

SHASTA LAFCO
CHANGE OF ORGANIZATION/REORGANIZATION APPLICATION

This application must be completed in full and submitted with any petition or resolution of application to LAFCO for a change of organization or reorganization made pursuant to Government Code Section 56000 et seq.

1. **Nature of Proposal:** Check one of the following. Insert city or district name. If the proposal involves more than one concurrent change (i.e., annexation to one agency, detachment from another), check the appropriate "reorganization" box.

- Annexation only** to a city or special district
Affected city or district: _____
- Detachment only** from a city or special district
Affected city or district: _____
- Reorganization by concurrent** annexation to city, detachment from district(s)
Affected city and district(s): _____
- Reorganization by concurrent** annexation to district, detachment from districts
Affected districts: Fall River Mills & McArthur Fire Protection Districts (FPD)s
- Formation** of special district
Type of district (i.e. CSD, CSA, FPD): _____
- Dissolution** of special district
Name of district: McArthur FPD

2. **Sphere of Influence:** If the proposal is for annexation to a city or district, is the area to be annexed within the sphere of influence of the affected city or district? Yes No. If no, there must be a concurrent sphere of influence amendment action.

3. **Tax Exchange Agreement:** Is the proposal subject to a tax exchange agreement? Yes No. If yes, see Shasta LAFCO's "Application Standards & Document Requirements for compliance information.

4. **Public Agencies in Proposal Area:** List all public agencies – including school districts – whose current jurisdictional boundary or sphere of influence boundary falls within the proposal area. Also note the effect on the proposal on each agency.

<u>Public Agency</u>	<u>Effect of Proposal (i.e. annex, detach, no change)</u>
<u>McArthur FPD</u>	<u>Dissolution</u>
<u>Fall River Mills FPD</u>	<u>Annex</u>
<u>County Service Area #1</u>	<u>Annex</u>
<u>Fall River Valley CSD</u>	<u>NC</u>
<u>Fall River Jt Unified School Dist.</u>	<u>NC</u>
<u>Mayers Memorial Hosp Dist.</u>	<u>NC</u>

5. **Affected Territory is Legally (Check One):**

- Inhabited** (more than 12 registered voters) **Developed**
- Uninhabited** (fewer than 12 registered voters) **Undeveloped**

6. **Characteristics of Affected Area:** Insert totals and check data source.

	Total	Assessor	Election	Field	Other Source:
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	#	/ Auditor	s Dept.	Survey	(Name)
Acres					County GIS
Parcels					County GIS
Inhabitants				X	
Registered Voters			X		
Dwelling Units				X	
Commercial Units				X	
Industrial Units				X	
Assessed Value: Land		X			
Assessed Value: Improvements		X			
Total Assessed Value		X			

7. **General Location of Proposal Area:** Summary statement of general location in relation to nearest major roads and intersections, nearest city or district boundary, and/or other locational landmarks.

Fall River Valley

8. **Present Land Use Characteristics:** Summary statement of current land use and development characteristics, as well as prevalent topographic/geographic characteristics that influence land use and development.

Primarily Residential, with Resource, Commercial Recreation land uses in valley terrain.

9. **Proposed Development:** Summary statement of proposed development in the area, if any, and a statement of when development is expected to begin and/or be completed:

N/A

10. **General Plan and Zoning Designations:** List the current Shasta County General Plan land-use and zoning designations applied to the area, and the total acres under each designation. **Do not use abbreviations.** Attach maps showing the General Plan designations.

<u>General Plan Designation</u>	<u>No./Acres</u>	<u>Zoning Designation</u>	<u>No./Acres</u>
See Map & Table	_____	_____	_____
_____	_____	_____	_____

11. **Pre-Zoning:** For proposals to **annex territory to a city**, §56375 requires that the annexation area be “pre-zoned”. Please list zoning designations that will be applied by the city after annexation. **Do not use abbreviations.** Attach a map depicting the zoning designations and a copy of the ordinance adopting the designations.

<u>Zoning Designation</u>	<u>No. of Acres</u>
See Map	_____
_____	_____

12. **Chief Reasons for Proposal:** An agency resolution of application to LAFCO must include a summary recital of the chief reasons for the proposal (such as the desire by landowners and/or developers to acquire agency services). In the space below, discuss the chief

reasons for the proposal. Identify alternatives and explain why the alternatives are not as feasible as the proposal.

Economies of scale and effective service delivery.

13. **Terms and Conditions:** *For an application by a public agency*, the resolution of application may request terms and conditions on LAFCO's approval. In the section below, list and provide an expanded discussion of the terms and conditions requested in the resolution. If there are no terms and conditions, insert "None Requested".

Transfer of McArthur FPD assets and liabilities to Fall River Mills FPD.

