

**SHASTA LOCAL AGENCY FORMATION COMMISSION
LAFCO RESOLUTION 2022-14**

**RESOLUTION OF THE SHASTA LOCAL AGENCY FORMATION COMMISSION
APPROVING SHASTA FIRE PROTECTION DISTRICT FORMATION**

WHEREAS, the Shasta Local Agency Formation Commission (LAFCO), hereinafter referred to as the "Commission", is responsible for formation of special districts pursuant to the Cortese-Knox-Hertzberg (CKH) Local Government Reorganization Act of 2000; and

WHEREAS, a registered voter petition initiating the formation of the Shasta Fire Protection District pursuant to the Fire Protection District Law of 1987 (California Health and Safety Code Section 13800-13970) and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.) was filed with the Shasta Local Agency Formation Commission (LAFCo); and

WHEREAS, the proposal benefits are as follows:

- 1) Operate Station 56 year-around, hire paid personnel and maintain a higher level of service than is currently offered; and
- 2) As a district, make the community eligible to apply for grant funding and access tax revenue that is available to local government entities; and
- 3) Establish a Board of Directors to govern the Fire Protection District.

WHEREAS, new district formation shall be deemed to have been formed upon compliance with the procedure and provisions of CKH Act Section 56125.; and

WHEREAS, The FPD Sphere of Influence boundary to be coterminous with the FPD boundary; and

WHEREAS, the subject territory is inhabited as defined in Government Code Section 56046; and

WHEREAS, the Executive Officer has given notice of the public hearing by the Commission on this matter at the times and in the form and manner provided by law; and

WHEREAS, the Executive Officer has presented to the Commission, a written staff report with determination in the manner provided by law; and

WHEREAS, the Commission heard discussed and considered all evidence for and against the proposal, including but not limited to, the Executive Officer's analysis and proposed conditions and all testimony, correspondence and exhibits received prior to or during this noticed public hearing, all of which are included herein by reference as presented at a public hearing held on October 6, 2022; and

WHEREAS The proposed FPD formation is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)3 because it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment - where the activity is the establishment of a district boundary for a fire service provider, that does not involve development or a change in the manner for which an existing service is provided.

NOW, THEREFORE, IT IS RESOLVED, DETERMINED AND ORDERED as follows:

1. The territory to be formed comprises approximately 7,360 acres and is inhabited.
2. The proposed district formation is assigned the following distinctive short-term designation, "Shasta Fire Protection District" (Shasta FPD).
3. The Commission adopts the determinations regarding consistency with LAFCO policies contained in the staff report and incorporates them by reference herein.
4. The Shasta FPD will be formed pursuant to California Fire Protection District Law of 1987 §13800 – 13970.
5. This district formation includes all territory shown in Exhibit "A". The district boundaries and coterminous SOI, as set forth in the proposal, are hereby approved as shown in Exhibit "A" attached hereto and by this reference incorporated herein.
6. The effective date of formation shall be upon the Certificate of Completion recordation and after completion of all proceedings.
7. The Commission approves Shasta FPD formation, contingent upon the satisfaction of following terms and conditions as determined by the Executive Officer:
 - a. Completion of 30-day reconsideration period provided under GC Section 56895.
 - b. Filing of an annual report regarding use of the tax proceeds as required by GC Section 50075.3.
 - c. Payment of all outstanding LAFCo fees and charges
 - d. A final map and geographic description of the affected territory conforming to State Board of Equalization requirements
 - e. As allowed under GC Section 56107, the Commission authorizes the Executive Officer to make non-substantive corrections to this action.
 - f. Shasta FPD Formation shall be contingent upon:
 - i. Property Tax Revenues. If FPD formed and designated as successor agency following Shasta CSD divestiture, Shasta LAFCO must approve a property tax revenues allocation.
 - ii. Lack of Protests at Protest Proceedings
 - iii. Election to form FPD and select three (3) Board Directors chosen at-large.
 - iv. Transfer of assets from Shasta CSD.
 - v. Funding held/utilized initially at the Shasta County Auditor's.
8. The Executive Officer shall revise the official Commission records to reflect changes to fire services.

THE FOREGOING RESOLUTION was passed and duly adopted at a regular meeting of the Shasta LAFCO Commission on the 6th day of October 2022, and adopted by the following votes:

AYES: Daquisto, Jones, Neutze, Russell, Rickert
NOES: None
ABSTAINS: None
ABSENT: Chimenti, Fust, Haynes

Dated: 10-6-2022


Stan Neutze Vice Chairman
Shasta Local Agency Formation Commission

Attest:
Dated: 10/6/2022


Kathy Bull, LAFCO Manager
Shasta Local Agency Formation Commission

Exhibit A – Shasta FPD map