

## Draft Resolution

575 Administration Drive  
Santa Rosa, CA 95403

April 6, 2016

### **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 Change of Organization of Territory Consisting of Dissolution of Del Rio Woods Recreation and Park District (File No. 15-13)**

---

**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 County of Sonoma (“the Applicant”) filed an application with the Executive Officer of the Commission (“Executive Officer”) proposing a change of organization consisting of dissolution of Del Rio Woods Recreation and Park District (“the District”) (“the Proposal”), generally located north and south of North Fitch Mountain Road, east of the City of Healdsburg, in unincorporated Sonoma County (“the Affected Territory”).

1.2 At its meeting on March 6, 2016, the Commission considered the Proposal, conducted the required proceedings on the Proposal, 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 (“the Cortese-Knox-Hertzberg Act”), approved the Proposal, and adopted Resolution No. 2655, a copy of which is attached hereto as Appendix “A” and incorporated herein by this reference. Resolution No. 2655 directed the Commission to undertake protest proceedings for the Proposal in compliance with Resolution No. 2655 and the Cortese-Knox-Hertzberg Act.

1.3 The Executive Officer prepared a report on the Proposal, including his recommendations thereon (“the Executive Officer’s Report”). Upon completion, the Executive Officer furnished copies of the Executive Officer’s Report to all persons entitled to copies under the Cortese-Knox-Hertzberg Act.

1.4 The Commission conducted a duly noticed protest hearing on the Proposal on April 6, 2016. At the hearing, the Commission heard and received all relevant oral and written protests, objections, and evidence presented or filed on the 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the Commission closed the public hearing, determined the value of written protests filed against the Proposal and not withdrawn prior to the

conclusion of the hearing, and voted to order the Proposal without an election, as set forth herein.

1.5 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 Acting as a responsible agency under the California Environmental Quality Act ("CEQA"), the Commission, as part of Resolution No. 2655, found and determined, prior to reaching its decision on the Proposal, that the Proposal was exempt CEQA under the State CEQA Guidelines Sections 15320 and 15325(f).

2.2 The Commission finds that it fully discharged its responsibilities under CEQA for the Proposal by its actions in Resolution No. 2655.

## **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 change of organization consisting of dissolution of Del Rio Woods Recreation and Park District. The Affected Territory is generally located north and south of North Fitch Mountain Road, east of the City of Healdsburg, in unincorporated Sonoma County.

3.3 The exterior boundaries of the Affected Territory included in the Proposal are described in Resolution No. 2655.

3.4 The terms and conditions upon the Proposal shall be the terms and conditions specified in Resolution No. 2655.

3.5 The dissolution of the District is proposed because the board of directors of the District resigned in December 2014 under the stated belief and assumption that the County of Sonoma would continue operation of the District facility, the Del Rio Beach and Park, and District assets and property would be transferred to the County. As allowed pursuant to state law, the Board of Supervisors appointed itself as the interim board of directors to oversee continued access to the Del Rio Beach and Park for the local community and the public. The Sonoma County Regional Parks Department was designated to manage the Del Rio Beach and Park and has stated its willingness to continue in this role, assuming it has access to what had been District funding. A series of community meetings and surveys did not result in community members' coming forth to operate the District.

3.6 Pursuant to Section 57102, the Commission finds that the corporate powers of the District have not been used by an independently-elected board of directors since January 1, 2015, and there is a reasonable probability that those powers will not be used in the future.

3.7 The short-form designation for the Proposal is Del Rio Woods Recreation and Park District Dissolution (County of Sonoma).

3.8 The value of written protests filed and not withdrawn is 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 and less than 25 percent of the registered voters residing within the Affected Territory. In such cases, pursuant to Sections 57077.1 and 57102(a)(4), the Cortese-Knox-Hertzberg Act directs the Commission to order the Proposal 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 approved without an election.

3. 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.

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, 575 Administration Drive, Santa Rosa, CA 95403.

**THE FOREGOING RESOLUTION** was introduced at a regular meeting of the Commission on the 6<sup>th</sup> day of April 2016 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

DRAFT