO's comments to the NOP for the above referenced project.

Proposed Annexation

According to the Placer Vineyards Specific Plan:

"...approval of improvement plans for the development of multi-family or commercial/office development, the Property shall be annexed into County Service Area 28 (CSA 28) or at the County's discretion, a separate County Service Area, or zone of benefit, shall be formed for the purposes of funding sanitary sewer maintenance services; provided, however, the Developer may request the County to defer the foregoing requirement so that any such annexation may occur at a later date."

(Section 9.2 Community Service Areas (CSA), page 38)

Comments on the Notice of Preparation of an Environmental Impact Report for the Placer Vineyards Property 3 Residential Project

June 12, 2025

LAFCO staff conducted a preliminary review of current services provided for the Project parcel and found that the parcel has not been annexed into CSA 28 for services, however, the parcel is currently receiving fire services from the City of Roseville Fire Department.¹

As mentioned above, LAFCO's statutory mission is to encourage the orderly formation and development of local agencies. Because the project is located adjacent to the City of Roseville, within the existing City of Roseville Sphere of Influence, and is currently receiving fire services from the City of Roseville Fire Department, the CEQA analysis should consider the annexation by the City, as it may be the more logical service provider.

Additional Analysis to Satisfy Placer LAFCO Requirements

LAFCO's approvals for the annexation of the project into the adjacent special districts or the City of Roseville would be a fundamental part of the entitlements required for this project. In order to approve the annexation of the Project into any special districts or the City, LAFCO must consider specific factors in reviewing such proposals as outlined in Government Code §56668. As such, LAFCO provides the following comments on the Project proposal to be considered for inclusion in the CEQA analysis. In addition, because LAFCO would rely on the Project's CEQA documents in its own approvals to comply with CEQA, LAFCO requests that the following be addressed in the Initial Study produced for this project. Deficiencies in the environmental document as required by LAFCO may result in the need for additional CEQA compliance work or disapproval of project proposals.

1. Project Description

- Please ensure that Placer LAFCO is listed as an agency whose approval is required for any annexations of any special districts or to the City of Roseville.
- Please identify maintenance entities for all utilities and public services, including landscaping, lighting, sound walls, roads, public water, storm water drainage, maintenance in and out of public right-of-way, and sewer infrastructure.
- Please include a description of the timing of annexations in relation to the proposed development entitlements and construction schedule. Typically, LAFCO's organization and reorganization processes are required after project approvals and before map recordation. In the case of a tentative map, all approvals should happen prior to the recording of the map.
- Please include a statement that acknowledges the project site is located adjacent to the City of Roseville's city boundaries to the north and within the City of Roseville's existing Sphere of Influence.

¹ Placer County CDRA – Land Information Mapping Tool. Accessed on June 9, 2025.

https://experience.arcgis.com/experience/a29d510f9e9d4a98ac2158fca49aecbc/page/Page?views=Parcel-Features#data_s=id%3A47ec88c60c9148979b4ac7ce0979b586-18b962f2746-layer-45-18b962f274a-layer-48%3A4593944

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**Comments on the Notice of Preparation of an Environmental Impact Report for the Placer Vineyards
Property 3 Residential Project**

June 12, 2025

2. Agricultural Resources

LAFCo Review Factor: *The effect of the proposal on maintaining the physical and economic integrity of agricultural lands.* (Government Code §56668.e)

The project analysis should include an evaluation of this factor for LAFCO's consideration, as Placer LAFCO will consider this factor in any reorganization proposals. In addition to the definition of Prime Agricultural Land used by the Department of Conservation's Farmland Mapping and Monitoring Program, the Initial Study and any subsequent CEQA documents should evaluate the project site to determine whether it meets the LAFCO definition of "prime agricultural land" under Government Code Section 56064, indicate whether implementation of the project would result in a loss of such land, and provide mitigation to reduce the impact if necessary. LAFCO will use this information and the findings of a future EIR or Initial Study/Mitigated Negative Declaration (IS/MND) to inform its decisions about any annexation process.

3. Hazards and Hazardous Materials

LAFCo Review Factor: *Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.* (Government Code §56668.q)

The Initial Study and subsequent CEQA documents should include an analysis of potential safety impacts resulting from the project to ensure LAFCO can make appropriate determinations on the project.

