

RESOLUTION NO. 2023-_____

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SHASTA
DECLARING THE SHASTA FIRE PROTECTION DISTRICT DULY ORGANIZED UNDER
THE FIRE PROTECTION DISTRICT LAW**

WHEREAS, on December 1, 2022, the Shasta Local Agency Formation Commission (“Shasta LAFCO”) adopted Shasta LAFCO Resolution 2022-19 approving the formation of a new fire protection district, identified as the Shasta Fire Protection District (SFPD), a copy of which is attached and incorporated hereto as Exhibit A; and

WHEREAS, Shasta LAFCO Resolution 2022-19 stated that the SFPD formation shall be subject to the terms and conditions of Shasta LAFCO Resolution 2022-14, a copy of which is attached and incorporated hereto as Exhibit B;

WHEREAS, pursuant to Shasta LAFCO Resolution 2022-14, Shasta LAFCO’s approval of the formation of the SFPD was made contingent upon an election to form the SFPD and to select three (3) Board Directors chosen at-large.

WHEREAS, pursuant to Health and Safety Code section 13823(a) and (b), upon Shasta LAFCO’s approval of the formation of the SFPD, an election for the formation of the district was called by the Board of Supervisors pursuant to Shasta County Resolution 2023-072.

WHEREAS, pursuant to Shasta County Resolution 2023-072, the Shasta County Clerk/Registrar of Voters conducted an election on November 7, 2023, for the formation of the Shasta Fire Protection District and selection of the three members to the SFPD’s Board of Directors.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Shasta, State of California, as follows:

1. The foregoing recitals are true and correct, and the Board so finds and determines.
2. On November 7, 2023, there was a Special Election conducted for the formation of a fire protection district, identified as the Shasta Fire Protection District (SFPD), and for the election of all three members of the SFPD’s Board of Directors, chosen at large, in the territory of the proposed SFPD.
3. The Shasta County Clerk/Registrar of Voters certified the results of election on November 20, 2023, a copy of which is attached and incorporated hereto as Exhibit E.
4. The majority of the votes cast at the election is in favor of forming the district.
5. Board of Supervisors hereby declares the Shasta Fire Protection District duly organized under the Fire Protection District Law of 1987, codified at Health & Safety Code sections 13800 *et seq.*
6. The name of the district is “Shasta Fire Protection District” (SFPD).
7. The SFPD shall be formed for the purposes as identified in the Fire Protection District Law of 1987, codified at Health & Safety Code sections 13800 *et seq.*

8. In accordance with Shasta LAFCO Resolution 2022-14 and Shasta County Resolution 2023-072 the first directors of the SFPD were elected on the November 7, 2023, Special Election. Pursuant to Elections Code 10505, the directors elected at a formation election shall meet as soon as practicable after taking office and classify themselves by lot into two classes, as nearly equal in number as possible, and the terms of office of the class having the greater number (2) shall be four years and the terms of office of the class having the lesser number (1) shall be two years.
9. The boundaries of the proposed Shasta Fire Protection District are identified in Shasta LAFCO Resolution 2022-14, a copy of which is attached and incorporated hereto as Exhibit B.
10. Within five days after adoption of this resolution, a certified copy of this resolution shall be recorded at the Shasta County Recorder's Office. Thereupon, the organization of the district shall be complete.

DULY PASSED AND ADOPTED this 5th day of December, 2023 by the Board of Supervisors of the County of Shasta by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

PATRICK JONES, CHAIR
Board of Supervisors
County of Shasta
State of California

ATTEST:

DAVID J. RICKERT
Clerk of the Board of Supervisors

By _____
Deputy

Exhibit A

**SHASTA LOCAL AGENCY FORMATION COMMISSION
SHASTA LAFCO RESOLUTION 2022-19**

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

WHEREAS, on October 6, 2022 the Shasta Local Agency Formation Commission, hereinafter referred to as the "Commission," conditionally approved the formation of the Shasta Fire Protection District via Resolution No. 2022-14, 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; 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 22-14 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.

