

**Sierra County
Board of Supervisors'
Agenda Transmittal &
Record of Proceedings**

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| MEETING DATE: June 16, 2020 | TYPE OF AGENDA ITEM: <input type="checkbox"/> Regular <input checked="" type="checkbox"/> Timed <input type="checkbox"/> Consent |
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| DEPARTMENT: County Service Area 4 APPROVING PARTY: Tim H. Beals, Director of Transportation PHONE NUMBER: 530-289-3201 |
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AGENDA ITEM: Sierra County Board of Supervisors acting as the County Service Area Board of Directors, will hold a public hearing at 1:30 p.m. to consider the formation of a County Service Area Zone within County Service Area 4 to provide an adequate and reliable level of emergency services to the Sierra County communities of Verdi and Long Valley.

SUPPORTIVE DOCUMENTS ATTACHED: Memo Resolution Agreement Other

BACKGROUND INFORMATION:

FUNDING SOURCE:
GENERAL FUND IMPACT: No General Fund Impact
OTHER FUND:
AMOUNT: \$ N/A

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| ARE ADDITIONAL PERSONNEL REQUIRED? <input type="checkbox"/> Yes, -- -- <input checked="" type="checkbox"/> No | IS THIS ITEM ALLOCATED IN THE BUDGET? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IS A BUDGET TRANSFER REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
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SPACE BELOW FOR CLERK'S USE

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| BOARD ACTION: <input type="checkbox"/> Approved <input type="checkbox"/> Approved as amended <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as amended <input type="checkbox"/> Denied <input type="checkbox"/> Other <input type="checkbox"/> No Action Taken | <input type="checkbox"/> Set public hearing For: _____ <input type="checkbox"/> Direction to: _____ <input type="checkbox"/> Referred to: _____ <input type="checkbox"/> Continued to: _____ <input type="checkbox"/> Authorization given to: _____ | Resolution 2020- _____ Agreement 2020- _____ Ordinance _____ Vote: Ayes: Noes: Abstain: Absent: <input type="checkbox"/> By Consensus |
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COMMENTS:

CLERK TO THE BOARD _____ DATE _____

SIERRA COUNTY

Board of Supervisors
P.O. Drawer D
Downieville, California 95936
Telephone (530) 289-3295
Fax (530) 289-2830



NOTICE OF PUBLIC HEARING

SIERRA COUNTY BOARD OF SUPERVISORS ACTING AS THE COUNTY SERVICE AREA BOARD OF DIRECTORS

NOTICE IS HEREBY GIVEN that on Tuesday, June 16, 2020, at 1:30 p.m. or as soon thereafter as the matter may be heard, the Sierra County Board of Supervisors acting as the County Service Area Board of Directors, will hold a public hearing to consider the formation of a County Service Area Zone within County Service Area 4 to provide an adequate and reliable level of emergency services to the Sierra County communities of Verdi and Long Valley. The boundaries of the proposed county service area zone include all lands in Sierra County located east of the boundary line between the Humboldt-Toiyabe National Forest and Tahoe National Forest. Following the public hearing, the Board will consider the approval of the assessment engineering report to support the proposed county service area formation and the basis for a protest hearing under Proposition 218.

The public meeting will be held at the Loyalton Social Hall, Loyalton, CA, unless Governor Newsom's Executive Order pertaining to the COVID-19 pandemic and/or the social distancing guidelines as outlined by the Sierra County Public Health Department are still in effect at that time. In the case of ongoing social distancing, the Board of Supervisors will hold the public hearing via teleconference and attend the meeting from the Board of Supervisors Chambers, Downieville, CA and/or participate remotely to the same extent as if they were present. The Board Chambers will remain closed to the public as they are currently.

If social distancing measures are no longer in effect and the meeting occurs at the Loyalton Social Hall, Loyalton, CA any person wishing to offer testimony on this matter should appear at the public hearing or may submit written comments to the Clerk of the Board in advance of the meeting.

If social distancing measures are in effect and the meeting occurs via teleconference, members of the public may still provide public comment during the hearing, and may submit written comments on this matter by U.S. Mail or email at clerk-recorder@sierracounty.ca.gov. The Board of Supervisors will consider all written comments received prior to the posted hearing date.