14. **Boundary Modifications:** LAFCO is authorized to modify the boundary of a proposal to include or exclude territory. In the section below, explain how the proposed boundary was determined, the alternatives considered, and what the impacts would be if LAFCO were to modify the boundary. Attach any maps that would support the proposed boundary or would visually depict the impacts of any boundary modification. *(This section is critical to LAFCO's analysis; please provide complete response.)*

Proposed annexation area boundaries are shown on attached figure

15. **Plan for Providing Services (§56653):** Whenever a local agency or school district submits a resolution of application for a change of organization or reorganization, the local agency *shall* submit a plan for providing services within the affected territory. The applicant agency must also *complete the following table and attach a comprehensive narrative that includes the following information:*

- An enumeration and description of the services to be extended to the affected territory.
- The level and range of those services.
- An indication of when those services can feasibly be extended to the affected territory.
- An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.
- Information with respect to how those services will be financed.

(A) Service	(B) Current Provider (e.g. County, Special District, Private, None)	(C) Method to Finance Current Service (See Key)	(D) To be Provided by this Proposal ? (Yes or No)	(E) If Yes to (D), Method to Finance? (See Key)	(F) If Yes to (D), Estimated Date Service Available
Law Enforcement	County		No		
Fire Protection	FPDs		Yes	AD	In place
Streets/Traffic	County		No		
Water	FRV CSD		No		
Sewer	FRV CSD		No		
Power	PG&E		No		
Solid Waste	County		No		
Storm Drains	None		No		

Key: O=Owner; SC=Service Charges; AD=Assessment District; DA=Developer Agreement

16. **Water Service:** Pursuant to §56668(k), LAFCO must now consider, "Timely availability of water supplies adequate for projected needs . . ." Availability of water supply includes the fluid water itself (entitlements) and infrastructure (treatment capacity, storage capacity, regional transmission, and local distribution systems). Adequacy of water also means the ability of the agency to provide water to both existing and proposed development. In the space below, discuss water availability and adequacy in the context of the proposal set forth in this application.

FRV CSD water provider, no change

17. **Sphere of Influence Amendment as a Separate or Concurrent Action:**

- A. **Compliance with §56425(b):** *For an application by a city* for amendment of a city sphere of influence, city and county representatives are required to meet on matters pertaining to the proposed sphere change. (See §56425(b) for specifics.) ***This meeting is to be held at least 30 days prior to submitting an application to LAFCO.*** To verify compliance with the statute, complete the following:

Date(s) of City/County Meeting(s): NA

City/County Agreement: City and County Did Did not enter into an agreement with respect to the proposed sphere of influence boundaries, and development standards and zoning requirements within the proposed sphere. (If an agreement **was** adopted, attach a copy.)

- B. ***For all applications requesting amendment of a local agency sphere of influence,*** either as a single proposal or as a concurrent amendment associated with a proposed boundary change, ***the applicant is to attach a comprehensive narrative description and discussion of each of the following statutory factors:***

- The present and planned land uses in the area to be included in the sphere, including agricultural and open-space lands.
- The present and probable need for public facilities and services in the area.
- The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- The existence of any social or economic communities of interest in the area.

Maps and exhibits depicting the proposed sphere amendment boundary, and the relationship of the proposed sphere boundary to other adjacent sphere boundaries are also to be submitted. As well, it would be helpful to plot on the current sphere boundary map the annexations that have occurred over the past ten years so as to demonstrate agency growth.

If there are any questions with respect to the sphere of influence amendment requirements, applicants are encouraged to contact LAFCO staff **before** preparing the required documentation.

- 18. Evaluation of Landowner Consent:** For applications submitted by a local agency, list each Assessor's Parcel included in the proposal, the number of acres per parcel, the current parcel owner(s), the parcel address, mailing address (if different), whether or not there is a dwelling unit or units on the parcel, number of resident registered voters, and check whether the landowner and/or registered voter has submitted a letter in support of the proposal, or opposed, or has not responded. **Attach copies of all support or opposition letters.** If necessary, continue the list on a separate sheet and attach it immediately following this page. (Example shown in *italics*.)

	Assessor's Parcel No.	No. Acres	Current Owner(s), Parcel Address, Mail Address	No. D.U.*	No. Resident Registered Voters	S*	O*	NR*
	000-000-00	00	<i>Smith, John and Mary 000 Smith Lane P.O. Box (if applicable) City, CA 00000</i>	1	2	x		
1.	See Attached							
2.								
3.								
4.								

* DU = Dwelling Units; S= Support; O=Opposed; NR=No Response

- 19. 100% Consent Applications; Request Waiver of Public Hearing:** Pursuant to §56663, proceedings before LAFCO may be conducted without a public hearing, and Conducting

Authority proceedings may be waived, provided (a) **the applying agency's resolution of application requests a waiver**, and (b) provided the resolution is accompanied by **proof that all of the owners of land within the affected territory have given their written consent** to the proposed change of organization or reorganization. The following is also to be completed and signed if the agency's resolution requests this waiver:

It is hereby certified that the signatures shown on the attached petitions and/or letters represent 100% of the owners of the territory included in the proposal presented in this application. **It is further certified** that these landowners consent to the proposal presented in this application.

