

Draft Resolution

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

April 5, 2023

Amended Resolution of the Local Agency Formation Commission of the County of Sonoma, State of California, Making Findings and Determinations Related to Information Contained in the Municipal Service Review for the South County Territory of County Service Area 40 – Fire Services, a Dependent District of the County of Sonoma, Determining Exemption from the California Environmental Quality Act, and Adopting the Determinations of the Municipal Service Review

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 County Service Area 40 – Fire Services, a subsidiary district of the County of Sonoma (“the Subject Agency”) requested that the Commission prepare a Municipal Service Review (“MSR”) of the District pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Government Code section 56000 et seq. (“the Cortese-Knox-Hertzberg Act”).

1.2 The Executive Officer considered the request and prepared, using consultant services, a Municipal Service Review (“MSR”).

1.3 The Executive Officer determined that the Commission would comply with California Environmental Quality Act (“CEQA”) and the State CEQA Guidelines by acting as the lead agency in its consideration of the MSR. The Executive Officer further determined that the MSR is exempt pursuant to State CEQA Guidelines Sections 15306 and 15061(b)(3).

1.4 Following the preparation of the MSR, the Executive Officer set the matter for consideration by the Commission and provided notice thereof as provided in the Cortese-Knox-Hertzberg Act.

1.5 The Executive Officer considered written comments received on the MSR and prepared a staff report (“the Executive Officer’s Report”) which included a recommendation for the MSR. The Executive Officer furnished copies of the Executive Officer’s Report to all persons entitled to copies under the Cortese-Knox-Hertzberg Act.

1.6 The Commission conducted a noticed public hearing to consider the MSR on March 1, 2023. At the hearing, the Commission heard and received all relevant

oral and written testimony and evidence presented or filed and considered the Executive Officer's Report and the MSR. All interested persons were given the opportunity to hear and be heard. At the conclusion of public testimony, the Commission closed the public hearing and adopted the determinations in the MSR in Resolution 2762.

1.7 At its hearing on March 1, 2023, it was discovered that the CSA 40 territory of Incident Response Plan area 81 (IRP 81) was not included in the analysis and determinations of the MSR. The Commission has reviewed and considered the determinations for the affected territory and this resolution and hereby finds that it accurately sets forth the intentions of the Commission regarding the determinations of the MSR.

2. CEQA Compliance

2.1 The Commission concurs with the Executive Officer and finds that the Commission is the lead agency for the preparation of the MSR pursuant to CEQA and the state CEQA Guidelines.

2.2 The Commission finds and determines that preparation of a Municipal Service Review consists largely of the collection of data and research through reports and/or interviews with those knowledgeable about the Agency studied, resulting in conclusions and recommendations. When such activities "do not result in a serious or major disturbance to an environmental resource," pursuant to Section 15306 of the State CEQA Guidelines, is exempt from CEQA.

2.3 The Commission finds and determines that confirming the Sphere of Influence of the Subject Agency is exempt from CEQA pursuant to Section 15061 (b)(3) of the State CEQA Guidelines, which states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is not a possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

2.3 Confirmation of the Sphere of Influence of the Subject Agency will not result in a physical change to the environment in and of itself. Any future actions for change of organization would be further subject to separate environmental determination.

2.3 The Commission has considered the potential environmental effects of the MSR prior to reaching its decision. The Commission finds that, in doing so, it has fully discharged its responsibilities under CEQA.

3. Cortese-Knox-Hertzberg Act Compliance – Municipal Service Review

3.1 The Cortese-Knox-Hertzberg Act directs LAFCOs to review and update Agency Spheres of influence, as necessary, every five years and further to conduct

municipal service reviews prior to, or in conjunction with such updates. With regard to the southern territories of County Service Area 40 – Fire Services, the Commission makes the following determinations:

3.2 Summary Determinations

3.2.1 The County of Sonoma does not directly provide fire and emergency services to the territories in the southern area. Services are provided by three volunteer fire companies, which are, in turn supported by North Bay Fire, Inc. which receives funding from the County.

3.2.2 North Bay Fire, Inc. is operated under contract by the Gold Ridge Fire Protection District.

3.2.3 The County has embarked on an effort to support reorganizations that would eventually eliminate CSA 40.

3.3 Growth and Population Projections

3.3.1 Although there continues to be modest population growth in the subject territories, an array of other factors drives increasing call volumes.

3.3.2 These factors include an aging population, vehicular traffic volumes, and an increase in reliance on emergency medical services.

3.3.3 Similarly, land use development is a negligible driver of call volume.

3.4 Disadvantaged Unincorporated Communities

3.4.1 There are no LAFCO-designated disadvantaged unincorporated communities within the territories served by the subject agency.

3.5 Capacity and Adequacy of Public Facilities and Services

3.5.1 The three volunteer fire companies providing service to the subject territories report no imminent challenges in maintaining staffing levels or availability. It should be noted that one volunteer company (San Antonio) has disbanded due to a lack of volunteers; that area is now covered by Willmar VFC and the Petaluma Fire Department.

3.5.2 Potential staffing challenges that may arise in the future include a decline in active volunteer ranks and/or declines in volunteer availability during particular shifts/times.

3.5.3 Improvements to stipend programs for volunteers may enable the volunteer companies to address staffing challenges without transitioning fully to career-professional staffing, which the companies and County cannot support financially.

3.5.4 The facilities used in the subject territories are owned by a variety of private and non-profit entities. While minimally sufficient for housing vehicles and equipment, none feature quarters that can house staff. None of the three volunteer fire companies maintain a facility maintenance and improvement financial model.

3.5.5 The equipment used by the volunteer fire companies is generally in good condition, but none of the three volunteer companies maintains a vehicle replacement financial model.

3.6 Financial Ability to Provide Service

3.6.1 The volunteer fire companies providing services in the subject territory require financial support to provide needed services. Historically, the County provided support services through a County-run Fire and Emergency Services Department, but now provides support through a contract with North Bay Fire, Inc.

3.6.2 Sources for funding support services could include redirection of property taxes for fire services collected by the County; supplemental funding from the County, and collection of special taxes (parcel taxes) either through a voter-approval process or through reorganization of the territories into a District with an existing special tax levy.

3.7 Governance and Accountability

3.7.1 County Service Area 40 – Fire Services is a dependent district of the County of Sonoma.

3.7.2 Although the County regularly responds to open meeting, noticing and other accountability inquiries, there have been no instances reported that are directly related to oversight of CSA 40.

3.8 Opportunity for Shared Services

3.8.1 Any proposed reorganizations of the southern CSA 40 territory, or continuation of the existing contractual service arrangement with North Bay Fire, Inc., are unlikely to generate significant cost savings.

3.8.2 There are a variety of options for potentially reorganizing the subject territories.

4.0 Cortese-Knox-Hertzberg Act Compliance – Sphere of Influence

The Commission is confirming County Service Area 40's existing sphere of influence without amendment.

NOW, THEREFORE, based on the foregoing findings and determinations and the record of these proceedings, and pursuant to the Cortese-Knox-Hertzberg Act, 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 Commission has reviewed and considered the information contained in the final MSR for the southern territories of County Service Area 40 – Fire Services.
3. The Commission adopts the determinations made in the MSR.

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 AMENDMENT TO RESOLUTION 2762 was introduced at a regular meeting of the Commission on the 5th day of April 2023 and ordered adopted by the following vote:

Commissioners:

AYES:

NOES:

ABSENT:

WHEREUPON, the Chair declared the foregoing resolution adopted and

SO ORDERED.

Mark Bramfitt, Executive Officer

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

ATTEST:

BY: _____

Clerk