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Joe Chimenti  
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George Williamson  
Executive Officer

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General Counsel

Kathy Bull  
Manager

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## Agenda Item: 7c.

**Meeting Date:** October 6 2022  
(Continued from August 4 2022 Regular Meeting and May 19, 2022 Special Meeting)

**From:** George Williamson Executive Officer

**Subject:** Shasta Community Services District –Proposed Fire Services Divestiture and Successor Agency Designation from two options: either County Services Area (CSA) #1, Shasta County Fire Department or Shasta Fire Protection District, if approved for formation by the Commission on October 6 with conditions

### **BACKGROUND**

The Commission held a continued public hearing at their August 4, 2022, Regular Meeting continued from a noticed public hearing on May 19, 2022, for the Shasta Community Services District (CSD) Municipal Services Review and Sphere of Influence Update. The MSR and SOI Update was approved by the Commission at that meeting. A second noticed public hearing, conducted by the Commission May 19, 2022, considered the proposed Shasta CSD fire services divestiture and successor agency designation. After considerable public testimony and submission of exhibits, this hearing was continued to August 4, 2022, to allow community members time to propose an independent special district formation. At the August 4 meeting, the application was continued to the October 6 meeting, due to filing of an independent Fire Protection District formation by petition.

### **DISCUSSION**

Shasta LAFCO will continue consideration of the proposed fire services divestiture and designation of successor agency (reorganization) proposal filed by Shasta CSD resolution for the CSD divestiture of fire protection and emergency medical service powers. In addition to the services divestiture, either County Services Area (CSA) #1, Shasta County Fire Department or Shasta Fire Protection District (FPD), if approved for formation by the Commission on October 6 with conditions, would be designated as successor agency. The affected territory is unincorporated, in the southerly portion of the CSD and covering approximately 7,207 acres, or 58% of the District.

The Executive Officer is required to evaluate the following factors when reviewing a services request. The factors are intended to provide the Commission with information about certain topics that are relevant to divestiture of services request. No single factor is determinative. An evaluation of these factors as it relates to the proposed extension of service request follows.

### **Shasta Community Services District – Fire Services Divestiture Review Factors GC § 56668**

**a) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent areas, during the next 10 years.**

The estimated population within the entire District's 12,366 acres is 1,235. The District is entirely unincorporated and subject to the County of Shasta General Plan and associated zoning assignments. No changes to land use or zoning assignments are associated with the proposed reorganization.

The affected territory includes the unincorporated communities of Old Shasta and Keswick, west of the City of Redding and north of the Centerville Community Services District. Projected population growth for the County is 0.2- 0.5% annually. The CSD growth rate is expected to be comparable to Shasta County's and consistent with rural communities in this area of Shasta County. Growth beyond the County rate is not anticipated within the Shasta CSD over the next 10 years. There could be higher growth in the City of Redding to the east, which is not expected to impact fire services provided to the CSD.

**b) The need for municipal services; the present cost and adequacy of municipal services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.**

If CSA #1 is successor agency, it is governed by a five-member County of Shasta Board of Supervisors which oversees– Shasta County Fire Department and the direct provision of fire and emergency response services it provides within the County unincorporated area. The County also provides other municipal services through several dependent special districts – including CSAs – including water, wastewater, and flood control.

If Shasta FPD is successor agency, it would be governed by a three-member independently elected Board of Directors. This proposal affects fire protection and emergency medical service and is the focus of this analysis.

• **Fire Protection and Emergency Medical Service to Affected Territory**

The proposed divestiture of Shasta CSD's fire protection and emergency medical service functions and successor agency designation is intended to sustain and support services in the affected territory. The proposed change in governance authority to either a County-wide CSA or an independent Fire Protection District is expected to maintain existing service relationships with surrounding and adjacent fire agencies – including special districts and cities. Additional details follow.

- Shasta CSD fire protection and emergency medical services have diminished over the last several years. Due to lack of volunteers and staff on disability leave, they're currently not able to respond to incident calls. CSA #1 as successor agency, would continue to provide fire protection and emergency medical service through an existing CalFIRE service agreement. This contract currently staffs CSA # 1 with 42 personnel.

2021 dispatches from CSA #1's closest station, # 58, located in the District, are shown below.

