

Item 4.2
Attachment 1

Draft Resolution

111 Santa Rosa Avenue, Suite 240
Santa Rosa, CA 95404

April 3, 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 Consisting of Dissolution of the Bennett Valley and Rincon Valley Fire Protection Districts, Detachment of the Service Area of the Mountain Volunteer Fire Company and Certain Integrated Response Plan Areas from County Service Area No. 40 (Fire Services), and Annexation of Those Territories to the Windsor Fire Protect District (File No. 2018-14)

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

1. Procedural History

1.1 The boards of directors of the Windsor Fire Protection District (Windsor FPD), the Bennett Valley Fire Protection District (Bennett Valley FPD), the Rincon Valley Fire Protection District (Rincon Valley FPD), and the Sonoma County Board of Supervisors, acting as the board of directors of County Service Area No. 40 (Fire Services) (CSA 40), submitted a concurrent resolution of application (Application) to the Executive Officer of the Commission (Executive Officer), pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3 (commencing with Section 56000) of Title 5 of the Government Code (Cortese-Knox-Hertzberg Act). The Application proposed a reorganization consisting of dissolution of the Bennett Valley FPD and the Rincon Valley FPD, detachment from CSA 40 of the service area of the Mountain Volunteer Fire Company (Mountain VFC Service Area) and annexation of those territories to the Windsor FPD (Proposal).

1.2 The territory that was the subject of the Application generally surrounds the City of Santa Rosa (City), extending, in part, from the Napa County line and the northern, western, and southwestern boundary of the Kenwood Fire Protection District, in the east, to the Laguna de Santa Rosa and the City of Sebastopol to the west; and from the northern boundary of the City of Rohnert Park and Sonoma Mountain Road, in the south, to north and west of Mark West Springs Road and south of Porter Creek Road in the north (Proposed Reorganization Area).

1.3 At its meeting of February 6, 2019, the Commission adopted Resolution No. 2697 amending the sphere of influence of the Rincon Valley FPD to include two unincorporated areas left in the Roseland Fire Protection District after the annexation of five unincorporated islands to the City in 2017 (Remainder Areas) and further adopted Resolution No.2698 annexing, among other actions, the Remainder Areas to the Rincon

Valley FPD, as an interim step in a larger reorganization to form a single unified district to provide fire protection and emergency services to the central portion of the County.

1.4 The Commission adopted Resolution No. 2699 amending the sphere of influence of the Windsor FPD (Windsor FPD SOI) to include: (A) the Remainder Areas, generally located north of Ludwig Avenue, east of Llano Road and west of South Wright Road, and along Yuba Drive, south of Barndance Lane, north of Ludwig Avenue, and west of Stony Point Road, southwest of the City and (B) unincorporated Integrated Response Plan Areas (IRP Areas) in CSA 40 served through contractual arrangements with neighboring fire districts. The IRP Areas are generally located: north of the boundary of the Rincon Valley FPD, east of Geyserville Fire Protection District and Windsor FPD, and southwest of the area served by the Knights Valley Volunteer Fire Company (a portion of IRP 61); north of Kenwood Fire Protection District, east of Rincon Valley FPD, and west of Napa County (IRP 31-32-75); encompassing Annadel State Park, southeast of the City of Santa Rosa (IRP 75); and north of Fountain Grove Parkway (portion of IRP 71) (Added Territory). The Proposed Reorganization Area and the Added Territory constitute the entirety of the territory of the subject reorganization (Affected Territory).

1.5 Inclusion of the Affected Territory supports the goal of forming a single, cohesive entity to provide fire protection and emergency services to the central portion of the County through a reorganization consisting of dissolution of the Bennett Valley FPD, dissolution of the Rincon Valley FPD, including territory annexed by a prior action of the Commission in Resolution No. 2698, detachment from CSA 40 of the Mountain VFC Service Area and specific IRP Areas, and annexation of all those territories to the Windsor FPD (Amended Proposal).

1.6 After conducting required proceedings on February 6, 2019, pursuant to the Cortese-Knox-Hertzberg Act, the Commission approved the Amended Proposal and adopted Resolution No. 2700, a copy of which is attached hereto as Appendix "A" and incorporated herein by this reference. Resolution No. 2700 directed the Commission to undertake protest proceedings for the Amended Proposal in compliance with Resolution No. 2700 and the Cortese-Knox-Hertzberg Act.

1.7 The Commission conducted a duly-noticed protest hearing on the Amended Proposal on April 3, 2019. At the hearing, the Commission heard and received all relevant oral and written protests, objections, and evidence presented or filed on the Amended Proposal. All interested persons were given the opportunity to hear and be heard. At the conclusion of public testimony, the Commission closed the public hearing, determined the value of written protests filed against the Amended Proposal and not withdrawn prior to the conclusion of the hearing, and voted to order the Amended Proposal without an election, as set forth herein.

1.8 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 Amended Proposal.

2. CEQA Compliance

2.1 The Commission determined that the Amended Proposal was exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines sections 15320 and 15061(b)(3).

2.2 The Commission finds that it fully discharged its responsibilities under CEQA for the Amended Proposal by its actions in Resolution No.2700.

3. Cortese-Knox-Hertzberg Act Compliance

3.1 The actions herein on the Amended Proposal are being taken pursuant to the Cortese-Knox-Hertzberg Act.

3.2 The Amended Proposal consists of a reorganization of territory involving dissolution of the Bennett Valley FPD and the Rincon Valley FPD, detachment of the Mountain VFC Service Area and IRP Areas from CSA 40, and annexation of those territories to the Windsor FPD.

3.3 The exterior boundaries of the Affected Territory included in the Amended Proposal are described in Resolution No.2700.

3.4 The terms and conditions upon the Amended Proposal shall be the terms and conditions specified in Resolution No. 2700.

3.5 The reason for the Amended Proposal is to achieve greater economy and efficiency in providing fire protection and emergency services within a single unified district in the central portion of the county.

3.6 The short-form designation for the Amended Proposal is Windsor Fire Protection District Reorganization No. 18-01 (Windsor FPD).

3.7 The value of written protests filed and not withdrawn is less than 25 percent of the registered voters residing within the Affected Territory and 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 57077.3, the Cortese-Knox-Hertzberg Act directs the Commission to order the reorganization 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, and the Amended Proposal is therefore approved without an election.

3. The Executive Officer is directed to prepare and execute a certificate of completion for the Amended Proposal and to record a certified copy thereof with the Sonoma County Recorder. The certificate of completion shall not be filed until all charges

assessed and fees due to the Commission have been paid and all materials required by the Commission for final processing of the Amended Proposal have been submitted.

4. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner 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 Avenue, Suite 240, Santa Rosa, CA 95404.

THE FOREGOING RESOLUTION was introduced at a regular meeting of the Commission on the 3rd day of April 2019 and ordered adopted by the following vote:

Commissioners:

AYES:

NOES:

ABSTAIN:

WHEREUPON, the Chairman declared the foregoing resolution adopted, and

SO ORDERED

BY:

Mark Bramfitt, Executive Officer

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

ATTEST:

BY:

Clerk