Registered voters residing within the proposed zone may file a written protest against the formation of the zone with the Clerk of the Board no later than the close of the public hearing. Written protests may be mailed to the Clerk of the Board, P.O. Box D, Downieville, CA 95936.

If the Board determines that more than 50 percent of the total number of voters residing within the proposed zone have filed written objections to the formation, then the Board shall determine that a majority protest exists and terminate the proceedings.

A copy of the full text of County Service Area Resolution 2020-001 is available for review online at www.sierracounty.ca.gov or can be requested from the Clerk of the Board by phone at (530) 289-3295 or by email at clerk-recorder@sierracounty.ca.gov.

As the date grows closer to the public hearing, please contact the Clerk of the Board at (530) 289-3295 or clerk-recorder@sierracounty.ca.gov for additional information on the location of the meeting, as well as how to provide comments during the public hearing.

If you challenge the proposed action for which this notice is given in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or raised within written correspondence delivered to the agency conducting the hearing at, or prior to, the public hearing.

Posted: May 28, 2020
Published: June 4, 2020

SIERRA COUNTY

Board of Supervisors
P.O. Drawer D
Downieville, California 95936
Telephone (530) 289-3295
Fax (530) 289-2830



UPDATED

NOTICE OF PUBLIC HEARING

SIERRA COUNTY BOARD OF SUPERVISORS ACTING AS THE COUNTY SERVICE AREA BOARD OF DIRECTORS

NOTICE IS HEREBY GIVEN that on **Tuesday, June 16, 2020, at 1:30 p.m.** or as soon thereafter as the matter may be heard, the Sierra County Board of Supervisors acting as the County Service Area Board of Directors, will hold a public hearing to consider the formation of a County Service Area Zone within County Service Area 4 to provide an adequate and reliable level of emergency services to the Sierra County communities of Verdi and Long Valley. The boundaries of the proposed county service area zone include all lands in Sierra County located east of the boundary line between the Humboldt-Toiyabe National Forest and Tahoe National Forest. Following the public hearing, the Board will consider the approval of the assessment engineering report to support the proposed county service area formation and the basis for a protest hearing under Proposition 218.

The Board of Supervisors will hold the public hearing via teleconference and attend the meeting from the Board of Supervisors Chambers, Downieville, CA and/or participate remotely to the same extent as if they were present. The Board Chambers will remain closed to the public as they are currently.

Members of the public may provide public comment during the hearing, and may submit written comments on this matter by U.S. Mail or email at clerk-recorder@sierracounty.ca.gov. The Board of Supervisors will consider all written comments received prior to the posted hearing date.

The public may observe and provide public comments during the hearing by using the WebEx options below:

By Phone: 1-408-418-9388
Access Code: 146 250 4208

By PC: <https://tinyurl.com/061620bos>
Access Code: 146 250 4208

Registered voters residing within the proposed zone may file a written protest against the formation of the zone with the Clerk of the Board no later than the close of the public hearing. Written protests may be mailed to the Clerk of the Board, P.O. Box D, Downieville, CA 95936.

If the Board determines that more than 50 percent of the total number of voters residing within the proposed zone have filed written objections to the formation, then the Board shall determine that a majority protest exists and terminate the proceedings.

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If you challenge the proposed action for which this notice is given in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or raised within written correspondence delivered to the agency conducting the hearing at, or prior to, the public hearing.

Posted: June 9, 2020
Published: June 11, 2020

BOARD OF SUPERVISORS, COUNTY OF SIERRA, STATE OF CALIFORNIA

**IN THE MATTER OF PROPOSING THE FORMATION OF A COUNTY SERVICE
AREA ZONE WITHIN SIERRA COUNTY SERVICE AREA 4**

RESOLUTION 2020-001

WHEREAS, pursuant to the County Service Area Law commencing with Government Code, Section 25210 and following, the Board of Supervisors on June 1, 1956 adopted its Resolution No. 672 establishing County Service Areas 1, 2, 3, 4, and 5 and fixed the boundaries and the services for each of these County Service Areas; and,

WHEREAS, the Board of Supervisors, when it determines it is in the public interest to provide different authorized services, provide different levels of service, provide different authorized facilities, or raise additional revenues within specific areas of a county service area, may form one or more zones as provided in Government Code, Section 25217; and,