Vegetation Fires	Structure Fires	Other Fires	Medical	Hazmat / FMS	Law Enforcement	Public Assists / Other	Total
150	10	151	531	12	2	49	905

2021 calls to Shasta CSD Station 56, are shown below

Medical	Fire	Responded to	Not Responded to	Responders	Response Time
127	52	107	75	0-6	9.2 Avg

Typical dispatches from a CSA #1 Volunteer Fire Station, are shown below

Vegetation Fires	Structure Fires	Other Fires	Medical	Hazmat / FMS	Law Enforcement	Public Assists / Other	Total
21	4	31	115	3	0	5	179

If the divestiture's is approved the successor agency would provide fire protection and emergency medical services. If CSA #1 is designated, service would be from both Station 56, once volunteers are trained and assigned and from year-around responders at Station 58. The CSA #1 Divestiture Plan for Service also includes keeping Station 56 open year-round. CSA #1 would have additional staff assigned to Station 58, with increased property tax revenue as result of the divestiture. If Shasta FPD is designated, service would be from Station 56, which would be staffed with paid personnel and volunteers, when trained.

- **Law Enforcement**

- The territory is currently served by the Shasta County Sherriff's office.

- **Water**

- Shasta CSD will continue to provide potable water to the entire District and there is adequate water to serve customers within the boundary.

- **Road Maintenance**

- Road maintenance is provided by the County, except for State Route 299, which is maintained by CalTrans.

- **Medical Services**

- The closest medical services are located within the City of Redding.

**c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on local governmental structure.**

Approving the proposal to divest services and designate a successor agency would maintain fire protection and emergency medical service to the affected territory. All aid agreements with other organizations and agencies are not expected to be affected. This includes public safety services within the affected territory and the ability of the Shasta County Sherriff to support emergency responders. Alternative actions are the designation of either CSA #1 or Shasta FPD as successor agency.

**d) The conformity of the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies/priorities set forth in G.C. Section 56377.**

Approving the proposed services divestiture and successor agency designation would respond to diminished response within the affected territory as reported by the CSD and associated need for effective fire protection and emergency medical services. Approval would transition fire protection and emergency medical service responsibilities to the largest provider in the County. The affected territory includes "open-space" as defined under LAFCO law; however, no new growth or development is associated with the proposed reorganization, therefore, no conflicts exist therein under G.C. Section 56377.

**e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by G.C. Section 56016.**

The affected territory does not contain "prime agricultural land" as defined under LAFCO law. However, no new growth or development is associated with the proposed reorganization, therefore, the proposal is not expected to affect maintaining the physical and economic integrity of agricultural lands.

**f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment, the creation of islands or corridors of unincorporated territory, and other similar matters.**

There is territory boundaries definiteness and certainty as shown in Exhibit A. Proposed boundaries are consistent with lines of assessment and would not create any new service islands or corridors of unincorporated territory.

**g) A regional transportation plan adopted pursuant to Section 65080.**

The Shasta County Regional Transportation Plan (RTP) was updated in 2018 and a progress report was finished in 2021 by the Shasta Regional Transportation Agency (SRTA). The RTP is a long-range transportation planning document for Shasta County. As part of the RTP, SRTA developed a Sustainable Communities Strategy (SCS) as required under California Senate Bill 375, the Sustainable Communities and Climate Protection Act of 2008 (SB375) – addressing how the RTP will meet the region’s greenhouse gas (GHG) emissions reduction targets.

**h) Consistency with the city or county general and specific plans.**

The affected territory is entirely unincorporated and subject to the land use designations of the County of Shasta General Plan. No new development, growth, or changes to existing land use or zoning designations are associated with the reorganization.

**i) The sphere of influence of any local agency affected by the proposal.**

The proposed reorganization does not affect the Sphere of Influence (SOI) for the Shasta CSD as documented in the CSD MSR and SOI Update considered by the Commission prior to this proposal.

**j) The comments of any affected local agency or other public agency.**

Staff provided notice of the reorganization proposal to all subject and affected agencies as required under LAFCO law, by Notice of Filing. This included the County of Shasta.

**k) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.**

The Plan for Service identifies financial resources and related information about continuing fire protection and emergency medical functions in the affected territory. The Plan for Service is attached to this staff report

**l) Timely availability of adequate water supplies for projected needs as specified in G.C. Section 65352.5.**

The proposed divestiture and successor agency designation does not involve new development or growth that would require the evaluation of adequate water supplies. The proposal, accordingly, will not have an effect on the timely availability of water supplies.

**m) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments.**

The proposed divestiture and successor agency designation would not impact Shasta County in accommodating their regional housing needs. All potential units tied to the lands within the affected territory are already assigned to the County of Shasta by the region’s council of governments.

