

Patrick Jones
County Member

Irwin Fust
Special District Member

Pamelyn Morgan
City Member Alternate

Mary Rickert
County Member Alternate

Stan Neutze
City Member

Brenda Haynes
Special District Member

Mike Dacquisto
City Member



Larry Russell
Public Member

Katharine Ann Campbell
Public Member Alternate

Joe Chimenti
County Member

George Williamson
Executive Officer

Fred Ryness
Special District Alternate

James M. Underwood
General Counsel

Kathy Bull
Manager

Agenda Item: 8.a.

Meeting Date: December 1 2022

From: George Williamson Executive Officer

Subject: Shasta CSD divestiture of fire protection and emergency medical services and successor agency designation – Protest Proceedings

BACKGROUND

The Commission considered and approved with conditions, the Shasta CSD divestiture of fire protection and emergency medical services and successor agency designation on October 6 2022. Prior noticed public hearings had been conducted by the Commission May 19, 2022 with continued hearings on August 4, 2022. and October 6, 2022 to consider a Shasta Fire Protection District (FPD) formation proposal.

DISCUSSION

Per CKH Act Section 57007, Protest proceedings for a district formation shall be conducted by the commission as the conducting authority, and the procedural requirements of this division shall apply and shall prevail in the event of a conflict with the procedural requirements of the principal act of the district proposed to be formed.

The Shasta CSD divestiture of fire protection and emergency medical services and successor agency designation was the subject of one of two (2) Protest Hearings held by the Shasta LAFCO Executive Officer, on Tuesday, November 29, 2022 at 4:00 p.m. at the Shasta Community Services District (CSD) Fire Station #56 located at 10644 High St, Shasta, California,

HEARING #1: Shasta CSD divestiture and successor agency designation

The protest hearing was for the purpose of receiving protests from affected landowners and/or registered voters within the approved Shasta FPD formation area. Protest hearings are typically conducted to determine whether proposals would be confirmed, terminated, or subject to an election based on the number of valid written protests received.

RECOMMENDATION

Receive staff report with hearing outcome based on protests submitted & not withdrawn

Amend Resolution 22-18 with hearing outcome

Take Action on Amended Resolution 22-18.

Attachments:

Exhibit A Affected Territory

LAFCo Resolution 2022-18



Shasta

CSA #1

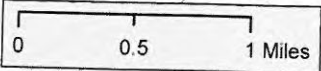
SCFD Company 53
Keswick
(Destroyed in fire)

**PROPOSED SHASTA
FIRE DISTRICT**

Shasta CSD
Fire Station 56

Shasta Station 58

- District Stations
- CAL Fire Stations
- - - Fire Service Areas
- ▭ District Boundary
- - - Sphere of Influence



Shasta Community Services District Fire Service Areas

Figure

**SHASTA LOCAL AGENCY FORMATION COMMISSION
SHASTA LAFCO RESOLUTION 2022-18**

**RESOLUTION OF THE SHASTA LOCAL AGENCY FORMATION COMMISSION
ACTING AS THE CONDUCTING AUTHORITY, FINDING INSUFFICIENT PROTEST,
AND PROCEEDING WITH THE PROPOSED FIRE PROTECTION SERVICES
DIVESTITURE AND SUCCESSOR AGENCY DESIGNATION**

WHEREAS, the Shasta Local Agency Formation Commission, hereinafter referred to as the "Commission," adopted Resolution No. 2022-08 on October 6, 2022, after holding a public hearing, making determinations, and approving the divestiture of fire protection services of the Shasta Community Services District hereinafter referred to as the "Shasta CSD," and designating a successor agency, subject to terms and conditions, in accordance with proceedings taken pursuant to California Government Code Part 3, Division 3, Title 5, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 hereinafter referred to as the "CKH Act", commencing with Section 56037.2; and

WHEREAS, the Commission serves as the conducting authority for proceedings taken pursuant to CKH Act Section 56029. "Conducting authority" means the commission of the principal county, or the commission's executive officer when authorized by the commission, when exercising its responsibility to conduct protest proceedings following approval by the commission of a change of organization or reorganization.

WHEREAS, the Commission, as the conducting authority determines the proposal outcome, confirmed, terminated, or subject to an election based on written protests received from landowners and registered voters within the affected territory; and

WHEREAS, the Commission delegated authority to the Shasta LAFCO Executive Officer to order, hold, and report on conducting authority proceedings pursuant to California Government Code Section 57000(c); and

WHEREAS, the Executive Officer held a public hearing at Shasta CSD Fire Station #56 on November 29, 2022, after providing sufficient notice of the hearing in the form and manner prescribed by law; and

WHEREAS, at said hearing, the Executive Officer summarized the Commission's determinations and conditions included in Shasta LAFCO Resolution 2022-08 provided by reference Exhibit A hereto, and heard and received all oral and written protests, objections, and evidence presented; and

WHEREAS, upon conclusion of the protest hearing, the Executive Officer determined the value of written protests filed and not withdrawn, which consisted of no protests from landowners and registered voters. In such cases, pursuant to California Government Code Section 57075(a)(2), and

WHEREAS, based on the hearing outcome, the Commission confirms the protest proceedings and orders the change of organization or reorganization, subject to conditions.

NOW, THEREFORE, BE IT RESOLVED by the Commission as follows:

1. The Commission, acting as the conducting authority, Divests Shasta CSD of fire protection services and designates the proposed Shasta FPD, once formed, as the successor agency for purposes of providing fire protection and emergency medical services to the affected territory, and succeeding to all rights, duties, and obligations with respect to enforcement, performance, or payment of any outstanding bonds, including revenue bonds, or other contracts and obligations within the territory provided by reference Exhibit B hereto.

THE FOREGOING RESOLUTION was passed and duly adopted at a regular meeting of the Shasta LAFCO Commission on December 1, 2022 by the following votes:

AYES:

NOES:

ABSTAINS:

ABSENT:

Dated: _____

Irwin Fust, Chairman
Shasta Local Agency Formation Commission

Attest:

Dated: _____

Kathy Bull, LAFCO Manager
Shasta Local Agency Formation Commission