WHEREAS, the Sierra County communities of Verdi and Long Valley and properties surrounding these communities are uniquely located along the border between the State of California and the State of Nevada, often sharing common social and economic interests and services with Washoe County, Nevada, and the greater Reno-Sparks Metropolitan area and the growth currently occurring and forecast for Washoe County and the City of Reno along the border of California will create impacts to public services within Sierra County and as a result, providing emergency services to the residents of these two Sierra County communities has become a very high priority; and,

WHEREAS, the Board of Supervisors and the Board of Commissioners of Sierra County Fire Protection District #1 conducted several community meetings in Verdi and in Long Valley soliciting public input over the need for professional emergency services and the requisite funding to support these services and the support from property owners was very strong to proceed with the formation of the county service area zone and funding mechanism; and,

WHEREAS, the Sierra County Board of Supervisors and the Board of Commissioners of Sierra County Fire Protection District #1 have recently conducted negotiations with emergency service agencies within Washoe County, Nevada, to provide professional emergency services to the Sierra County communities of Verdi and Long Valley consistent with levels of service occurring within Washoe County, Nevada, which necessitates the formation of a county service area zone to create the mechanism to create and administer emergency service agreements and to provide the necessary funding for these agreements: and,

WHEREAS, it is the desire and intent of the Board of Supervisors acting as the Board of Directors of County Service Area 4 to form a county service area zone within Sierra County Service Area 4.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors acting as the Board of Directors of County Service Area 4 declares its intention to form a county service area zone within Sierra County Service Area 4 as provided herein:

- 1) The formation of a county service area zone is in the public interest to provide an adequate and reliable level of emergency services to the Sierra County communities of Verdi and Long Valley and the proceeding to propose the formation is made pursuant to the County Service Area Law, Government Code, Section 25210 and following and specifically, Article 8, Section 25217.
- 2) The proposed boundaries of the county service area zone include all lands in Sierra County located east of the boundary line between the Humboldt-Toiyabe National Forest and Tahoe National Forest. The boundary and area of the proposed county service area zone is represented on the map attached hereto as Exhibit 1 and made a part hereof.
- 3) The metes and bounds legal description of the boundaries of the inhabited territory to be included within the proposed county service area zone is attached hereto as Exhibit 2 and made a part hereof.
- 4) The reasons for forming the county service area zone are to protect lives and property by providing a local governmental structure and mechanism to provide emergency services to the residents/property owners within the county service area zone, including a source of funding, both of which provides assurance that emergency services proposed to be provided under the county service area zone will be reliable, equal, consistent, and accessible.
- 5) The authorized services that the county service area zone will provide include fire suppression and emergency medical services, including any required facilities, directly or through service agreements with California and/or Nevada emergency service agencies. The county service area zone will provide a consistent and equal level of service to all properties that are “improved” by means of a residence authorized under a valid building permit issued by Sierra County; by means for any retail or commercial use that is approved under an approved and valid building and zoning permit issued by Sierra County; and by means of any utility or industrial use authorized under an approved zoning and building permit issued by Sierra County. The funding necessary to support the services authorized and implemented under the county service area zone will be an equal charge to all “improved” properties as defined above to augment property tax or mitigation fee contributions from the County of Sierra and/or the Sierra County Fire Protection District #1 implemented through any property tax exchange agreements. A report prepared by a California licensed engineer will analyze and identify the funding streams and funding requirements that will be expected from the “improved” properties as defined above within the boundaries of the county service area zone and a protest hearing under Proposition 218 will be conducted for any charge proposed to be imposed on these “improved” parcels. Once the county service area zone is formed and assessment successfully imposed under Proposition 218, the Board of Supervisors will proceed with the process to repeal the existing special tax in place as imposed by Resolution 2006-063 and dissolve the County Service Area Zone established by Resolution 2004-102 and referred to as “County Service Area 4-Verdi Zone” which affects seven (7) parcels within the community of Verdi.

- 6) The methods by which authorized services, levels of service, or authorized facilities will be financed include a protest hearing involving all "improved" parcels as defined above, conducted consistent with Proposition 218; any mitigation fees currently in place or approved in the future by the voters within the county service area zone; and property tax allocations according to any property tax exchange agreements between the County of Sierra and the Sierra County Fire Protection District #1 to support emergency services within the county service area zone. All "improved" properties as defined above within the county service area zone as of the date of formation, will be assessed equal charges for each "improved" parcel. The county service area zone will maintain a list of "improved" parcels as defined above, and any parcel "improved" as defined above subsequent to the date of formation of the county service area zone shall be enrolled and shall be charged thereafter an annual amount equal to the charges imposed on "improved" parcels that were in existence at the time for county service area zone formation.
- 7) The proposed county service area zone will be referred to as "County Service Area 4, Zone 4B-Verdi and Long Valley Emergency Services".