Signature: _____


Print _____ **Name/Title:** _____ **Agency:** _____

20. **Executive Officer's Report/Notice of Hearing:** Print or type the name and addresses of three officers or persons **in addition to the chief petitioners and/or clerk of each affected agency** who are to receive copies of the Executive Officer's Report and the notice of the public hearing:

1. _____
2. Ms. Mary Rickert, Supervisor, District 3
3. _____

21. **Certification, Indemnification, Signature: (Part 1)** **Fall River Mills FPD**

1. In signing this document, **it is hereby certified**, that the statements made in this application and the attachments to this application are to the best of my knowledge complete and accurate.
2. The undersigned, as Applicant (agency and/or property owner), **agrees to indemnify, save harmless, and reimburse** LAFCO for all reasonable expenses and attorney fees in connection with the defense of LAFCO and for any damages, penalties, fines or other costs imposed upon or incurred by LAFCO should LAFCO be named as a party in any litigation or administrative proceeding in connection with the application, whether the application is maintained or withdrawn. Applicant further agrees that LAFCO shall have the right to appoint its own counsel to defend it and conduct its own defense in the matter it deems in its best interest, and that LAFCO's taking such actions shall not limit Applicant's obligations to indemnify and reimburse defense costs or relieve Applicant of such obligations.

Signature:  **Phone:** (530) 515-5670

Print Name/Title: E. Scott Gall, Commissioner **e-mail:** SCOTT@fallrivermills.com

Agency: Fall River Mills FPD **Date:** 2-19-20

21. Certification, Indemnification, Signature: (Part 2) McArthur FPD

1. In signing this document, **it is hereby certified**, that the statements made in this application and the attachments to this application are to the best of my knowledge complete and accurate.
2. The undersigned, as Applicant (agency and/or property owner), **agrees to indemnify, save harmless, and reimburse** LAFCO for all reasonable expenses and attorney fees in connection with the defense of LAFCO and for any damages, penalties, fines or other costs imposed upon or incurred by LAFCO should LAFCO be named as a party in any litigation or administrative proceeding in connection with the application, whether the application is maintained or withdrawn. Applicant further agrees that LAFCO shall have the right to appoint its own counsel to defend it and conduct its own defense in the matter it deems in its best interest, and that LAFCO's taking such actions shall not limit Applicant's obligations to indemnify and reimburse defense costs or relieve Applicant of such obligations.

Signature: 

Phone: 530-804-0545

Print Name/Title: Joseph Bruce, President

e-mail: jrbruce@frontier.com

Agency: McArthur FPD

Date: 2/21/20

A RESOLUTION OF APPLICATION BY THE FALL RIVER MILLS FIRE PROTECTION DISTRICT BOARD OF DIRECTORS REQUESTING THE SHASTA LOCAL AGENCY FORMATION COMMISSION INITIATE PROCEEDINGS FOR CONSOLIDATION OF McARTHUR AND FALL RIVER MILLS FIRE PROTECTION DISTRICTS AND THE DISSOLUTION OF THE McARTHUR FIRE PROTECTION DISTRICT

RESOLVED, by the Fall River Fire Protection District Board of Directors, that:

WHEREAS, the Fall River Fire Protection District (herein referred to as "FRM FPD") provides fire protection and emergency response services pursuant to Fire Protection District Law Fire Protection District Law (Health & Safety Code §13800, et seq.) and

WHEREAS, the Fall River FPD and the McArthur Fire Protection District (herein referred to as "McArthur FPD") have studied options for providing more efficient and cost-effective services to the community and concluded that consolidation of the two entities is both feasible and appropriate at this time; and

WHEREAS, Government Code § 56853 establishes that if all districts proposing a consolidation adopt substantially similar resolutions of application, the Local Agency Formation Commissions "LAFCO" shall approve the proposal but may impose mitigating terms and conditions; and

WHEREAS, the Board of Directors of the FRM FPD supports the propose application to Shasta LAFCO to consolidate the McArthur FPD with the FRM FPD; and

WHEREAS, public notice of the proposed consolidation was provided through a legal notice published in the Mountain Echo and Record Searchlight on September 10, 2019; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors as follows:

1. The Board hereby requests that Shasta LAFCO initiate proceedings to consolidate the FRM FPD and the McArthur FPD pursuant to Government Code §56650 et seq., thereby designating the FRM FPD to take responsibility for the services now provided by the McArthur FPD, together with all assets currently held by the McArthur FPD to provide those services and provide for allocation and payment of existing, contingent, and future liabilities.
2. The FRM FPD is serving as Lead Agency for this proposal pursuant to the California Environmental Quality Act (CEQA). Shasta LAFCO is the responsible agency. The FRM FPD finds that the proposal is categorically exempt from CEQA pursuant to CEQA Guidelines §15320, which exempts special district consolidations where changes in organization of local agencies do not change the geographical area in which the previously existing powers are exercised.
3. Pursuant to Government Code §56700(a)(4), the Districts propose that Shasta LAFCO apply the following terms and conditions:
 - a. Request that consolidation's effective date be set subsequent to Commission Hearing, protest proceeding, certificate of completion and State Board of Equalization filing.

