

Resolution No: 2019/2020-08
Dated: December 10, 2019

**A CONCURRENT RESOLUTION OF THE BOARD OF DIRECTORS OF THE GLEN ELLEN
FIRE PROTECTION DISTRICT AND THE BOARD OF DIRECTORS OF THE VALLEY OF
THE MOON FIRE PROTECTION DISTRICT CONSTITUTING THE DISTRICTS'
RESOLUTION OF APPLICATION TO THE LOCAL AGENCY FORMATION
COMMISSION OF SONOMA COUNTY FOR THE
REORGANIZATION OF THE GLEN ELLEN
FIRE PROTECTION DISTRICT**

WHEREAS, the Boards of Directors of Glen Ellen Fire Protection District ("GEFPD"), Valley of the Moon Fire Protection District ("VOMFPD"), and the Board of Supervisors of the County of Sonoma on behalf of the Mayacamas Volunteer Fire Company in County Service Area No. 40 ("Mayacamas VFC"), all located in Sonoma County, California, desire to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with section 56000 of the California Government Code ("Cortese-Knox-Hertzberg Act"), with the Local Agency Formation Commission of the County of Sonoma ("Sonoma LAFCO") for the reorganization of the Parties as specified herein; and

WHEREAS, GEFPD and VOMFPD (the "Parties") have agreed to initiate proceedings with Sonoma LAFCO by adoption of this Concurrent Resolution for reorganization consisting of the dissolution of VOMFPD and detachment of Mayacamas VFC; and annexation of the territory in the dissolved District and detached area to the GEFPD ("the Proposed Reorganization") resulting in a reorganized fire protection district ("the Reorganized District"); and

WHEREAS, California Government Code section 56853 provides in part that, in the case of a concurrent resolution for reorganization, Sonoma LAFCO shall approve or conditionally approve, the Proposed Reorganization; and

WHEREAS, the boundaries of the territory included in the Reorganized District will be the combined territories of GEFPD; VOMFPD, and Mayacamas VFC, as described in Exhibit "A", attached hereto and incorporated herein by this reference; and

WHEREAS, the territory included in the Reorganized District is inhabited, as defined in the Cortese-Knox- Hertzberg Act; and

WHEREAS, the Proposed Reorganization is consistent with the amended spheres of influence of the Parties, based on specific determinations in Sonoma LAFCO Resolution No. 2717, adopted on November 6, 2019; and

WHEREAS, the Parties desire that the Proposed Reorganization be subject to the following terms and conditions as set forth herein:

- a. The name of the Reorganized District shall be the "Sonoma Valley Fire District."
- b. The Reorganized District is intended to achieve greater economy and efficiency in providing fire protection and emergency services. The Parties have determined that the

Proposed Reorganization is in the best interest of the Parties in order to protect better services to the residents of the Reorganized District.

- c. Pursuant to the provisions of California Health and Safety Code §13842 and Government Code section 56866(n), Reorganized District shall initially be governed by a seven (7) member Board of Directors. The initial Board of Directors of the Reorganized District shall be composed of three (3) of the existing five (5) directors of the GEFPD; and four (4) of the existing five (5) directors of the VOMFPD. The initial Board of Directors shall meet as soon as practicable after the effective date of the Proposed Reorganization and shall classify themselves by lot into two classes: one class consisting of three (3) directors and one class consisting of four (4) directors, two each from GEFPD and VOMFPD. The term of office of the class having the smaller number shall be through December 2022, and the term of office of the class shall be having the greater number shall be through December 2024,

Commencing with the election of Directors in November 2022, the Reorganized District shall transition to election by divisions pursuant to California Health and Safety Code section 13846 et seq. Three (3) director positions shall be subject to election in November 2022; and four (4) director positions shall be subject to election in November 2024. Except for the initial Board of Directors, the term of office of directors shall be four years, and directors shall be elected or appointed as provided by law.