Shasta LAFCO Resolution No. 2022-19

December 1, 2022
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NOW, THEREFORE, BE IT RESOLVED by the Commission as follows:

1. The Commission, acting as the conducting authority, hereby determines there is insufficient protest for the Shasta Fire Protection District formation.
2. The Shasta Fire Protection District formation shall be subject to the terms and conditions set forth in Shasta LAFCO Resolution 2022-14 provided in 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: Chimenti, Dequisto, Fust, Haynes, Jones, Neutze, Russell

NOES: None

ABSTAINS: None

ABSENT: None

Dated: 12/1/2022



Irwin Fust, Chairman
Shasta Local Agency Formation Commission

Attest:

Dated: 12/1/2022



Kathy Bull, LAFCO Manager
Shasta Local Agency Formation Commission

Exhibit A – Location
Exhibit B – Shasta LAFCO Resolution 2022-14

Exhibit B

**SHASTA LOCAL AGENCY FORMATION COMMISSION
LAFCO RESOLUTION 2022-14**

**RESOLUTION OF THE SHASTA LOCAL AGENCY FORMATION COMMISSION
APPROVING SHASTA FIRE PROTECTION DISTRICT FORMATION**

WHEREAS, the Shasta Local Agency Formation Commission (LAFCO), hereinafter referred to as the "Commission", is responsible for formation of special districts pursuant to the Cortese-Knox-Hertzberg (CKH) Local Government Reorganization Act of 2000; and

WHEREAS, a registered voter petition initiating the formation of the Shasta Fire Protection District pursuant to the Fire Protection District Law of 1987 (California Health and Safety Code Section 13800-13970) and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.) was filed with the Shasta Local Agency Formation Commission (LAFCO); and

WHEREAS, the proposal benefits are as follows:

- 1) Operate Station 56 year-around, hire paid personnel and maintain a higher level of service than is currently offered; and
- 2) As a district, make the community eligible to apply for grant funding and access tax revenue that is available to local government entities; and
- 3) Establish a Board of Directors to govern the Fire Protection District.

WHEREAS, new district formation shall be deemed to have been formed upon compliance with the procedure and provisions of CKH Act Section 56125.; and

WHEREAS, The FPD Sphere of Influence boundary to be coterminous with the FPD boundary; and

WHEREAS, the subject territory is inhabited as defined in Government Code Section 56046; and

WHEREAS, the Executive Officer has given notice of the public hearing by the Commission on this matter at the times and in the form and manner provided by law; and

WHEREAS, the Executive Officer has presented to the Commission, a written staff report with determination in the manner provided by law; and

WHEREAS, the Commission heard discussed and considered all evidence for and against the proposal, including but not limited to, the Executive Officer's analysis and proposed conditions and all testimony, correspondence and exhibits received prior to or during this noticed public hearing, all of which are included herein by reference as presented at a public hearing held on October 6, 2022; and

WHEREAS The proposed FPD formation is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)3 because it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment - where the activity is the establishment of a district boundary for a fire service provider, that does not involve development or a change in the manner for which an existing service is provided.

NOW, THEREFORE, IT IS RESOLVED, DETERMINED AND ORDERED as follows:

1. The territory to be formed comprises approximately 7,360 acres and is inhabited.
2. The proposed district formation is assigned the following distinctive short-term designation, "Shasta Fire Protection District" (Shasta FPD).
3. The Commission adopts the determinations regarding consistency with LAFCO policies contained in the staff report and incorporates them by reference herein.
4. The Shasta FPD will be formed pursuant to California Fire Protection District Law of 1987 §13800 – 13970.
5. This district formation includes all territory shown in Exhibit "A". The district boundaries and coterminous SOI, as set forth in the proposal, are hereby approved as shown in Exhibit "A" attached hereto and by this reference incorporated herein.
6. The effective date of formation shall be upon the Certificate of Completion recordation and after completion of all proceedings.
7. The Commission approves Shasta FPD formation, contingent upon the satisfaction of following terms and conditions as determined by the Executive Officer:
 - a. Completion of 30-day reconsideration period provided under GC Section 56895.
 - b. Filing of an annual report regarding use of the tax proceeds as required by GC Section 50075.3.
 - c. Payment of all outstanding LAFCo fees and charges
 - d. A final map and geographic description of the affected territory conforming to State Board of Equalization requirements
 - e. As allowed under GC Section 56107, the Commission authorizes the Executive Officer to make non-substantive corrections to this action.
 - f. Shasta FPD Formation shall be contingent upon:
 - i. Property Tax Revenues. If FPD formed and designated as successor agency following Shasta CSD divestiture, Shasta LAFCO must approve a property tax revenues allocation.
 - ii. Lack of Protests at Protest Proceedings
 - iii. Election to form FPD and select three (3) Board Directors chosen at-large.
 - iv. Transfer of assets from Shasta CSD.
 - v. Funding held/utilized initially at the Shasta County Auditor's.
8. The Executive Officer shall revise the official Commission records to reflect changes to fire services.

Shasta LAFCO Resolution No. 2022-14
Shasta Fire Protection District Formation

October 6, 2022
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THE FOREGOING RESOLUTION was passed and duly adopted at a regular meeting of the Shasta LAFCO Commission on the 6th day of October 2022, and adopted by the following votes:

AYES: Oacquiato, Jones, Neutze, Russell, Rickert

NOES: None

ABSTAINS: None

ABSENT: Chimenti, Rust, Haynes

Dated: 10-6-2022


Stan Neutze Vice Chairman
Shasta Local Agency Formation Commission

Attest:

Dated: 10/6/2022


Kathy Bull, LAFCO Manager
Shasta Local Agency Formation Commission

Exhibit A – Shasta FPD map

Exhibit C
Shasta Fire Protection District Boundaries

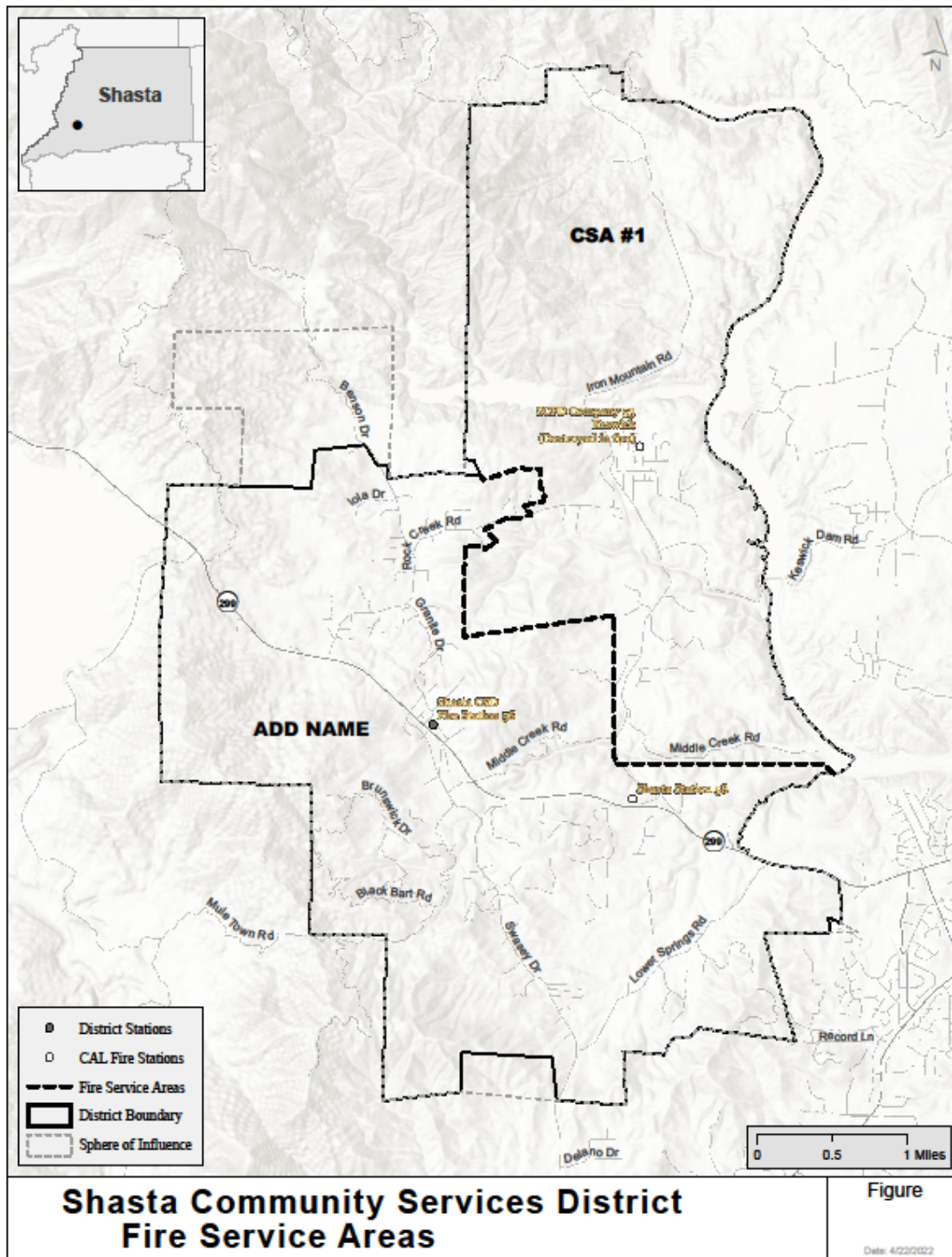


Exhibit D
Shasta County Board of Supervisors Resolution No. 2023-072

RESOLUTION NO. 2023-072

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SHASTA
CALLING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 7, 2023,
TO FORM THE SHASTA FIRE PROTECTION DISTRICT
AND ELECT A BOARD OF DIRECTORS
TO THE SHASTA FIRE PROTECTION DISTRICT**

WHEREAS, on December 1, 2022, the Shasta Local Agency Formation Commission ("Shasta LAFCO") adopted Shasta LAFCO Resolution 2022-19, approving the formation of a new fire protection district, identified as the Shasta Fire Protection District (SFPD), a copy of which is attached and incorporated hereto as Exhibit A; and

WHEREAS, Shasta LAFCO Resolution 2022-19 stated that the SFPD formation shall be subject to the terms and conditions of Shasta LAFCO Resolution 2022-14, a copy of which is attached and incorporated hereto as Exhibit B; and

WHEREAS, pursuant to Shasta LAFCO Resolution 2022-14, Shasta LAFCO's approval of the formation of the SFPD was made contingent upon an election to form the SFPD and to select three (3) Board Directors chosen at-large; and

WHEREAS, pursuant to Health and Safety Code section 13823(a) and (b), upon Shasta LAFCO's approval of the formation of the SFPD, an election for the formation of the district shall be called by the Board of Supervisors and the election shall be held on the next regular election date not less than 113 nor more than 150 days after the date the Board of Supervisors calls and gives notice of the election; and

WHEREAS, pursuant to Health & Safety Code section 13827, and Shasta LAFCO Resolution 2022-14, the election to form the SFPD shall also include an election to select three members to the SFPD's Board of Directors chosen at-large; and

WHEREAS, Elections Code section 1000(e) establishes the first Tuesday after the first Monday in November as a regular election date.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Shasta, State of California, as follows:

1. The foregoing recitals are true and correct, and the Board so finds and determines.
2. The Board of Supervisors hereby calls an election for November 7, 2023, for the formation of a fire protection district, identified as the Shasta Fire Protection District (SFPD), and for the election of all three members of the SFPD's Board of Directors, chosen at-large, to be held in the territory of the proposed SFPD.