- b. The property tax apportionment shall be as negotiated by tax revenue sharing agreement with Shasta County.
 - c. The consolidated Fall River Valley Fire Protection District shall maintain a five-member elected Board of Directors. Residents within the former boundaries of the McArthur FPD shall enjoy full rights to vote for, and serve as, Board of Directors members of the consolidation District.
4. The District staff is authorized and directed to take all actions consistent with this resolution to apply for and process the consolidation request with Shasta LAFCO.

Passed and adopted by the FRM FPD Board of Directors at a special meeting thereof held on October 02, 2019, by the following vote:

AYES: Kathy Ontano, Doug Ontano, Gary Fair, Jay Egg, Scott Bellion
NOES:
ABSTAINS:
ABSENT:

ATTEST:

Melissa Conway
Secretary/General Manager

Date: 10/02/2019

APPROVED:

Kathy Ontano
Board Chair

Date: 10-2-19

Resolution No. 1901

**A RESOLUTION OF APPLICATION BY THE McARTHUR FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS
REQUESTING THE SHASTA LOCAL AGENCY FORMATION COMMISSION INITIATE
PROCEEDINGS FOR CONSOLIDATION OF McARTHUR AND FALL RIVER MILLS FIRE
PROTECTION DISTRICTS AND THE DISSOLUTION OF THE McARTHUR FIRE
PROTECTION DISTRICT**

RESOLVED, by the McArthur Fire Protection District Board of Directors, that:

WHEREAS, the McArthur Fire Protection District (herein referred to as “McArthur FPD”) provides fire protection and emergency response services pursuant to Fire Protection District Law Fire Protection District Law (Health & Safety Code §13800, et seq.) and

WHEREAS, the McArthur FPD and the Fall River Mills Fire Protection District (herein referred to as “FRM FPD”) have studied options for providing more efficient and cost-effective services to the community and concluded that consolidation of the two entities is both feasible and appropriate at this time; and

WHEREAS, Government Code § 56853 establishes that if all districts proposing a consolidation adopt substantially similar resolutions of application, the Local Agency Formation Commissions “LAFCo” shall approve the proposal but may impose mitigating terms and conditions; and

WHEREAS, the Board of Directors of the McArthur FPD supports the propose application to Shasta LAFCO to consolidate the McArthur FPD with the FRM FPD; and

WHEREAS, public notice of the proposed consolidation was provided through a legal notice published in the Mountain Echo and Record Searchlight on September 10, 2019; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors as follows:

1. The Board hereby requests that Shasta LAFCO initiate proceedings to consolidate the McArthur FPD and the FRM FPD pursuant to Government Code §56650 et seq., thereby designating the FRM FPD to take responsibility for the services now provided by the McArthur FPD, together with all assets currently held by the McArthur FPD to provide those services and provide for allocation and payment of existing, contingent and future liabilities.
2. The FRM FPD is serving as Lead Agency for this proposal pursuant to the California Environmental Quality Act (CEQA). Shasta LAFCO is the responsible agency. The FRM FPD finds that the proposal is categorically exempt from CEQA pursuant to CEQA Guidelines §15320, which exempts special district consolidations where changes in organization of local agencies do not change the geographical area in which the previously existing powers are exercised.
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 - c. The consolidated Fall River Valley Fire Protection District shall maintain a five member elected Board of Directors. Residents within the former boundaries of the McArthur FPD shall enjoy full rights to vote for, and serve as, Board of Directors members of the consolidation District.
4. The District staff is authorized and directed to take all actions consistent with this resolution to apply for and process the consolidation request with Shasta LAFCO.

Passed and adopted by the McArthur FPD Board of Directors at a **regular** meeting thereof held on **September 25**, 2019, by the following vote:

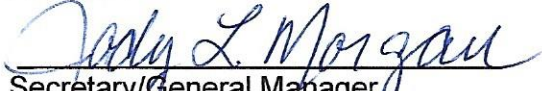
AYES: 3

NOES: 0

ABSTAINS:

ABSENT:

ATTEST:


Secretary/General Manager

Date: 9/25/19

APPROVED:


Board Chair

Date: 9-25-19