

Item 4.1 Attachment 1

Resolution No. ____

111 Santa Rosa Ave. Ste. 240
Santa Rosa, CA 95404

August 7, 2019

Resolution of the Local Agency Formation Commission of the County of Sonoma, State of California, Finding Insufficient Protest and Confirming and Ordering Without An Election A Reorganization of Territory Designated as: Geyserville Fire Protection District Reorganization No. 19/19-0313.01 (Knights Valley/IRPs) Involving Annexation to the Geyserville Fire Protection District and Detachment from County Service Area No. 40 (Fire Services)

RESOLVED, that the Local Agency Formation Commission of the County of Sonoma (“the Commission”) hereby finds and determines as follows:

I. Procedural History.

1.1 The Geyserville Fire Protection District (the District, the Applicant) filed a resolution of application (the Application) with the Executive Officer of the Commission (the Executive Officer) pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Government Code section 56000 et seq. (the Cortese-Knox-Hertzberg Act), proposing a reorganization consisting of annexation to the District and detachment from County Service Area No. 40 (Fire Services) (CSA 40) of 327 parcels, totaling approximately 35,633 acres (the Proposal). The territory that is the subject of the Proposal is generally located west of Lake and Napa County lines, north of Petrified Forest Road, east of Pine Flat Road, Briggs Ranch Road, and Chalk Hill Road, and south of Pine Flat Road and Socrates Mine Road in unincorporated northern Sonoma County (the Affected Territory). As part of the Application, the Applicant included a plan for providing services within the Affected Territory (the Plan for Services). The Application and the Plan for Services were submitted to the Executive Officer pursuant to the Cortese-Knox-Hertzberg Act. The Executive Officer accepted the Application for filing and issued a certificate of filing on May 1, 2019. Following issuance of the certificate of filing, the Executive Officer set the Proposal for consideration by the Commission and provided notice thereof as provided in the Cortese-Knox-Hertzberg Act.

1.2 At its meeting on June 5, 2019, the Commission approved the Proposal and adopted Resolution No. 2708, a copy of which is attached hereto as Appendix “A” and incorporated herein by this reference. Resolution No. 2708 directed that the Commission set protest proceedings for the Proposal in compliance with the Cortese-Knox-Hertzberg Act.

1.3 The Commission conducted the duly noticed protest proceedings on the Proposal on August 7, 2019. At the hearing, the Commission's resolution making determinations was summarized. The Commission heard and received all relevant oral and written protests, objections, and evidence presented or filed. All interested persons were given the opportunity to hear and be heard. At the conclusion of public testimony, the Commission closed the hearing, determined the value of written protests filed against the Proposal and not withdrawn prior to the conclusion of the hearing, and voted to order the Proposal without an election, as set forth herein.

1.4 The Commission has reviewed and considered this resolution and hereby finds that it accurately sets forth the intentions of the Commission with respect to the Proposal.

2. CEQA Compliance.

- 2.1 The District, acting as lead agency for the purposes of the California Environmental Quality Act ("CEQA") determined that the proposal was exempt from CEQA, pursuant to Sections 15320 and 15061(b)(3) of the State CEQA Guidelines.
- 2.2 The Commission finds that it fully discharged its responsibilities under CEQA for the Proposal by its actions in Resolution No. 2708.

3. Cortese-Knox-Hertzberg Act Compliance.

- 3.1 The actions herein on the Proposal are being taken pursuant to the Cortese-Knox-Hertzberg Act.
- 3.2 The Proposal consists of a reorganization involving detachment from CSA 40 of territory previously served by the Knights Valley Volunteer Fire Company and Integrated Response Plan areas and annexation of that territory to the Geyserville Fire Protection District. The Affected Territory is generally located in unincorporated northeastern Sonoma County.
- 3.3 The exterior boundaries of the Affected Territory included in the Proposal are shown in Exhibit "A: of Resolution No. 2708.
- 3.4 The terms and conditions upon the Proposal shall be the terms and conditions specified in Resolution No. 2708.
- 3.5 The short-form designation for the Proposal is: "Geyserville Fire Protection District Reorganization No. 19-19-0313.01 (Knights Valley/IRPs)."
- 3.6 The value of written protests filed and not withdrawn is less than 25 percent of the registered voters residing within the Affected Territory or less than 25 percent of the number of owners of land owning less than 25 percent of the assessed value of land within the Affected Territory. In such cases, pursuant to Section 57075(a), the Cortese-Knox-Hertzberg Act directs the Commission to order the change of organization without an election.

NOW, THEREFORE, based on the foregoing findings and determinations and the record of these proceedings, the Commission hereby declares and orders as follows:

1. The foregoing findings and determinations are true and correct, are supported by substantial evidence in the record, and are adopted as hereinabove set forth.
2. The value of written protests filed and not withdrawn is insufficient to terminate proceedings or order the change of organization subject to a confirmation election, and the Proposal is therefore ordered without an election.
3. Subject to receipt of all charges assessed and fees due to the Commission and the State Board of Equalization, the Executive Officer is directed to prepare and execute a certificate of completion for the Proposal and to record a certified copy thereof with the Sonoma County Recorder. If the certificate of completion is not filed within one year after the Commission's approval of the Proposal, the proceeding will be deemed terminated unless the Commission authorizes an extension of time for that completion.
4. The Executive Officer is directed to mail certified copies of this resolution as provided by law.
5. The Clerk of the Commission is designated as the custodian of the documents and other materials that constitute the record of the proceedings upon which the Commission's decision herein is based. These documents may be found at the office of the Clerk of the Commission, 111 Santa Rosa Ave., Ste. 240, Santa Rosa, CA 95404.

THE FOREGOING RESOLUTION was introduced at a regular meeting of the Commission on the 7th day of August 2019 and ordered adopted by the following vote:

Commissioners:

Ayes:

Noes:

Absent or not voting:

WHEREUPON, the Chairman declared the foregoing resolution adopted, and

SO ORDERED

ATTEST:

BY:

Mark Bramfitt, Executive Officer

The within instrument is a correct copy of the original on file in this office.

ATTEST:

BY:

Clerk