4. Hydrology and Water Quality

LAFCo Review Factor: *Timely availability of water supplies adequate for projected needs including, but not limited to, the projected needs as specified in Section 65352.5.* (Government Code §56668.l)

The Initial Study and subsequent CEQA documents should include an analysis of potential water supply impacts resulting from the project to ensure LAFCO can make appropriate determinations on the project.

5. Land Use and Planning

LAFCo Review Factors:

The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county. (Government Code §56668.c)

The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of island or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries. (Government Code §56668.f)

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**Comments on the Notice of Preparation of an Environmental Impact Report for the Placer Vineyards
Property 3 Residential Project**

June 12, 2025

Please provide an exhibit in the Initial Study and subsequent CEQA documents that shows the proposed areas of annexation, City of Roseville boundaries, the City's sphere of influence, and public and private infrastructure and maintenance entities, with all layers on one map for ease of reference.

The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377. (Government Code §56668.d)

Government Code §56377 states:

- (a) *Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.*
- (b) *Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands for non-open-space uses which are outside of the existing jurisdiction of the local agency or outside of the existing sphere of influence of the local agency.*

The Initial Study and subsequent CEQA documents should include an analysis of potential agricultural impacts, if any, resulting from the project to ensure LAFCO can make appropriate determinations on the project.

Consistency with city or county general and specific plans. (Government Code §56668.h)

Since the City of Roseville may be the more logical service provider, the Initial Study and subsequent CEQA documents should also analyze its consistency with the City of Roseville's General Plan.

6. Population and Housing

LAFCo Review Factors:

Population and population density; land area and land use; assessed valuation; topography, natural boundaries, drainage basins; proximity to other populated areas; and the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years. (Government Code §56668.a)

Given the Project's location within the Placer Vineyards Specific Plan (PVSP) and the Project's proposed increase in population will require more intensive public services, this project will require the evaluation of the factors listed in this item, including but not limited to population and growth inducement in adjoining areas. Please include this information in the project analysis.

The extent to which the proposal will assist the receiving entity in achieving its fair share of the regional housing needs as determined by the appropriate council of governments. (Government Code §56668.m)

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Comments on the Notice of Preparation of an Environmental Impact Report for the Placer Vineyards Property 3 Residential Project

June 12, 2025

The PVSP allocates 258 dwelling units to the Project; however, 176 dwelling units (105 MDR / 71 HDR) are proposed with the project and the applicant is proposing for the remaining 82 HDR units be reserved on-site within Commercial lots 14-17 for future development.

According to the Project narrative, the SLVSTM proposes the following moderate, low, and very low units shown in the table below, consistent with the goals and policies contained in the County's General Plan and the Placer Vineyards Specific Plan.

Proposed Units Per This SLVSTM for PVSP Property 3	Affordable Units Required Per D.A.			Total Units Required
	Moderate (2%)	Low (4%)	Very Low (4%)	
258	5	10	11	26

The affordable units will be provided as purchase or rental affordable units, or a mixture of both. With respect to purchase affordable units, such units may be located anywhere within the property, provided the affordable units shall not be located in a manner that results in an over-concentration of affordable units in any particular portion of the Property. It is not clear if these affordable units will be developed within the proposed Village 1 and Village 2 or if they are part of the 82 units the applicant is proposing to transfer over to the commercial lots. Please specify in the supporting CEQA documents.

In addition, because the City of Roseville may be the more logical service provider, please provide analysis relative to the City of Roseville's General Plan affordable housing policies and requirements. LAFCO will consider the project's assistance with regional fair share housing needs as determined by SACOG.

7. Public Services/Utilities and Service Systems (and Growth Inducing Impacts)

LAFCO Review Factors:

Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and in adjacent areas. (Government Code §56668.b.1)

The ability of newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for such services following the proposed boundary change. (Government Code §56668.k)

Please provide a detailed account of each entity that is proposed to be providing services for the project, what those services will be, and if a new entity will be formed to provide those services. The project could require the update of existing Municipal Service Reviews (MSRs) and Spheres of Influence (SOIs) for the Placer County Service

**Comments on the Notice of Preparation of an Environmental Impact Report for the Placer Vineyards
Property 3 Residential Project**

June 12, 2025

Area (CSA) 28 if any portion of the project will be served by Placer County's Dependent District – CSA 28.