**n) Any information or comments from the landowner or owners, voters, or residents of the affected territory.**

The affected territory qualifies as "inhabited" as defined by LAFCO law (containing 11 registered voters or greater). Notice of the proposal and associated public hearing scheduled on May 19th has been published in the Record Searchlight, the newspaper of general circulation. A substantial number of comments were received at the May 19th meeting. Community representatives have indicated they will propose an independent Fire Protection District formation, by registered voter petition. The May 19th hearing was continued to August 4th to continue receiving community comments. The August 4th hearing was continued to October 6th for additional comments and for consideration of the FPD formation.

**o) Any information relating to existing land use designations.**

Please see above analysis for (h). The land use within Shasta CSD includes Commercial (C), National Recreation Area (NRA), Planned Development (PD), Rural Residential (IR, R-R), Mixed Use (MU), Public Facilities (PF), Open Space (OS), and Mineral Resource (MR).

**p) The extent to which the proposal will promote environmental justice.**

As used in this review factor, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. The proposed reorganization does not include locating new public facilities and therefore approval is not anticipated to directly influence the promotion of environmental justice within the affected territory.

**q) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone or maps that identify land determined to be in a state responsibility area, if it is determined that such information is relevant to the affected territory.**

The County of Shasta General Plan contains a hazard mitigation plan for potential fire, flooding, and earthquakes. Portions of the CSD are within high fire hazard zones as shown in the figure on the following page. It is also mapped within a State Responsibility Area with respect to wildland fire protection. Following the divestiture, either CSA #1 or Shasta FPD would assume fire protection and EMS service functions and responsibilities within the affected territory.

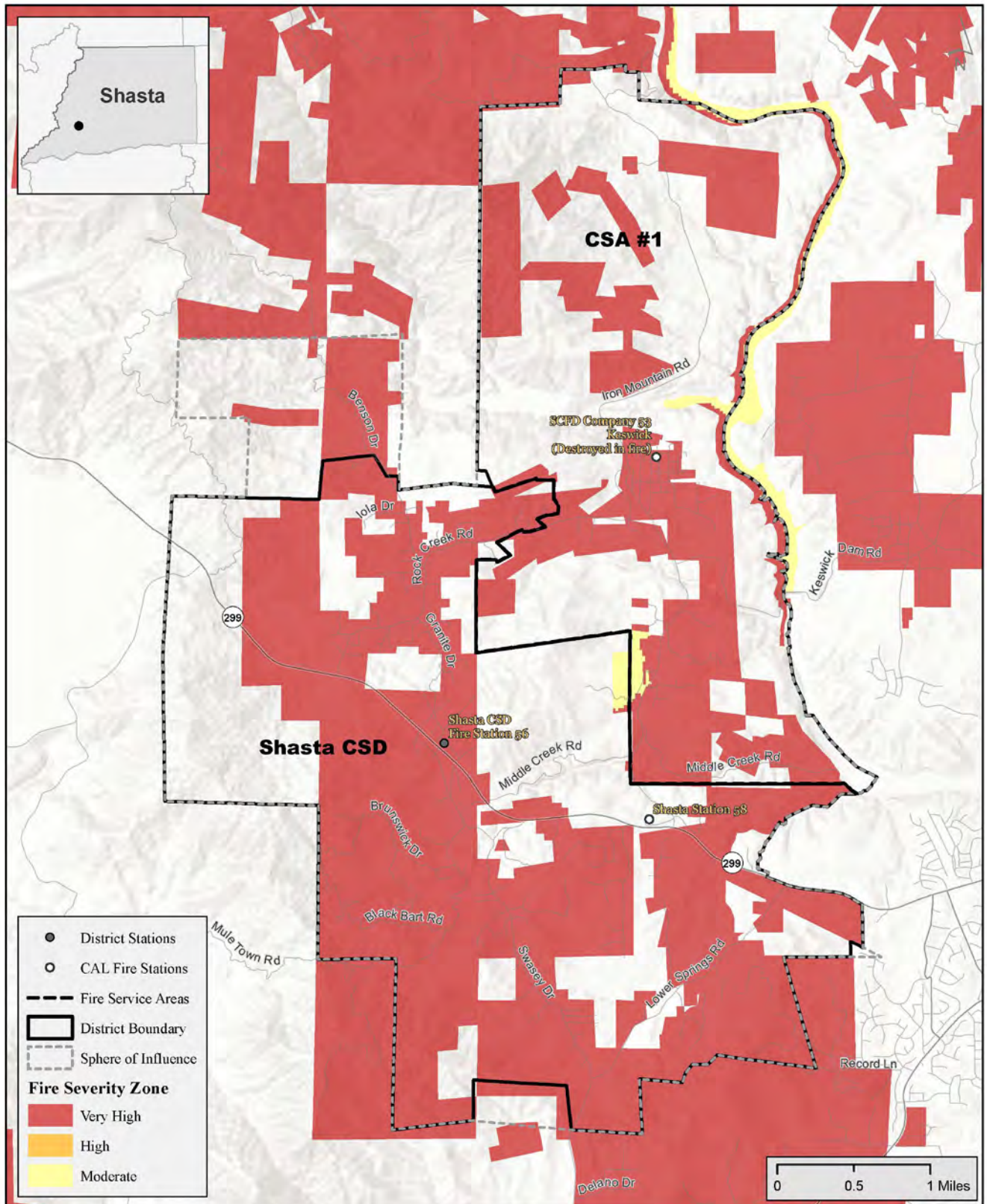
**Statement of Sphere of Influence Determinations GC § 56425**

