EL DORADO COUNTY FIRE PROTECTION DISTRICT

RESOLUTION NO. 2025-16

RESOLUTION APPROVING ADMINISTRATIVE ANNEXATION PROCEDURES

EL DORADO COUNTY FIRE PROTECTION DISTRICT
Community Facilities District No. 1
(Unincorporated Area)

RESOLVED, by the Board of Directors ("Board") of the El Dorado County Fire Protection District ("District"), County of El Dorado, State of California that:

WHEREAS, on September 19, 2024, the Board adopted Resolution No. 2024-07 (the "Resolution of Intention"), stating its intention to form El Dorado County Fire Protection District Community Facilities District No. 1 (Unincorporated Area) (the "CFD") and Future Voluntary Annexation Area (the "Future Annexation Area") pursuant to Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"); and

WHEREAS, the Resolution of Intention, incorporating a map of the proposed boundaries of the CFD and the Future Annexation Area, and stating the services to be provided, and the rate and method of apportionment of the special tax to be levied within the CFD to pay for the services, is on file with the Board Clerk and the provisions of the Resolution of Intention are incorporated herein by this reference as if fully set forth herein; and

WHEREAS, the Resolution of Intention called for a public hearing on October 23, 2024, at 12 p.m., as required by the Act relative to the proposed formation of the CFD and the Future Annexation Area; and

WHEREAS, at the hearing, all interested persons desiring to be heard on all matters pertaining to the formation of the CFD and Future Annexation Area, the services to be provided therein and the levy of such special tax were heard, and a full and fair hearing was held; and

WHEREAS, no written protests were filed with the Board Clerk by 50% or more of the registered voters residing within the territory of the CFD or Future Annexation Area, or property owners that own one-half or more of the area of land within the CFD or Future Annexation Area, and not exempt from the proposed special taxes; and

WHEREAS, on October 23, 2024, the Board adopted Resolution No. 2024-11 (the "Resolution of Formation"), which is on file with the Board Clerk and the provisions of the Resolution of Formation are incorporated herein by this reference, that ordered

the formation of the CFD, defined the public Services (the "Services") to be provided by the CFD, authorized the levy of a special tax on property within the CFD and approved future qualifying projects the ability to voluntarily annex into the Future Annexation Area, all pursuant to the Act; and

WHEREAS, on October 23, 2024, the Board adopted Resolution No 2024-12 that called a special election for October 23, 2024, at which the questions of levying a special tax with respect to the CFD were submitted to the qualified electors within the CFD; and

WHEREAS, on October 23, 2024, the Board adopted Resolution No. 2024-13 that declared the results of the special election and finding that more than two-thirds (2/3) of all votes cast at the special election were in favor of the issue presented, and such measure passed; and

WHEREAS, on December 30, 2024, a notice of special tax lien was recorded with the Office of the County Recorder of the County of El Dorado, as Document No. 2024-0038089 (the "Notice of Special Tax Lien"), thereby giving notice that the lien to secure payment of the special tax was imposed on the land in the CFD; and

WHEREAS, the Board wishes to indicate that voluntary annexation into the CFD is one option to mitigate the fiscal impacts, and that applicants may continue to elect other alternatives to satisfy those fiscal impacts, such as an up-front one-time payment; and

WHEREAS, the territories of the CFD are set forth in the map of the CFD heretofore recorded in the El Dorado County Recorder's Office on October 10, 2024, as Document No. 2024-0028935, at Book 5 of Maps of Assessment and Community Facilities Districts at Pages 58, to which map is incorporated herein by this reference; and

WHEREAS, the Future Annexation Area of the CFD is set forth in the map of the CFD heretofore recorded in the El Dorado County Recorder's Office on October 10, 2024, as Document No. 2024-0028935, at Book 5 of Maps of Assessment and Community Facilities Districts at Pages 58A, to which map is incorporated herein by this reference; and

WHEREAS, public convenience and necessity require that the future territories within the Future Annexation Area be added to the CFD when certain procedural requirements are met (the "Annexation Approval Procedure"); and

WHEREAS, the Board now wishes to approve the administrative procedures to allow District staff to process and approve future annexations of property within the Future Annexation Area into the CFD in accordance with the simplified process for annexations under Sections 53328.1, 53339.7 and 53339.8 of the Act, which sections permit annexation to the CFD with the unanimous written consent of the property owners of parcels of property within the Future Annexation Area.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the El Dorado County Fire Protection District, that it hereby makes the following findings and determinations and authorizes and directs the District staff identified herein to take the following actions:

Section 1. Recitals. The Board finds and determines that all the foregoing recitals are true and correct and incorporated herein.

