

**Resolution 2018-0003**  
**Sierra Local Agency Formation Commission**  
**Sierra County, California**

**Making Determinations and Approving the**  
**Sierra County Fire Protection District #1 Annexation (LAFCo File 2018-0001)**

**WHEREAS**, an application for the annexation to the Sierra County Fire Protection District #1 of certain territory was filed by the Sierra County Fire Protection District #1 with the Executive Officer of the Sierra Local Agency Formation Commission and said application complied with all the requirements of law and the Commission; and

**WHEREAS**, the proceedings for this annexation are governed by the Cortese-Knox-Hertzberg Local Government Annexation Act, Section 56000 *et seq.* of the Government Code; and

**WHEREAS**, the Sierra County Fire Protection District #1 and the LAFCo Executive Officer has provided notice of this hearing as described under Government Code Sections 56152 through 56159; and

**WHEREAS**, the Executive Officer has received an application consisting of 115,627 **unincorporated** acres more or less east and north of the existing boundary of the Sierra County Fire Protection District #1.

**WHEREAS**, the Executive Officer has reviewed the application and has prepared a report including staff recommendations thereon within the time required by law and has furnished copies of said report to the Commission and to all other persons required by law to receive it; and

**WHEREAS**, the District passed resolution 2018-0001 on July 13, 2018 initiating the annexation of territory consistent with the sphere of influence for the Sierra County Fire Protection District #1; and

**WHEREAS**, at a hearing on November 28, 2018, the Commission considered the proposal and the report of the Executive Officer; the factors determined by the Commission to be relevant to this proposal, including, but not limited to, factors specified in Government Code Section 56668 and the consistency of the proposal with the Commission's policies; and all other relevant evidence and information presented at said hearing, including the comments of all interested parties desiring to be heard;

**NOW, THEREFORE**, the Sierra Local Agency Formation Commission hereby determines the following:

- 1) The subject territory comprises 115,627 **unincorporated** acres more or less in one area including 944 assessor's parcels and is found to be inhabited with 373 registered voters.
- 2) The Commission adopts the determinations regarding consistency with LAFCo Policies contained in the staff report for this project and by this reference incorporates them herein.
- 3) The Commission, as Lead Agency for the purposes of the California Environmental Quality Act (CEQA), hereby recognizes that the proposed annexation territory is currently served by the Sierra County Fire Protection District #1, and would therefore qualify for Categorical Exemption to CEQA under Class 20 (Changes in organization of local agencies where the changes do not change the geographical area in which previously existing powers are exercised). The Commission also determines that there is no substantial evidence, in light of the whole record, that the project may have any significant effect on the environment and no unusual circumstances exist.

- 4) The proposal is consistent with the Sphere of Influence of the Sierra County Fire Protection District #1.

**NOW, THEREFORE**, the Commission resolves and orders the following:

1. The foregoing recitals are true and correct.
2. Said annexation territory is found to be inhabited.
3. In reviewing this application, the Commission finds that more than 1000 mailed notices would have been required and therefore the Commission published a notice pursuant to Gov. Code Section 56157(h).
4. The proposal is approved, subject to terms and conditions as stated herein.
5. The change of organization is assigned the following distinctive short-form designation:

**SCFPD #1 Fire Regional Annexation (Sierra LAFCo File No. 2018-0001)**

6. The change of organization consists of the following jurisdictional change:  
Sierra County Fire Protection District #1 – Annexation of 115,627 unincorporated acres more or less.
7. The boundaries for this Annexation is described and shown are hereby approved as described in *Exhibits A and B* attached hereto and by this reference incorporated herein.
8. The regular county assessment roll will be utilized.
9. No existing bonded indebtedness shall be affected by this Annexation.
10. The County and the SCFPD#1 shall work with the City of Loyalton and with the Sierra Brooks Property Owner's association to identify and inventory fixed assets and to make a plan and meet to transfer assets currently belonging to the County.
11. The LAFCO Executive Officer's Staff Report including attachments and recommendations for approval of the proposal are hereby incorporated by reference and hereby adopted.
12. As authorized by Section 56886 (t) of the Government Code, all previously authorized charges, fees, assessments, and (or) taxes currently levied by the Sierra County Fire Protection District #1 or the County on behalf of the Sierra County Fire Protection District #1 shall be applied to the subject territory upon completion of this annexation.
13. The exchange of property tax revenues will be performed in accordance with Sierra County Resolution #2018-124 pertaining the Sierra County Fire Protection District #1 and concurrent property tax exchange Resolution #2018-4 adopted by the Sierra County Fire Protection District #1 attached hereto as Exhibits C and D respectively.
14. The SCFPD#1 will continue to honor, fund, and implement a services agreement with Truckee Meadows FPD (TMFPD) for Verdi and for Long Valley. Sierra County will no longer be a signatory party to the agreement with TMFPD as service responsibility and payments for services to TMFPD for fire protection, fire suppression, and EMS response will transfer to SCFPD#1.
15. Sierra County shall continue to secure approval of a special County Service Area zone and a special assessment within the zone to fund the costs of the agreement for services with TMFPD for Verdi and for Long Valley to the extent that the cost for the agreement with TMFPD was not covered within the property tax transfer memorialized by resolution of the Board of Supervisors and SCFPD#1