**(1) The present and planned land uses, including agricultural and open-space lands.**

The affected territory is entirely unincorporated and includes all of Shasta CSD's existing fire protection and emergency medical service area, covering approximately 12,366 acres and identified as the Shasta CSD and CSA #1. The affected territory is subject to the land use designations of the Shasta County General Plan with implementing zoning. No new development or growth is proposed in association with the proposed divest /designation of the successor agency. All present and planned land uses would not be affected by the proposed reorganization and sphere of influence actions.

**(2) The present and probable need for public facilities and services in the area.**

The affected territory contains over 1,235 residents and the successor agency would assume probable fire protection and emergency medical services needs over the approximate 12,366-acre service area.



# Shasta Community Services District Fire Hazard Severity Zones

Figure

Date: 5/11/2022



Sources: Boundaries, Roads, Parcels: Shasta County GIS

**(3) The present capacity of public facilities and adequacy of public services the agency provides or is authorized to provide.**

An evaluation of the Shasta CSD and its present service capacities within the affected territory was completed by Shasta LAFCO as part of a municipal service review. The municipal service review and its capacity assessment, demand, and performance was adopted on May 19,2022.

**(4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.**

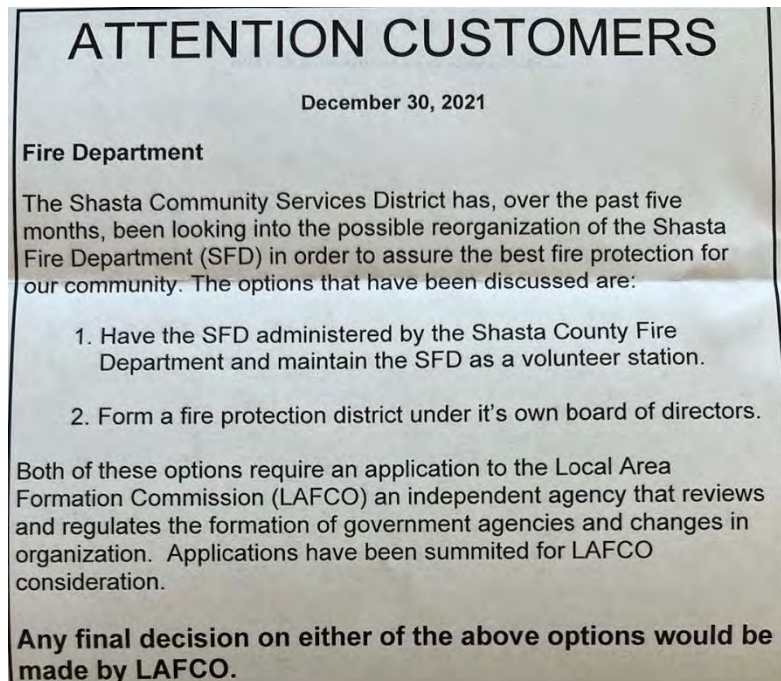
The City of Redding provides a nearby population hub for district residents to shop for goods and services, as well access health services. The proposed change in services is not expected to affect access to, or the availability of, these services.

**(5) The present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.**

Portions of Shasta CSD are located in Community Block Group 060890124001, which has a Median Household Income (MHI) of \$55,957. This is 50 percent of California's reported \$80,440 MHI, thereby qualifying the area as disadvantaged unincorporated community. However, portions of the District do not fall within a disadvantaged community block, tract or place as defined by the California State Department of Water Resources and therefore does not qualify as a DUC.

## NOTICING

The Shasta CSD sent out the following notice to customers in December 2021:



This notice included CSD contact information and website address.