Pursuant to Government Code §56653, an annexation can only be approved if the applicable MSRs and Plans for Services demonstrate that adequate services can be provided to the annexed area. An annexation proposal must therefore include a Plan for Services consistent with the applicable MSR and must demonstrate that the service provider can provide the required services, including sufficiency of revenues for such services and any associated costs.

8. Transportation and Circulation

LAFCo Review Factors:

The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.
(Government Code §56668.c)

A regional transportation plan adopted pursuant to Section 65080. (Government Code §56668.g)

Please include trip distribution in the transportation analysis to determine the impact to nearby County and City roads, maintenance responsibility, and the need for annexation. Please also include an evaluation of the project's consistency with the Sacramento Council of Governments Regional Transportation Plan/Sustainable Communities Strategy.

Thank you for the opportunity to comment on Notice of Preparation for the *Placer Vineyards Property 3 Small Lot Vesting Tentative Subdivision Map*. Please contact the LAFCO office if you have any questions.

Sincerely,



Amanda Ross, Acting Assistant Executive Officer
Placer LAFCO

From: [Michelle McIntyre](#)
To: [Amy Erler](#); [Amanda Ross](#)
Subject: FDAC Zone 1 Report from June 2025 & FDAC White Paper on Fire Funding for 2025 Sunday, June 22, 2025
Date: 10:31:54 PM
Attachments: [WHITE PAPER_FireFunding2025.pdf](#)
[image001.png](#)

— Fire Districts Association of California
ZONE 1 REPORT



Christian Tubbs
Fire Chief
Zone 1 Director

LAFCo and the Fire Service: Your Strategic Ally for the Future

When most firefighters and fire chiefs think about Local Agency Formation Commissions—or LAFCo—it usually isn't with much excitement. But if you care about protecting your agency's future, securing your EMS rights, and expanding your service capabilities, it's time to rethink the relationship.

LAFCo is not just another regulatory body standing in the way of progress. It is one of the most powerful tools we have in California for building stronger, more resilient fire and EMS services—and those who understand how to work with LAFCo will be better positioned to lead their agencies into the future.

What LAFCo Does and Why It Matters

Established by the State Legislature in 1963, LAFCo's mission is simple on paper: to promote the orderly formation and development of local government agencies. But for fire service leaders, that mission translates into real authority over the fate of consolidations, annexations, new service formations, and boundary changes that can make or break your department.

LAFCo oversees incorporations, dissolutions, and changes to service areas. They regulate and update the Sphere of Influence (SOI) boundaries that define your agency's potential growth areas. They are also responsible for Municipal Service Reviews (MSRs), deep evaluations of how well public agencies—including fire districts—are delivering services today and what challenges loom on the horizon.

Their decisions directly impact whether your agency expands, contracts, merges, or maintains autonomy. In short: you ignore LAFCo at your peril.

LAFCo's Power Over EMS 201 Rights

Many fire agencies in California provide Emergency Medical Services under what's known as "201 rights," a designation under Section 1797.201 of the Health and Safety Code that preserves local EMS delivery authority pre-dating 1980. But here's the catch: when you pursue a boundary change, a consolidation, or even a governance tweak, you risk accidentally invalidating those 201 rights if you're not careful.

LAFCo proceedings have the power to either affirm and protect your EMS rights—or compromise them if they're not handled correctly. That's why it's critical to engage with LAFCo staff early and ensure that any resolution language or findings reinforce the preservation of 201 status wherever applicable. It's not just about changing a line on a map—it's about safeguarding your agency's ability to serve your community.

Relationships Matter: Make Friends Before You Need Them

One of the biggest mistakes agencies make is only showing up when they need something from LAFCo. If you want support when it counts, you need to build a relationship before the pressure is on.

Spend time educating your LAFCo Executive Officer and commissioners about your agency's operations, funding model, wildfire risks, mutual aid partnerships, and long-term service goals. Help them understand the real-world consequences of their decisions.

When the time comes for your next annexation, consolidation, or Sphere of Influence update, you'll be glad you did. A well-informed commission is far more likely to champion your efforts when they understand your mission and trust your leadership.