BE IT FURTHER RESOLVED, that the Board of Supervisors acting as the Board of Directors of County Service Area 4, hereby sets a public hearing for June 16, 2020 at 1:30 p.m. in the Loyalton Social Hall, Loyalton, CA or by teleconference if the Governor's Executive Order pertaining to the COVID-19 pandemic and/or the social distancing guidelines as outlined by the Sierra County Public Health Department are still in effect at that time, on the formation of "Sierra County Service Area 4, Zone 4B-Verdi and Long Valley Emergency Services" and approval of the assessment engineering report to support the proposed formation and the basis for a protest hearing under Proposition 218 and notice of the public hearing shall be published, posted, and mailed as is required by Government Code, Section 25217 (d).

ADOPTED, by the Board of Supervisors of the County of Sierra on this 19th day of May 2020 by the following vote:

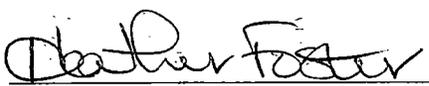
AYES: Supervisors Adams, Huebner, Roen, Dryden and Beard
NOES: None
ABSENT: None
ABSTAIN: None

COUNTY OF SIERRA



Jim Beard
Chairman of the Board of Supervisors
County Service Area Board of Directors

ATTEST:

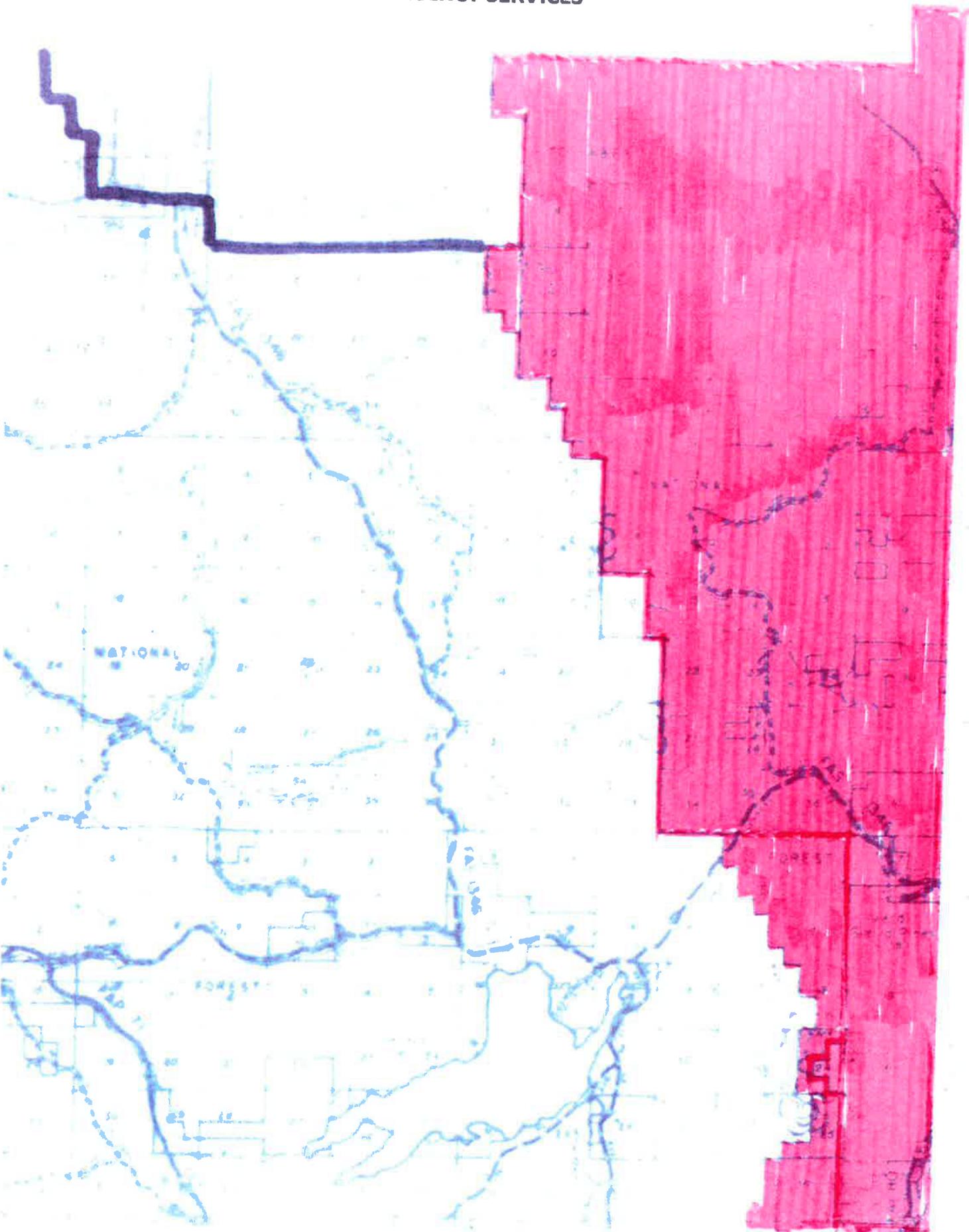


Heather A. Foster
Clerk of the Board

APPROVED AS TO FORM:



David Prentice
County Counsel



County Service Area 4, Zone 4B

Beginning at the Southeast corner of Sierra County at the intersection with the California-Nevada State line; thence Westerly along the South boundary of said Sierra County line to the point of intersection of the centerline of Section 2, T. 18 N., R. 17 E., M.D.B. & M.; thence Northerly along the centerline of Section 2, T. 18 N., R. 17 E., M.D.B. & M. to the North 1/4 corner of said Section 2; thence along the South boundary of T. 19 N., R. 17 E., M.D.B. & M. to the South 1/4 corner of Section 35; thence Northerly along the centerline of said Section 35 to the Northwest corner of the Southwest 1/4 of the Southeast 1/4 of said Section 35; thence Easterly to the Northeast corner of the Southwest 1/4 of the Southeast 1/4 of said Section 35; thence Northerly along the East boundary of the West 1/2 of the East 1/2 of said Section 35 to the Northwest corner of the East 1/2 of the Northeast 1/4 of said Section 35; thence Easterly to the Southeast corner of Section 26, T. 19 N., R. 17 E., M.D.B. & M.; thence Northerly along the East boundary of said Section 26 to the Northeast corner of the Southeast 1/4 of the Southeast 1/4 of said Section 26; thence Easterly along the North boundary of the South 1/2 of the Southwest 1/4 of Section 25, T. 19 N., R. 17 E., M.D.B. & M. to the Northeast