Shasta LAFCO issued a notice of filing to affected agencies when the application was complete. Upon completion of the Property Tax Revenue Agreement between the County and District, Shasta LAFCO issued a Certificate of Filing setting the date for this hearing.

The number of parcels in the affected territory exceeded 1,000 and a 1/8<sup>th</sup> page notice of hearing was published in the Record Searchlight, the newspaper of general circulation, and posted on the Shasta LAFCO website.

## COUNTY SERVICE AREA # 1 – SHASTA COUNTY FIRE DEPARTMENT

CSA # 1 – Shasta County Fire is staffed by the CalFIRE Shasta – Trinity Unit. The Shasta-Trinity Unit and Shasta County Fire Department vision is to provide the highest level of service to the citizens of Shasta

County through the professional abilities of our employees, efficient and cost-effective programs, innovative ideas and methods, technological improvements, and continued development of cooperative relationships.

The mission of the Shasta County Fire Department shall be to stand ready to protect life, property and the environment utilizing trained and equipped personnel. The mission will include structural and wildland fire control, first response medical care, and assistance to other emergency service agencies.

The Shasta-Trinity Unit / Shasta County Fire Department Training Bureau is responsible for the coordination, delivery and documentation of training for all career and volunteer personnel in the Shasta County Fire Department and CAL FIRE Shasta-Trinity Unit. We ensure that all federal, state, local and departmental training mandates, laws and regulations are followed as they pertain to training. Our goal is to assure quality service to the public by developing the skills and abilities of all Shasta County Fire Department's and CAL FIRE Shasta-Trinity Unit's career and volunteer personnel. This is accomplished through training that is efficient, economical, and consistent with the needs of the public, the County of Shasta, the Fire Department, and its members.

The Training Bureau delivers and coordinates various formal and informal training courses to volunteer and career firefighters annually. On average, the Training Bureau supplies over 3000 instructor hours and the members of Shasta County Fire Department participate in over 10,000 hours of training each year.

Source: <https://www.co.shasta.ca.us/index/fire-department/shasta-county-fire-department>

If the divestiture with successor agency designation is approved, a volunteer recruitment program for Station 56 would be the same as for all of Shasta County Fire Department (SCFD) volunteers. Training programs & certifications for Station 56 volunteers would be at the level per the responder's category as described above.

**CSA # 1 Station 58:** This station is staffed year around with both permanent & seasonal staff This is a two engine station funded during fire season by the State of California and during the winter months by Shasta County with an Amador agreement. During the fire season there are 6 permanent year-round personnel and 10 Seasonal firefighting which does not include permanent and seasonal staffing for the dozer. During the winter, the station is funded for one engine per the contract for services with the County which will change the staffing with permanent staffing as other stations close. There are no volunteers at station 58.

Shasta County Fire Departments most recent (FY 2021-22) Schedule C budget is approximately \$3 million, that does not include the Schedule A contract amount. Source: CSA # 1 Shasta County Fire.

## **CKH PROVISIONS FOR PROPOSED DIVESTITURE**

If a CSD seeks to divest itself of a power, and it would require another agency to assume that service provision, the CSD must come to LAFCo first. (§61107)

- (a) If a board of directors desires to divest itself of a power that is authorized pursuant to this chapter and if the termination of that power would require another public agency to provide a new or higher level of services or facilities, the district shall first receive the approval of the local agency formation commission. To the extent feasible, the local agency formation commission shall proceed pursuant to Article 1.5 (commencing with Section 56824.10) of Chapter 5 of Part 3 of Division 3. After receiving the approval of the local agency formation commission, the board of directors may, by ordinance, divest itself of that power.

**56824.10.** Commission proceedings for the exercise of new or different functions or classes of services or divestiture of the power to provide particular functions or classes of services, within all or part of the jurisdictional boundaries of a special district, pursuant to subdivision (b) of Section 56654, may be initiated by a resolution of application in accordance with this article.



**56824.14.** (a) The commission shall review and approve with or without amendments, wholly, partially, or conditionally, or disapprove proposals for the establishment of new or different functions or class of services, or the divestiture of the power to provide particular functions or class of services, within all or part of the jurisdictional boundaries of a special district, after a public hearing called and held for that purpose. The commission shall not approve a proposal for the establishment of new or different functions or class of services within the jurisdictional boundaries of a special district unless the commission determines that the special district will have sufficient revenues to carry out the proposed new or different functions of class of services except as specified in paragraph (1).