Don't Sleep on MSRs and SOIs

Every agency eventually faces a Municipal Service Review (MSR)—and if you treat it like a bureaucratic paperwork exercise, you're missing a major opportunity.

An MSR is your chance to showcase strengths, operational readiness, and value to the community. It's also a forum for identifying opportunities: maybe your district could expand to serve adjacent unprotected areas, or maybe regional collaboration could unlock more efficient services.

Similarly, your Sphere of Influence (SOI) defines your agency's logical future boundary. A strong, well-documented SOI is critical if you want to grow sustainably and avoid being boxed in by political boundaries. A narrow or outdated SOI can cripple your ability to meet future demands.

The Bottom Line

California's fire service is facing unprecedented challenges—worsening wildfire seasons, escalating EMS demand, labor shortages, and fiscal uncertainty. Now more than ever, we need smart, flexible structures that support strong public safety delivery.

LAFCo is not a hurdle—it's a gateway. Agencies that treat LAFCo like a partner, not an obstacle, will find themselves better positioned to protect their missions, advocate for smart growth, and serve their communities with excellence.

So don't wait until a crisis forces you to pick up the phone. Start building those relationships now. Get your MSR materials ready. Review your Sphere of Influence. Make sure your leadership team understands how powerful LAFCo decisions are—and how to navigate them.

In today's fire service, working strategically with LAFCo isn't optional. It's essential.



Placer County Local Agency Formation Commission
110 Maple Street Auburn, CA 95603 | (530) 889-4097

June 24, 2025

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Acting Assistant
Executive Officer

Amy Engle
Commission Clerk

To: Placer County, Cities, and Special Districts

Subject: **LAFCO Final Workplan and Budget for FY 2025-26**

On June 11, 2025, the Placer Local Agency Formation Commission (LAFCO) adopted its final work plan and corresponding budget for the fiscal year 2025-26, as outlined in Resolution 25-08. The adopted workplan identifies thirty-four (34) projects, which include reorganizations, service reviews, special studies, spheres of influence updates, hiring new personnel, and various other initiatives. Many of these projects were carried over from the previous year and are already in progress or nearing completion. The total operating budget is \$1,304,727.88, representing an 11 percent increase from the prior year's budget of \$1,178,994.46.

As required by state law, the Placer County Auditor's Office will send invoices to Placer LAFCO's 44 funding agencies on July 1, 2025.

If you have any questions, please contact me at mmcintyre@placer.ca.gov.

Sincerely,

Michelle McIntyre

Michelle McIntyre, Executive Officer
Placer LAFCO

From: [Michelle McIntyre](#)
To: [Amy Engle](#); "[Amanda Ross](#)"
Subject: FW: Updated action plan and email text
Date: Thursday, June 26, 2025 5:10:29 PM
Attachments: [CALAFCO Retreat Action Plan June update.pdf](#)

CALAFCO Members,

The Transition Team is providing an update on the 6-9-month action plan, which is attached. We are pleased to report progress in many areas.

- All focus groups (6 in total) have been completed along with the online cultural assessment. There is a tremendous amount of feedback that Pamela is reviewing as she develops her recommended reforms.
- CALAFCO U has been re-established and there are 3 sessions scheduled throughout the 3rd quarter. You should have already received the save-the-date flier and registration information for the first session.
- The Legislative Committee is actively meeting and engaging in legislation. Two CALAFCO Omnibus proposals were amended into the Senate Local Government Committee Omnibus bill, and that process is progressing.
- Regarding hiring an interim Executive Director, the Team has been conducting an exhaustive search. There is a person who has indicated strong interest in the role and the transition team is currently doing its due diligence in ensuring that an arrangement that is equitable for both parties is both long term and sustainable before presenting it to the Board.

Please let us know if you have any questions.

José, Steve, Pamela Jeni

CALAFCO Six- to Nine-Month Action Plan

Monthly updates on progress of the action plan will be included as part of this plan.