corner of the South 1/2 of the Southwest 1/4 of said Section 25; thence Northerly along the centerline of said Section 25 to the North 1/4 corner of said Section 25; thence Westerly along the South boundary of Section 24, T. 19 N., R. 17 E., M.D.B. & M. to the Southwest corner of the East 1/2 of the West 1/2 of said Section 24; thence Northerly along the West boundary of the East 1/2 of the West 1/2 of said Section 24 to the South boundary of Section 13, T. 19 N., R. 17 E., M.D.B. & M.; thence Easterly along the South boundary of said Section 13 to the South 1/4 corner of said Section 13; thence Northerly along the centerline of said Section 13 to the center of said Section 13; thence Westerly along the centerline of said Section 13 to the Southwest corner of the East 1/2 of the Northwest 1/4 of said Section 13; thence Northerly along the West boundary of the East 1/2 of the Northwest 1/4 of said Section 13 to the South boundary of Section 12, T. 19 N., R. 17 E., M.D.B. & M.; thence Westerly along the South boundary of said Section 12 to the East boundary of Section 11, T. 19 N., R. 17 E., M.D.B. & M.; thence Northerly along the East boundary of said Section 11 to the Northeast corner of the Southeast 1/4 of the Southeast 1/4 of said Section 11; thence Westerly along the North boundary of the Southeast 1/4 of the Southeast 1/4 of said Section 11 to the Northwest corner of the Southeast 1/4 of the Southeast 1/4 of said Section 11; thence Northerly along the West boundaries of the Northeast 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Northeast 1/4 of said Section 11 to the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of said Section 11; thence Westerly along the North boundary of the Southwest 1/4 of the Northeast 1/4 of said Section 11 to the centerline of said Section 11; thence Northerly along the centerline of said Section 11 to the South boundary of Section 2, T. 19 N., R. 17 E., M.D.B. & M.; thence Westerly along the South boundary of said Section 2 to the Southeast corner of the West 1/2 of the Southwest 1/4 of said Section 2; thence Northerly along the East boundary of the West 1/2 of the Southwest 1/4 of said Section 2 to the Northeast corner of the West 1/2 of the Southwest 1/4 of said Section 2; thence Westerly along the North boundary of the West 1/2 of the Southwest 1/4 of said Section 2 to the West boundary of said Section 2; thence Northerly along the West boundary of said Section 2 to the Northwest corner of said Section 2, T. 19 N., R. 17 E., M.D.B. & M.; thence Westerly along the South Boundary of T. 20 N., R. 17 E., M.D.B. & M. to the East boundary of Section 33,

