

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

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

AGENDA ITEM: Resolution forming County Service Area 4, Zone 4B consistent with the Resolution 2020-001 adopted on May 19, 2020, upon determination that a majority protest does not exist, subject to the approval of the proposed fee that will be considered in a proposition 218 protest hearing set for August 4, 2020.

SUPPORTIVE DOCUMENTS ATTACHED: Memo Resolution Agreement Other

BACKGROUND INFORMATION: Resolution is still under preparation at time of agenda preparation and will be submitted separate from initial submittal.

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

ARE ADDITIONAL PERSONNEL REQUIRED?

 Yes, -- --
 No

IS THIS ITEM ALLOCATED IN THE BUDGET? Yes No

IS A BUDGET TRANSFER REQUIRED? Yes No

SPACE BELOW FOR CLERK'S USE

<p>BOARD ACTION:</p> <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

BOARD OF SUPERVISORS, COUNTY OF SIERRA, STATE OF CALIFORNIA

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

RESOLUTION 2020-___

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 and on May 19, 2020 the Board adopted its Resolution 2020-001 proposing to form this County Service Area Zone within County Service Area 4; and,

WHEREAS, the Board of Supervisors conducted a duly noticed public hearing as required by Government Code, Section 25217, on June 16, 2020 and at this public hearing, the Board heard and considered any protests to the formation of the zone.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors acting as the Board of Directors of County Service Area 4 declares as follows:

- 1) The Board determines that a majority protest does not exist over the proposal to form the County Service Area Zone.
- 2) The Board intends to propose a special fee to partially finance the purposes for forming the County Service Area Zone and should the voters or property owners not approve the proposed funding method, the County Service Area Zone shall not be formed.
- 3) The Board finds that 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.
- 4) The Board hereby approves the formation of the County Service Area Zone and the following provisions are adopted by the Board related to the formation of the new County Service Area Zone:
 - a. 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.
 - b. 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.
 - c. 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.
 - d. 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 has analyzed and identified 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, the engineering assessment report is approved, and the assessment is 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. If the proposed assessment to support the services fails and the property owners do not approve of the proposed funding method, the County Service Area Zone shall not be formed.

- e. 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 existing and approved 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.
- f. The proposed county service area zone will be referred to as “County Service Area 4, Zone 4B-Verdi and Long Valley Emergency Services”.

ADOPTED by the Board of Supervisors of the County of Sierra on this 16th day of June 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

BY:

Jim Beard
Chair of the Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Heather A. Foster
Clerk of the Board

David Prentice
County Counsel