



RESOLUTION NO. 20-02

APPROVING A SPHERE OF INFLUENCE AMENDMENT AND ANNEXATION OF FIRE SERVICE AREAS SERVED BY SCOTIA, REDCREST, AND SHIVELY VOLUNTEER FIRE COMPANIES TO THE RIO DELL FIRE PROTECTION DISTRICT, AND THE DIVESTITURE OF POWER TO PROVIDE FIRE SERVICES BY THE SCOTIA COMMUNITY SERVICES DISTRICT

WHEREAS, the Humboldt Local Agency Formation Commission, hereinafter referred to as the "Commission," is responsible for regulating boundary changes affecting cities and special districts pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the Rio Dell Fire Protection District, hereinafter referred to as "RDFPD" or "District," filed an application with the Commission by resolution of application; and

WHEREAS, the proposal seeks Commission approval for a sphere of influence amendment and annexation of approximately 11,498 acres (608 parcels) of unincorporated territory outside the District boundary in the Rio Dell, Scotia, Shively, and Redcrest areas; and

WHEREAS, the Scotia Community Services District Board of Directors did adopt Resolution 2020-1 approving divestiture of power to provide fire protection services on February 20, 2020; 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 reviewed available information and prepared a report and recommendations on the proposal, which has been presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public hearing held on May 20, 2020; and

WHEREAS, the Commission considered all the factors required by law under Government Code Section 56668 and adopted local policies and procedures; and

NOW, THEREFORE, BE IT RESOLVED by the Humboldt Local Agency Formation Commission as follows:

1. The Commission's determinations on the proposal incorporate the information and analysis provided in the Executive Officer's written report.
2. The Commission, as Responsible Agency, hereby determines that the proposal is categorically exempt from further review pursuant to CEQA Guidelines Section 15301 (Class 1), Existing Facilities and 15303(d) (Class 3), New Construction or Conversion of Small Structures, which exempts the construction and location of water mains and other utility extensions of reasonable length to serve such construction. This determination is consistent with the exemption approved by RDFPD as lead agency.
3. The Commission approves the annexation of fire service areas served by Scotia, Redcrest, and Shively Volunteer Fire Companies to the RDFPD and the divestiture of power to provide fire services by the Scotia Community Services District, contingent upon the satisfaction of following terms and conditions as determined by the Executive Officer:
 - a) Completion of the 30-day reconsideration period provided under G.C. Section 56895.
 - b) Completion of conducting authority proceedings by Executive Officer.
 - c) Completion of an agreement regarding the exchange of ad valorem property tax between affected agencies pursuant to tax exchange agreement offer number 1 authorized by the Humboldt County Board of Supervisors on April 9, 2019.
 - d) Submittal of a final map and geographic description of the affected territory conforming to the requirements of the State Board of Equalization (Exhibit "A").
 - e) Payment of any outstanding fees as identified in the Commission's adopted fee schedule.
 - f) The Town of Scotia Company LLC. (Scotia Volunteer Fire Company), Redcrest Volunteer Fire Company, and Shively Volunteer Fire Company shall prepare the appropriate documentation for any transfer of fire assets and resources to the RDFPD and provide this documentation to LAFCo staff for review.
 - g) Upon effective date of the proposal, the affected territory will be subject to all previously authorized charges, fees, assessments or taxes that were lawfully enacted by the District for the provision of fire protection services. The affected territory will also be subject to all of the rates, rules, regulations, and ordinances of the District.
4. The proposal is assigned the following distinctive short-term designation:

RDFPD Sphere Amendment, Annexation, and Scotia CSD Divestiture 20-02

5. The Sphere of Influence boundary is hereby amended as depicted on the final map. Future amendments and/or updates of the sphere shall be conducted in accordance with Government Code Sections 56425 and 56430.
6. Pursuant to Government Code Section 56425(e), the Commission makes the written statement of determinations, as described in Exhibit "B".
7. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be filed within one calendar year from the date of approval unless a time extension is approved by the Commission.

PASSED AND ADOPTED at a meeting of the Humboldt Local Agency Formation Commission on the 20th day of May, 2020, by the following roll call vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:
ABSTAIN: Commissioners:

Estelle Fennell, Chair
Humboldt LAFCo

Attest:

Colette Metz Santsche, Executive Officer
Humboldt LAFCo

EXHIBIT A

**MAP AND BOUNDARY DESCRIPTION
RIO DELL FIRE PROTECTION DISTRICT ANNEXATION**

EXHIBIT B

STATEMENT OF DETERMINATIONS RIO DELL FIRE PROTECTION DISTRICT ANNEXATION SPHERE OF INFLUENCE AMENDMENT

The following statement of determinations is prepared pursuant to Government Code Section 56425 and fulfills LAFCo requirements to review and amend the sphere of influence, in conjunction with annexation, of the Rio Dell Fire Protection District (RDFFPD). The sphere is amended to be larger than the district boundary as approved by the Commission on May 20, 2020.

1. The present and planned land uses in the area, including agricultural and open space lands.

The Humboldt County Framework General Plan designates most of the lands included within the district boundaries and non-district response areas (recommended sphere areas) for agricultural, timber, and rural residential development. In addition, territory included within the Carlotta/Hydesville Community Plan, Fortuna Area Community Plan, and Eel River Valley Local Coastal Plan are subject to the land use policies contained in these community plans, in addition to the Framework Plan and Zoning Regulations.

2. The present and probable need for public facilities and services in the area.

There is a present and continued need for fire protection, first responder medical aid, and vehicle accident response services throughout the recommended sphere areas. The District currently provides year-round fire protection and emergency services to their non-district response area even though they are under no obligation to do so.

3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The regional municipal service review for the Eel River Valley, adopted in January 2017, indicates the district's current fire protection services are adequate to meet present community needs while identifying several areas where service needs should to be addressed. The lack of essential training and equipment, the increasing demands and costs of providing services, and the difficulty in recruiting and retaining volunteers are issues for all fire service providers throughout the county. In addition, issues relating to sustainable funding levels and the ability to respond to development outside district boundaries needs to be addressed for local fire service providers in a comprehensive manner. Updating the RDFFPD sphere of influence helps address these needs in a comprehensive manner.

4. The existence of any social or economic communities of interest in the area.

The affected territory within the expanded sphere areas has established strong social and economic interdependencies with the districts because they receive services on a goodwill basis. These ties are affirmed and strengthened by this sphere update.

5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection...the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

While the affected territory within the expanded sphere areas surrounding the District may qualify as "disadvantaged unincorporated communities", the districts have effective mutual and automatic aid agreements with neighboring agencies and are currently providing services to these areas. Therefore, there exists no disadvantaged unincorporated communities that are not already receiving some level of fire protection services in the sphere areas.