May 19, 2020

T. 20 N., R. 17 E., M.D.B. & M.; thence Northerly along the East boundaries of Sections 33, 28, and 21, T. 20 N., R. 17 E., M.D.B. & M. to the Northeast corner of said Section 21; thence Westerly along the North boundary of said Section 21 to the Southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 16, T. 20 N., R. 17 E., M.D.B. & M.; thence Northerly along the West boundary of the East 1/2 of the East 1/2 of said Section 16 to the Northeast corner of the Northwest 1/4 of the Northeast 1/4 of said Section 16; thence Westerly along the North boundary of said Section 16 to the Northwest corner of said Section 16; thence Northerly along the East boundaries of Sections 8 and 5, T. 20 N., R. 17 E., M.D.B. & M. to the Southeast corner of the North 1/2 of the Northeast 1/4 of said Section 5; thence Westerly along the South boundary of the North 1/2 of the Northeast 1/4 to the centerline of said Section 5; thence Northerly along the centerline of said Section 5 to the North 1/4 corner of said Section 5; thence Westerly along the South boundary of T. 21 N., R. 17 E., M.D.B. & M. to the Southwest corner of the East 1/2 of the Southeast 1/4 of Section 31, T. 21 N., R. 17 E., M.D.B. & M.; thence Northerly along the West boundary of the East 1/2 of the Southeast 1/4 of said Section 31 to the Northwest corner of the East 1/2 of the Southeast 1/4 of said Section 31; thence Westerly along the North boundary of the Southeast 1/4 of said Section 31 to the center of said Section 31; thence Northerly along the centerline of said Section 31 to the North 1/4 corner of said Section 31; thence Westerly along the North boundary of said Section 31 to the Southeast corner of Section 25, T. 21 N., R. 16 E., M.D.B. & M.; thence Northerly along the East boundary of said Section 25 to the Southeast corner of the Northeast 1/4 of the Northeast 1/4 of said Section 25; thence Westerly along the South boundary of the Northeast 1/4 of the Northeast 1/4 of said Section 25 to the Southwest corner of the Northeast 1/4 of the Northeast 1/4 of said Section 25; thence Northerly along the West boundary of the Northeast 1/4 of the Northeast 1/4 of said Section 25 to the South boundary of Section 24, T. 21 N., R. 16 E., M.D.B. & M.; thence Westerly along the South boundary of Section 24, T. 21 N., R. 16 E., M.D.B. & M. to the South 1/4 corner of said Section 24; thence Northerly along the centerline of said Section 24 to the North 1/4 corner of said Section 24; thence Easterly along the North boundary of said Section 24 to the Northeast corner of said Section 24; thence Northerly along the East boundaries of Sections 13 and 12, T. 21 N., R. 16 E., M.D.B. & M. to the Southeast corner of Section 1, T. 21 N., R. 16 E., M.D.B. & M.; thence Westerly along the South line of said Section 1 to the South 1/4 corner of said Section 1; thence Northerly along the centerline of said Section 1 at a point on the North Boundary of Sierra County, thence easterly along said North boundary of Sierra County to the Northeast corner of Sierra County also being on the California-Nevada State line; thence Southerly along the East boundary of Sierra County to the Southeast corner of Sierra County, also being the California-Nevada State line, to the Point of Beginning.