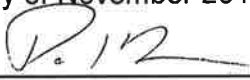
16. SCFPD#1 shall assume responsibility for continuing the scope of fire protection services existing found within two service agreements in effect between the City of Loyalton and County Service Area 5 and County Service Area 4A/5A. Sierra County will be providing to the City of Loyalton its intent to terminate the existing agreements on the basis of the approval by LAFCo of the SCFPD#1 Annexation proceeding which shall have the effect of removing Sierra County from any fiscal or service responsibility for fire protection services. SCFPD#1 shall either negotiate new fire suppression, fire protection, and EMS service agreements to serve the inhabited lands that are described in the approved LAFCo resolution approving the annexation or it shall provide on-site services within the newly annexed areas to provide equal or better levels of fire suppression, fire protection, and EMS services.
17. All costs associated with and incurred or costs to be incurred by all parties to this annexation will be the sole responsibility of the Sierra County Fire Protection District #1 including but not limited to State Board of Equalization Fees, yet to be determined, initial and final mapping charges and administrative charges. Further, all State of California, County of Sierra, Sierra County Fire Protection District #1, and Sierra LAFCo fees will be paid in full prior to the filing of the Certificate of Completion.
18. A metes-and-bounds description and map suitable for filing with the County of Sierra Recorder's office and the State Board of Equalization shall be prepared at the expense of the applicant prior to filing the Certificate of Completion. The map and description shall comply with all requirements of the State Board of Equalization, and if they are rejected by the Board of Equalization or the County of Sierra's Recorder's office, they shall be revised at the expense of the applicant.
19. An Electronic Copy of all maps and the boundary description in PDF format, five large copies (18 by 24 minimum) and two 8 1/2 x 11 reductions of all maps including an index map along with five copies of the final boundary description shall be submitted to LAFCo prior to recordation of the Certificate of Completion.
20. Approval of this change of organization is conditioned upon the applicant's (SCFPD #1) obligation to defend, indemnify, and hold harmless the Sierra Local Agency Formation Commission and its agents, officers and employees from any claim, action or proceeding against the Commission or its agents, officers, and employees; including all costs, attorney's fees, expenses and liabilities incurred in the defense of such claim, action, or proceeding to attack, set aside, or void the approval or determinations of this Commission concerning this change of organization. The Sierra Local Agency Formation Commission shall promptly notify the SCFPD#1) of any such claim, action, or proceeding and be entitled to representation by counsel of its choosing.
21. LAFCo is the conducting authority for this reorganization. In accordance with the provisions of Section 57000 of the Government Code and with Sierra LAFCo Policies, the Commission hereby directs the Executive Officer to schedule a protest hearing for this matter after the expiration of the reconsideration period specified by Government Code Section 56895; to conduct the hearing for this reorganization; and, upon completion of the hearing, to take action as appropriate in accordance with LAFCo Policies and the requirements of Chapter 3, Part 4 of Division 3 of the California Government Code.
22. The Executive Officer is hereby authorized and directed, upon completion of any protest hearing and any subsequent actions if required as a result of such hearing, and upon satisfaction that all applicable fees have been paid and that all applicable conditions have been met, to prepare and file a Certificate of Completion as provided by Section 57200 of the California Government Code and to mail certified copies of this resolution to each affected local agency as provided in Section 56882.

23. Members of the Fire District Board of Commissioners shall be appointed by the Board of Supervisors and shall be increased from 5 Commissioners to 7 Commissioners. Three members of the Board of Commissioners shall reside and be appointed within the annexation territory including one member residing in the Long Valley – Verdi area, one member residing in Sierra Brooks, and one member residing outside of the City of Loyalton including valley ranches, Loyalton Pines, Belli subdivision or senior center. In the event a vacancy cannot be filled in one or more of the specific areas, then the new member(s) shall be appointed from the Regional annexation area as depicted in Exhibit B to this resolution.
24. The Effective Date shall be the date of recordation of the Certificate of Completion.
25. Completion of proceedings shall be concluded within one year after adoption of this resolution. If the proceedings are not concluded within one year after passage of this resolution, all proceedings shall be terminated.

The Sierra Local Agency Formation Commission at a special meeting held on November 28, 2018 by the following roll call vote duly passed the foregoing resolution:

Ayes: Marin, Huebner, Markum, Rowson and Roen  
Noes: -  
Abstentions: -  
Absent: -

Signed and approved by me after its passage this 28<sup>th</sup> day of November 2018.

  
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Paul Roen, Chair,  
Sierra Local Agency Formation Commission

Attest:

  
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Tim Beals, Executive Officer  
Sierra Local Agency Formation Commission