IMMEDIATE	Q2 – 2025	Q3 – 2025	Q4 – 2025	2026	
<p><input checked="" type="checkbox"/> Hire Interim Executive Director Lead: CALAFCO Note: Approved at 4/4/25 Board meeting</p> <p><input checked="" type="checkbox"/> Re-establish CALAFCO U Lead: CALAFCO Progress: Completed</p> <p><input checked="" type="checkbox"/> Conduct LAFCO Staff Focus Group Lead: Miller MCG & CALAFCO Progress: Completed</p> <p><input checked="" type="checkbox"/> Support Legislative Committee Lead: CALAFCO Progress: Completed</p> <p><input checked="" type="checkbox"/> Conduct Focus Groups Lead: Miller MCG & CALAFCO Deadline: 6/30/25 Note: Include All 4 Regions for LAFCO Commissioners & Staff Progress: Completed all regions + Assoc. Members</p>	<p><input checked="" type="checkbox"/> Conduct Comprehensive Review of Structures Lead: Miller MCG Deadline: 7/31/25 Note: Includes Regional, Board, Regional Officers, Dues & Committees</p> <p><input checked="" type="checkbox"/> Conduct Review of Bylaws & Policies Lead: Miller MCG Deadline: 7/31/25</p> <p><input checked="" type="checkbox"/> Conduct Cultural Assessment Lead: Miller MCG & CALAFCO Progress: Completed</p>	<p><input type="checkbox"/> Activate Membership Advisory Committee Lead: CALAFCO Note: To be activated after 7/1/25</p> <p><input checked="" type="checkbox"/> Develop Reform Recommendations Lead: Miller MCG Deadline: 7/31/25 Note: Following completion of all feedback, analysis & research</p> <p><input checked="" type="checkbox"/> Adopt Board Meeting Rules of Order Lead: Miller MCG & CALAFCO Deadline: 7/31/25</p> <p><input type="checkbox"/> Solicit Legislative Proposals from Member LAFCOs Lead: CALAFCO Deadline: 8/31/25 Note: For 2026 Legislative Year</p> <p><input type="checkbox"/> Solicit LAFCO Staff Volunteers For Legislative Committee Lead: CALAFCO Deadline: 8/31/25 Note: For the 2025-26 Legislative Committee</p> <p><input checked="" type="checkbox"/> Conduct Two CALAFCO U Sessions Lead: CALAFCO Progress: Three sessions booked (Jul-Sep); flier sent; Jul registration open</p>	<p><input type="checkbox"/> Develop Communication Plan For Distribution of Report and Recommendations Lead: Miller MCG, CV Strat, CALAFCO Note: To disseminate information Association-wide</p> <p><input type="checkbox"/> Distribute Report & Recommendations For Change Lead: Miller MCG & CALAFCO Note: Of comprehensive review, feedback and recommendations to Board & membership</p> <p><input type="checkbox"/> Board Meeting Lead: Miller MCG & CALAFCO Note: To adopt recommended reforms & approve support of recommended bylaws changes on 7/25/25</p> <p><input type="checkbox"/> Membership Engagement/ Input on Recommended Reforms Lead: Miller MCG & CALAFCO Note: For potential adoption of bylaws changes at annual meeting</p>	<p><input type="checkbox"/> Adopt CALAFCO & Board Code of Conduct Lead: Miller MCG & CALAFCO</p> <p><input type="checkbox"/> Adopt Communications Code of Conduct Lead: CV Strategies & CALAFCO</p> <p><input type="checkbox"/> Develop Communications Framework Lead: CV Strategies</p> <p><input type="checkbox"/> Schedule 2026 CALAFCO U Sessions Lead: CALAFCO Note: Should launch with the 2026 annual calendar</p> <p><input type="checkbox"/> Continue Membership Engagement/ Input on Recommended Reforms Lead: Miller MCG & CALAFCO Note: For potential adoption of bylaws changes at annual meeting</p> <p><input type="checkbox"/> Conduct Annual Business Meeting Lead: CALAFCO Note: 10/23/25</p>	<p><input type="checkbox"/> Conduct 2026 CALAFCO U Sessions Lead: CALAFCO</p> <p><input type="checkbox"/> Recruit & Hire Permanent Executive Director Lead: CALAFCO & Miller MCG</p>



Pamela Miller
Owner & Chief Engagement Officer, Miller Consulting
pmiller@millermcg.com | 916-850-9271 | millermcg.com

