

Draft Resolution XXXX

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

December 4, 2024

Resolution of the Local Agency Formation Commission of the County of Sonoma, State of California, Disapproving a Proposal for Formation of a Sonoma Mountain Community Services District

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” and “District”) requested that the Commission prepare a Sphere of Influence Study (“SOI Study”) 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 proposal, deemed it complete, and issued a Certificate of Filing.
- 1.3 The Executive Officer set the matter for consideration by the Commission and provided notice thereof as provided in the Cortese-Knox-Hertzberg Act.
- 1.4 The Executive Officer analyzed the Plan for Services submitted by the applicants, sought verification of the validity of signatures on petitions in support of the proposal, and prepared a staff report (“the Executive Officer’s Report”) which included a recommendation for disapproval of the proposal. The Executive Officer furnished copies of the Executive Officer’s Report to all persons entitled to copies under the Cortese-Knox-Hertzberg Act.
- 1.5 The Commission conducted a noticed public hearing to consider the proposal on December 4, 2024. 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. 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 staff recommendation to disapprove the proposal.

1.6 The Commission has reviewed and considered this resolution and hereby finds that it accurately sets forth the intentions of the Commission.

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 SOI Study pursuant to CEQA and the state CEQA Guidelines.

2.2 The Commission finds and determines that denial of a proposal is not subject to the conditions of CEQA.

3. **Cortese-Knox-Hertzberg Act Compliance**

3.1 The Cortese-Knox-Hertzberg Act directs LAFCOs to consider proposals for the formation of independent special districts, and to evaluate the Plan for Service for the District.

3.2 The Commission is authorized to disapprove proposals under the powers enumerated in §56375 of the Cortese-Knox-Hertzberg Act.

3.3 Applicants are barred from submitting a similar proposal involving the same or substantially the same territory for one year per the conditions described in §56884 of the Cortese-Knox-Hertzberg Act.

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 Commission has reviewed and considered the proposal for formation of the Sonoma Mountain Community Services District.
2. The Commission has disapproved the proposal and no further proceedings shall be taken.
3. The applicants are barred from submitting a similar proposal involving the same or substantially the same territory for one year after the adoption of this resolution.

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 RESOLUTION was introduced at a regular meeting of the Commission on the 4th day of December 2024 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