- d. All assets, unrestricted, restricted or fiduciary, held by the Parties shall be transferred to and become assets of the Reorganized District. The Reorganized District shall be the successor agency to the Parties.
- e. The Parties shall enter into a property tax allocation agreement to transfer the VOMFPD and Mayacamas VFC property tax allocation to GEFPD for funding of the Reorganized District.
- f. The Parties request a determination by Sonoma LAFCO that the initial appropriation limit for the Reorganized District shall be the total of the combined existing appropriation limits of GEFPD, VOMFPD and Mayacamas VFC, as well as the anticipated increased tax collections projected from the extension of the GEFPD's special taxes throughout the Reorganized District and the potential County-wide sales tax measure on the ballot on March 3, 2020.
- g. All liabilities of the Parties shall be transferred to and become liabilities of the Reorganized District.
- h. The effective date of the Proposed Reorganization shall be the date of recordation of the certificate of completion of reorganization as provided by Government Code section 57200 et seq.
- i. Distribution of Services: The Board of Directors of the Reorganized District will authorize an annual work plan for services throughout the Reorganized District; and

WHEREAS, the Parties hereby consent to the Proposed Reorganization without election by the registered voters within the respective Districts and Mayacamas VFC; and

WHEREAS, the Parties' find that the Proposed Reorganization appears to be categorically exempt on the California Environmental Quality Act ("CEQA") by virtue of section 15320 of the State CEQA Guidelines ("Class 20 Exemption") because the Proposed Reorganization is a reorganization of a local government agencies where the changes do not change the geographical area in which previously existing powers are exercised.

NOW, THEREFORE, the Boards of Directors of Glen Ellen Fire Protection District, and the Valley of the Moon Fire Protection District hereby find, determine, declare, resolve and order as follows:

1. The foregoing recitals are true and correct and are adopted as set forth herein.
2. Sonoma LAFCO is requested to undertake proceedings for the Proposed Reorganization according to the terms and conditions stated above and in the manner provided in the Cortese-Knox-Hertzberg Act.
3. The President of the Board of Directors of each Party is authorized and directed to execute this Concurrent Resolution and any other documents as Sonoma LAFCO may reasonably request to accomplish the Proposed Reorganization initiated by this Concurrent Resolution.
4. The Fire Chief of the Glen Ellen Fire Protection District, and/or his designee, shall be, and is hereby, authorized and directed to perform any and all acts required to complete the Proposed Reorganization initiated by this Concurrent Resolution, including, but not limited to, preparation and coordination of the application to Sonoma LAFCO, and preparation and filing of Notice of Exemption with the County Clerk in accordance with the provisions of CEQA and the State CEQA guidelines.

This Concurrent Resolution may be executed in counterparts and is effective from the latest date of execution shown below.

GLEN ELLEN PROTECTION DISTRICT:

IN REGULAR SESSION, the foregoing resolution was introduced by Director JOHNSON, who moved its adoption, seconded by Director PALENCHAR, and passed by the Board of Directors of the Valley of the Moon Fire Protection District this 10th day of December 2019, on regular roll call vote of the members of said Board:

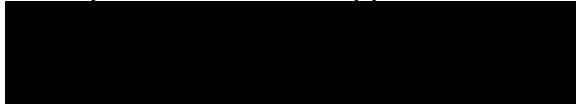
President Van Fleet	Aye <u>X</u>	No _____	Absent _____
Director Fredricks	Aye <u>X</u>	No _____	Absent _____
Director Johnson	Aye <u>X</u>	No _____	Absent _____
Director Palenchar	Aye <u>X</u>	No _____	Absent _____
Director Weise	Aye <u>X</u>	No _____	Absent _____
Vote:	Aye <u>5</u>	No <u>0</u>	Absent <u>0</u>

WHEREUPON, the President declared the foregoing resolution adopted, and



Peter van Fleet, President

ATTEST:



Raymond Fredricks, Clerk

VALLEY OF THE MOON FIRE PROTECTION DISTRICT:

IN REGULAR SESSION, the foregoing resolution was introduced by Director LEEN, who moved its adoption, seconded by Director NORTON, and passed by the Board of Directors of the Valley of the Moon Fire Protection District this 10th day of December 2019, on regular roll call vote of the members of said Board:

President Norton	Aye <u>X</u>	No <u> </u>	Absent <u> </u>
Director Brunton	Aye <u>X</u>	No <u> </u>	Absent <u> </u>
Director Greben	Aye <u> </u>	No <u> </u>	Absent <u>X</u>
Director Brady	Aye <u>X</u>	No <u> </u>	Absent <u> </u>
Director Leen	Aye <u>X</u>	No <u> </u>	Absent <u> </u>
Vote:	Aye <u>4</u>	No <u>0</u>	Absent <u>1</u>

WHEREUPON, the President declared the foregoing resolution adopted, and

SO ORDERED:



William Norton, President

ATTEST:



Brian Brady, Clerk