Section 2. Annexation Approval Procedure. The Board hereby determines that from time to time, parcel or parcels within the Future Annexation Area may be annexed to the CFD with the unanimous approval (each, a "Unanimous Approval") of the owner or owners of each parcel or parcels at the time that parcel(s) are annexed, and in accordance with the Annexation Approval Procedure described herein, however, the designation of property as in the Future Annexation Area and the ability to annex property to the CFD based on Unanimous Approval shall not limit, in any way, the annexation of property in the Future Annexation Area pursuant to other provisions of the Act:

The annexation and related matters described in the Unanimous Approval shall be implemented and completed by District staff with approval of Board as long as the following conditions are met:

a. Planned new residential and new non-residential development on the subject parcel or parcels of land within the Future Annexation Area shall be subject to annexation into the CFD; and

b. The owner or owners (the "Property Owner") of the Property to be annexed into the CFD, or in certain occasions the developer or alternate person with authority to act on behalf of the Property Owner (the "Alternate Person"), shall file the appropriate application and pay the required fees, subject to the review and approval of the District. To the extent the Alternate Person files the necessary applications, the Alternate Person shall cause or inform the Property Owner of the requirements to annex into the CFD or take the necessary alternative actions to mitigate their negative fiscal impact in accordance with these requirements; and

c. The Property Owner shall submit a Unanimous Approval in substantially the form attached as Exhibit A hereto and incorporated herein by this reference by the earlier of the timeline specified under Project's Conditions of Approval or prior to issuance of any permits. The Property shall be annexed into the CFD and categorized within the appropriate land use as identified in the rate and method of apportionment. The Board hereby finds that the Property Owner's written Unanimous Approval is equivalent to an election pursuant to Government Code Section 53339.7(a) of the Act. The Property shall be added to and part of the existing CFD with full legal effect, and the District staff shall do any and all things to levy any special tax within the annexed territory as specified in any Ordinance adopted with respect with respect to the Property, as specified in the Resolution of Intention to annex adopted pursuant to Section

53339.2, and as specified in the Ordinance adopted pursuant to Government Code Section 53340. Each annexation shall be deemed effective upon execution of the Unanimous Approval, and

d. The supplemental map of the CFD shall be prepared by the District's CFD Administrator and paid for by the Property Owner submitting the Unanimous Approval. The supplemental map shall be entitled *"Annexation Map No. __ of El Dorado County Fire Protection District Community Facilities District No. 1 (Unincorporated Area),"* which shall be on file with the Board Clerk and shall be added to and part of the CFD with full effect. The Board Clerk, or designee, shall endorse the certificates set forth on the map and shall record the map in accordance with the provisions of Sections 3111, 3113 and 3113.5 of the Streets and Highways Code of the State of California. Each annexation shall be numbered sequentially based on date annexed, if practical; and

e. Upon meeting the conditions above, the Board Clerk, or designee, shall complete, execute and cause to be recorded in the office of County Recorder of the County of El Dorado, an amendment to the Notice of Special Tax Lien, in accordance with the provisions of Sections 3114.5 and 3117.5 of California Streets and Highways Code of the State of California within fifteen (15) days of the acceptance of the fully executed and completed Unanimous Approval and any and all applicable fees, evidencing that the Property is added to the CFD. The amended Notice of Special Tax Lien shall be in substantially the form attached as Exhibit D hereto and incorporated herein by this reference.

Section 3. Approval by Board. Annexation of property that meets the requirements of the Annexation Approval Procedures in Section 2 of this Resolution shall require the review, consideration, and approval of the Board to legally effectuate the annexation.

Section 4. Recommended Approach. The Board hereby finds and determines that the recommendation for future projects to annex into the CFD is one of many financing options that future project applicants may use to mitigate the overall negative fiscal impact identified. Although annexation into the CFD is the most practical approach to mitigate the negative fiscal impacts, project applicants may be able to use alternative funding approaches in lieu of annexing into the CFD subject to the review and approval of the Board.

Section 5. Administrative Regulations. The General Manager is hereby authorized to adopt rules and regulations consistent with this Resolution as needed to implement this Resolution, and to develop all related forms and/or materials and take other steps needed to implement this Resolution and make such interpretations of this Resolution as he or she may consider necessary to achieve the purposes of this Resolution.

Section 6. Effective Date. The Board Clerk, or designee, shall certify the adoption of this Resolution. This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED by the El Dorado County Fire Protection District Board of Directors at a regular meeting of said Board held on the 19th day of November 2025, by the following vote:

AYES: Director(s) Kaiserman, Brunton, Ogan, Edmiston, Gilchrest
NOES: Director(s) None
ABSENT: Director(s) None
ABSTAIN: Director(s) None

By: _____
Mickey Kaiserman, Chair

ATTEST:

By: _____ Date: 11/20/2025
Kathleen Freeman, Clerk of the Board