Update as of:
June 25, 2025

An outcome of the Board retreat, March 20-21, 2025

Pending Start In Progress Completed



Placer County Local Agency Formation Commission
110 Maple Street Auburn, CA 95603 | (530) 889-4097

June 27, 2025

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Chair
(Special District)

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Executive Officer

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Acting Assistant
Executive Officer

Amy Engle
Commission Clerk

Chair Sandra Amara
Placer County City Selection Committee
175 Fulweiler Avenue
Auburn CA 95603

**Subject: Request to Convene Meeting of City Selection
Committee to Address Appointment of an Alternate City Member
to Placer LAFCO**

Dear Chair Amara,

I respectfully request that you convene a Placer County City Selection Committee meeting as soon as possible to address a matter of legal compliance concerning the appointment of the alternate city member to the Placer County Local Agency Formation Commission (LAFCO) on behalf of Joshua Alpine, Placer LAFCO Chair.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Gov. Code, §§ 56325, subd. (b), & 56335) authorizes the City Selection Committee to appoint one alternate city member to serve on LAFCO. The current dual designation of Ms. Stephanie Youngblood and Mr. David Bass as alternate city members contradicts state law in that it specifies the appointment of one alternate city member. This creates uncertainty about the legal status of LAFCO Commission actions in which either individual may have participated as an alternate. Decisions taken under these circumstances could be vulnerable to legal challenges, depending on the voting composition and surrounding facts.

Furthermore, the involvement of both individuals in closed-session matters is especially problematic. For instance, in recent years, the Commission has permitted alternate members to attend closed sessions regarding the evaluation of the Executive Officer. Until the City Selection Committee officially appoints a single alternate city member, it is LAFCO's legal counsel's opinion that neither Ms. Youngblood nor Mr. Bass should participate in any closed session,

Request to Convene Meeting of City Selection Committee to Address Appointment of an Alternate City Member to Placer LAFCO

since it is not legally possible to determine who, if either, is authorized to attend.

Given the potential legal exposure and governance risks, on behalf of Chair Alpine, I urge you to promptly call a meeting of the City Selection Committee to address this issue. The committee should be formally advised to select one alternate city member to serve on the Placer County LAFCO, Ms. Youngblood, Mr. Bass, or another qualified city representative.

Thank you for your attention to this urgent matter. Please do not hesitate to contact me for further information or clarification.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michelle McIntyre", with a long horizontal flourish extending to the right.

Michelle McIntyre, Executive Officer
Placer LAFCO



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SUMMER 2025

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Elevate your expertise and confidence as a LAFCO decision-maker. These three interactive webinars are tailored specifically for LAFCO commissioners & staff members to strengthen core skills, understand key legal frameworks, and adopt essential tech tools for smarter governance.



Webinar 1: Commissioner Best Practices

Thursday, July 17 | 10:00 a.m. - Noon

Overview:

Discover the roles, responsibilities, and best practices of being a successful commissioner. Learn how to lead with integrity, build trust, and make informed decisions that support your LAFCO. Whether you are brand new to LAFCO or a seasoned pro - you'll learn a thing or two in this webinar.



Webinar 2: Brown Act - LAFCO Edition

Thursday, August 7 | 1:00 p.m. - 3:00 p.m.

Overview:

This in-depth session will help you confidently navigate California's open meeting law and its recent changes. Understand what's allowed, what's not, and how to avoid common pitfalls in compliance. *This session is also worth 2.0 CM credits.*



Webinar 3: Mapping 101 - Crash Course

Friday, September 19 | 9:00 a.m. - 11:00 a.m.

Overview:

Get hands-on with ArcGIS, the leading mapping and spatial analysis tool. Learn how to visualize jurisdictional boundaries, analyze land use, and support your LAFCO decisions with data-driven maps. *This session is also worth 2.0 CM credits.*

WHO SHOULD ATTEND?

All Commissioners and staff members are welcomed

Registration Cost:

- ▶ CALAFCO Members: Free!!!
- ▶ Non-CALAFCO Members: \$125.00

*Individual registration for each session will be required.
Registrations will be online only.*

📞 **Questions? Contact:** Joe Serrano, Santa Cruz LAFCO EO
Phone: 831-254-0178 Email: joesantacruzlafco.org

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