(1) The commission may approve a proposal for the establishment of new or different functions or class of services within the jurisdictional boundaries of a special district where the commission has determined that the special district will not have sufficient revenue to provide the proposed new or different functions or class of services, if the commission conditions its approval on the concurrent approval of sufficient revenue sources pursuant to Section 56886. In approving a proposal, the commission shall provide that if the revenue sources pursuant to Section 56886 are not approved, the authority of the special district to provide new or different functions or class of services shall not be established.

(2) Unless otherwise required by the principal act of the subject special district, or unless otherwise required by Section 57075 or 57076, the approval by the commission for establishment of new or different functions or class of services, or the divestiture of the power to provide particular functions or class of services, shall not be subject to an election.

(b) At least 21 days prior to the date of that hearing, the executive officer shall give mailed notice of the hearing to each affected local agency or affected county, and to any interested party who has filed a written request for notice with the executive officer. In addition, at least 21 days prior to the date of that hearing, the executive officer shall cause notice of the hearing to be published in accordance with Section 56153 in a newspaper of general circulation that is circulated within the territory affected by the proposal proposed to be adopted.

(c) The commission may continue from time to time any hearing called pursuant to this section. The commission shall hear and consider oral or written testimony presented by any affected local agency, affected county, or any interested person who appears at any hearing called and held pursuant to this section.

**57000.** (a) After adoption of a resolution making determinations by the commission pursuant to Part 3 (commencing with Section 56650), protest proceedings for a change of organization or reorganization not described in Section 57077 shall be taken pursuant to this part.

### **By Commission**

(b) If a proposal is approved by the commission, with or without amendment, wholly, partially, or conditionally, the commission shall conduct proceedings in accordance with this part. The proceedings shall be conducted and completed pursuant to those provisions that are applicable to the proposal and the territory contained in the proposal as it is approved by the commission. If the commission approves the proposal with modifications or conditions, proceedings shall be conducted and completed in compliance with those modifications or conditions.

### **Delegation of Executive Officer**

(c) Any reference in this part to the commission also means the executive officer for any function that the executive officer will perform pursuant to a delegation of authority from the commission.

### **Protest Proceedings**

Approval of the proposed reorganization would require protest proceedings under Government Code Section 57000. As allowed under State law and further contemplated under local policy, it is recommended the Commission delegate these proceedings to the Executive Officer and hold a noticed hearing to accept

written protest filed by registered voters and/or landowners within the affected territory. The following thresholds would apply in valuing protests and determining next steps:

- Should less than 25% of (a) registered voters and/or (b) landowners holding less than 25% of the assessed value of land within the affected territory file written protests the reorganization will be ordered without an election.
- Should 25% to 50% of (a) registered voters and/or (b) landowners holding 25% to 50% of the assessed value of land within the affected territory file written protests the reorganization will be ordered subject to an election at a future date.
- Should more than 50% of (a) registered voters and/or (b) landowners holding 50% or more of the assessed value of land within the affected territory file written protests the change of organization will be terminated.

Should the Commission proceed with an approval, staff will schedule a protest hearing with the details as to time and place to be determined so as to comply with any physical distancing requirements applicable per state and local orders regarding COVID-19. Notice for the protest hearing would be provided to landowners and registered voters in a manner provided under statute no less than 21-days in advance. Further – and importantly should this apply – all protest forms would need to be signed on or after the date the protest hearing is noticed; signatures dated ahead of the noticing are invalid under statute.

## **OTHER CONSIDERATIONS**

### **Environmental Review**

The proposed reorganization involves fire protection and emergency medical service functions divestiture by Shasta CSD and concurrent successor agency designation for same affected territory. The reorganization proposal is categorically exempt from environmental review under CEQA Guidelines Section 15320(Changes in Organization of Local Agencies) because it would not change the geographic area where previously existing fire protection and emergency medical service powers are provided.

The Commission's SOI Update as proposed in the prior hearing item qualifies for exemption under State CEQA Guidelines Section 15061(b)(3). This exemption appropriately applies given it can be seen that spheres are planning policies and their adoption does not authorize any new uses or services or have the potential for causing a significant effect on the environment.

### **MSR/SOI Update**

A MSR/SOI Update was approved by Commission on May 19<sup>th</sup>, 2022.

### **Tax Revenue Sharing Agreement**

The County of Shasta approved a Property Tax Share Resolution 2022-040, should CSA #1 be the successor agency. The Shasta CSD has passed Property Tax Share Resolutions with both the County (included in prior staff report) and for sharing with FPD if formed (attached to this staff report). Should Shasta FPD be the successor agency a Property Tax Share Resolution would be approved by Shasta LAFCO, pursuant to CKH Act Section 56810 (a) (2) 'If proposal includes district formation the Commission shall, on behalf of the district being formed, negotiate any exchange of property tax revenues.' This is a unique property tax determinations role for the Commission.

