

SONOMA LOCAL AGENCY FORMATION COMMISSION

Item 4.2

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Staff Report

Meeting Date: February 1, 2023

Agenda No. Item 4.2

Agenda Item Title: Protest Proceeding: File No. 2022-03: Northern Sonoma County Fire Protection District Reorganization No. 2022-03 (County Service Area 40) Involving Detachment of County Service Area 40 territory and Annexation of that territory to the Northern Sonoma County Fire Protection District.

Applicant: Northern Sonoma County Fire Protection District

Location: The County Service Area 40 territories include Incident Response Plan area 61 (the Geysers), Incident Response Plan area 63 (Fitch Mountain) and a portion of Incident Response Plan area 64 (Sotoyome).

Environmental Determination: Exemptions pursuant to Sections 15320 and 15061(b)(3) of the State CEQA Guidelines

Staff Contact: Mark Bramfitt

Analysis

Background

At its December 2022 meeting, the Commission approved a proposal for a reorganization of the Northern Sonoma County Fire Protection District involving annexation of territory served by County Service Area 40 in northern Sonoma County and set a protest period that concludes on February 1, 2023.

Staff requests that the Commission conduct a public hearing to receive any testimony from interested parties and, most importantly, to collect any written protests of the reorganization from registered voters or landowners within the reorganization area.

Discussion

In accordance with the provisions of state law, notices of the protest proceeding were mailed to owners of land residing within the reorganization areas. In addition, notice of the protest proceeding was published in the Press-Democrat, and posted on the Commission's website.

Staff has received no landowner protests or voter protests as of January 25, 2023 and anticipates that there will not be sufficient protests to warrant verification of either landowner or registered voter petitions.

As a result, the Commission's order of the reorganization will stand. A draft resolution has been prepared (attached) for the Commission's consideration.

If, however, written protests are delivered to LAFCO prior to the close of the public hearing such that the thresholds listed in state law are reached (25 percent or more of registered voters or 25 percent or more of landowners owning 25 percent or more of the assessed land value within the affected territory), staff would recommend that the Commission seek validation of the protests through the Sonoma County Registrar of Voters and/or the Sonoma County Assessor.

Recommendation

Staff recommends that the Commission conduct a public hearing to receive testimony regarding protests of the Commission's approval to annex portions of County Service Area 40 territory to the Northern Sonoma County Fire Protection District. Registered voters and landowners within the detachment area may file written protest petitions prior to the close of the hearing.

If, as expected, the written protests do not approach the thresholds enumerated in state law, staff recommends that the Commission adopt the attached resolution.

If it appears that written protest petitions may be sufficient to meet the thresholds, staff recommends that the Commission direct staff to undertake activities to determine the validity of petitions.

Attachments

1. Draft Resolution