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July 11, 2023
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3. The SFPD shall be formed for the purposes as identified in the Fire Protection District Law of 1987, codified at Health & Safety Code sections 13800 *et seq.*
4. In accordance with Shasta LAFCO Resolution 2022-14, the first directors of the SFPD will be elected at this election and will take office if the SFPD is formed.
5. The boundaries of the proposed Shasta Fire Protection District are referenced in Shasta LAFCO Resolution 2022-14, a copy of which was provided by LAFCO and is attached and incorporated hereto as Exhibit B. A copy of a map obtained from LAFCO showing the boundaries of the proposed Shasta Fire Protection District is attached hereto and incorporated herein as Exhibit C.
6. The manner of holding the election and the procedure for voting for and against the questions presented shall be as set forth in the Fire Protection District Law of 1987 (Health & Safety Code sections 13800 *et seq.*) and state law for an election to form a fire protection district.
7. The Shasta County Clerk/Registrar of Voters is directed to assign an appropriate letter to this measure in a manner consistent with Elections Code section 13116.
8. In accordance with section 13119 of the Elections Code, the following measure shall be submitted as a measure on the ballot at said election, and that the County Clerk/Registrar of Voters be, and hereby is, instructed to place the same on the ballot at said election in the following form:

Shall Measure ____ (Formation of Shasta Fire Protection District) be adopted?

This measure establishes a new fire protection district identified as the Shasta Fire Protection District. The new district will provide fire protection services and related services within the district's boundaries.

YES

NO


9. The ballot for said election shall also identify the names of the candidates to be elected to the SFPD Board of Directors should the SFPD be formed.
10. Within five days after adoption of this resolution, a certified copy of this resolution shall be transmitted by registered mail to the Executive Officer of Shasta LAFCO.

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11. The Executive Officer of Shasta LAFCO shall submit an impartial analysis of the proposed district formation to the Shasta County Clerk/Registrar of Voters, pursuant to Health & Safety Code section 13824 .
12. Pursuant to Health & Safety Code section 13887, the expense of the election shall be paid by the County of Shasta if the measure fails. If the formation is approved, the expense shall be a charge against the SFPD and repaid to the County from the first moneys collected by the SFPD.
13. The notice that the election has been called shall be transmitted in accordance with Health & Safety Code section 13824.

DULY PASSED AND ADOPTED this 11th day of July, 2023, by the Board of Supervisors of the County of Shasta by the following vote:

AYES:	Supervisors Rickert, Jones, Kelstrom, Crye, and Garman
NOES:	None
ABSENT:	None
ABSTAIN:	None
RECUSE:	None



PATRICK JONES, CHAIR
Board of Supervisors
County of Shasta
State of California

ATTEST:

DAVID J. RICKERT
Clerk of the Board of Supervisors

By: 

Deputy

Exhibit E

DECLARATION OF ELECTION

Pursuant to California Elections Code, section 15400 and based on the certification of the results of the November 7, 2023, Special Election, the Shasta County Board of Supervisors as the governing board for the Proposed Shasta Fire Protection District, by action taken at its regular meeting on December 5, 2023, hereby declares elected the following persons to the offices shown.

Director, Shasta Fire Protection District	Cynthia MacDonald
Director, Shasta Fire Protection District	Susan G. Weale
Director, Shasta Fire Protection District	Stanley “Rusty” Swayne

The board hereby further declares the results of the following measures voted on at the election.

Measure A (Formations of Shasta Fire Protection District)	Approved
Measure B (Special Tax Measure)	Approved

DULY PASSED AND ADOPTED this 5th day of December, 2023 by the Board of Supervisors of the County of Shasta by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

PATRICK JONES, CHAIR
Board of Supervisors
County of Shasta State of California

ATTEST:

DAVID J. RICKERT
Clerk of the Board of Supervisors

By: _____
Deputy