## **LAFCO PROCEDURE:**

Commission Hearing – October 6, 2022 (continued from August 4, 2022).

With Commission Action – 30-day reconsideration period – ending November 7, 2022

Protest Proceeding Mailing - Property Owners & Registered Voters – on or about November 11, 2022

Protest Proceeding – on or about November 28, 2022

Commission Adoption of Protest Proceeding – December 1, 2022

## RECOMMENDATION

This item has been placed on Shasta LAFCO's agenda for action as part of a noticed public hearing. The following procedures are recommended in the consideration of this item:

- 1) Receive verbal presentation from staff unless waived.
- 2) Initial questions or clarifications from the Commission.
- 3) Open the hearing and invite comments in the following order:
  - representatives from Shasta CSD, CSA #1 and Shasta FPD
  - other interested parties and the general public
- 4) Discuss item and consider the staff recommendation.

Each of the alternative actions available to Shasta LAFCO can be accomplished with a single motion:

### Alternative One:

Approval of the proposed divestiture of Shasta CSD fire protection and emergency medical service functions and concurrent designation of CSA #1 as the successor agency; the latter including the conveyance of all related powers, assets, and liabilities.

### Alternative Two:

Should the Shasta FPD be formed, divestiture of Shasta CSD fire protection and emergency medical service functions and concurrent designation of Shasta FPD as the successor agency; the latter including the conveyance of all related powers, assets, and liabilities.

After selection of either Alternative 1 of 2:

- (a) Adopt the attached draft resolution conditionally approving the divestiture and successor agency (reorganization) proposal with conditions.
- (b) Direct the Executive Officer to distribute protest forms for both landowners and voters and make them available on the LAFCO website with additional instructions.

### Alternative Three:

Disapprove the reorganization proposal with direction to staff to return at the next regular meeting with a conforming resolution for adoption.

## Conditions

If approved October 6, 2022, the following conditions must be satisfied within one calendar year – or October 6, 2023, unless prior written request for an extension is received and approved by the Commission.

- 1 Completion of the 30-day reconsideration period provided under GC Section 56895.
2. Divesting Agency, Shasta CSD shall transfer fire services assets, including Station 56 and contents, as well as fire service budget reserve funds, to the successor agency as determined by Shasta LAFCo..
3. Successor Agency. CSA # 1 or Shasta FPD shall be determined by Shasta LAFCO to be the successor to Shasta CSD for purposes of providing fire protection and emergency medical services and succeeding to all of the rights, duties, and obligations with respect to enforcement, performance, or other contracts and obligations, as determined by Shasta LAFCO, within the affected territory previously served by Shasta CSD.

4. Property Tax Revenues. Upon the effective date, designated property tax revenues shall be transferred to the successor agency as agreed to by the County Board of Supervisors if CSA #1 is determined by the Commission to be the successor agency; or by Shasta LAFCO if the proposed Shasta FPD is determined by the Commission to be the successor agency and the Shasta Community Services District, by Property Tax Revenue Agreement Resolutions approved by the approving agencies.

5. The written statements of the Commission addressing the mandatory factors required for consideration of the proposal, per GC Section 56425 are adopted and incorporated into Shasta LAFCO Resolution 2022-08 by reference

6. The population in the affected territory is sufficient to it to be considered inhabited as defined in GC Section 56046.

7. The Commission delegates to the Executive Officer the performing of conducting authority proceeding requirements under GC Section 57000

8. As allowed under GC Section 56107, the Commission authorizes the Executive Officer to make non-substantive corrections to address any technical defect, error, irregularity, or omission related to this action.

**Attachments:**

Plan for Services

Shasta CSD Resolution 22-02

Shasta LAFCO Fire Services Divestiture Resolution 2022-08

## **Shasta Community Services District Fire Services Divestiture Plan for Services**

A plan for services (required by Government Code § 56653) shall, at minimum, respond to each of the following questions and be signed by the proponents of the change.

1. A description of the level and range of fire and emergency response services to be provided to the territory by County Service Area (CSA) #1, Shasta County Fire as successor agency.

The Shasta Community Services District (CSD) Fire Department currently serves the south western portion of the CSD. CSA # 1 provides fire services to the Keswick area of the district, which was annexed into the Shasta CSD in 2019. This Plan for Services addresses the proposed divestiture of fire services in the southwestern portion of the Shasta CSD, and CSA #1 taking over those services as the successor agency.

The Shasta CSD Fire Department has responded to a range of service calls including wildland and structure fires, traffic collisions, emergency medical, hazmat, and public service. Average response time within the district boundary was 9 minutes. In 2021 there were a total of 182 calls to the Shasta CSD Fire Department. Of these, 72% were for emergency medical and 28% were for fires. Of the 182 calls 42% had no response from the Shasta CSD Fire Department. From January 1, 2021 to June 30, 2021 29% of the calls had no response. From July 1, 2021 to December 31, 2021 the calls that had no response rose to 51%. Shasta CSD currently has one staffed firefighter which is the only person responding to calls.

The CSA #1 services are proposed to include those services stated above and is anticipated to maintain the same level of service. Communities served by CSA #1 would include Old Shasta, Keswick and surrounding areas.

Response time is anticipated to be different, due to various factors, including response from the closest available paid staff, ensuring that the closest resource is always dispatched. CSA # 1 STATION 58 will have a full-time paid staff ready to respond to all type emergencies with roughly 5-7 min response to the heart of the district.

The Shasta CSD Fire Station has sleeping quarters for two individuals, a full bathroom including showers, a full kitchen, and a four-bay garage. The vehicles consist of three fire engines, two water tenders, one rescue vehicle and two utility vehicles. The fire station and vehicles would be transferred to Shasta County Fire with an estimated total value of \$600,000.

The Successor Agency for fire services to area currently served by the Shasta CSD Fire Department shall be known as the:

**County Service Area #1, Shasta County Fire.**

2. An indication of when the service would be extended to the territory.

The application for divestiture of fire services from Shasta CSD was received on December 14 2021. The application was deemed incomplete pending this Plan for Services. Once complete, a property tax revenue sharing agreement with Shasta County will be required. Based on consultation with Shasta LAFCo staff it is anticipated that the application could be reviewed and processed within 60 days of a Shasta County Board of Supervisors property tax sharing resolution. Transfer of property would take place within one year of Commission approval of fire services divestiture. It is therefore anticipated that designation of CSA # 1 as successor agency would be complete within one year of Commission approval as well. There is no service interruption proposed within the service boundary.

3. An identification of any improvements, structures, other infrastructure, or other conditions the district would need to serve the territory.

CSA #1 has 24 equipped fire stations, the closest of which is located at 16064 Homestake Road next to the Highway 299 / Iron Mountain Road intersection. That station and equipment are considered to be in great condition.

The Shasta CSD fire station was originally built in 1962, and an addition to the west end was added in the mid-1970s. The station does need a new roof and has started leaking this Winter.

Shasta CSD has had a difficult time recruiting Volunteer Firefighters over the past several years. There is currently one paid firefighter that is responding to calls. Shasta CSD does not have any volunteer firefighters that are responding to calls at this time.

4. The estimated cost of services and description of how services or required improvements will be financed. A revenues sufficiency discussion for the successor agency service is also required.

The Shasta CSD provides water services to the entire district, and fire services to the southwesterly portion of the district. The CSD Fire Services Budget is shown below. In the past, the Shasta CSD Fire Services Budget consisted of property taxes and strike team fire services revenue. The Shasta CSD Fire Department is no longer able to provide strike team fire services and the budget now consists of the property tax revenue only.

It is anticipated that the CSA # 1 will receive all of district's tax revenue other than the portion that was allocated for water coming from the CSA # 25 water annexation, and all of the fund balance which will provide the revenue source to provide fire protection in place of the Shasta CSD.

<b>Revenue</b>	Proposed 2021-2022	Actual 2020-2021	Actual 2019-2020	Actual 2018-2019
Shasta CSD	\$255,500	\$500,844	\$269,931	\$615,533
CSA # 1	\$3,053,468	\$5,148,534	\$3,843,247	\$4,686,210
<b>Total</b>	<b>\$3,308,968</b>	<b>\$5,649,378</b>	<b>\$4,113,178</b>	<b>\$5,301,743</b>
<b>Expenses</b>				
Shasta CSD	\$292,005	\$415,111	\$320,462	\$373,322
CSA # 1	\$3,148,888	\$3,522,568	\$3,860,364	\$5,318,151
<b>Total</b>	<b>\$3,440,893</b>	<b>\$3,937,679</b>	<b>\$4,188,826</b>	<b>\$5,696,473</b>
Surplus (Deficit)	(\$131,925)	\$1,711,699	(\$67,648)	(\$389,730)

5. An indication of whether the territory is or will be proposed for inclusion.

A map of the proposed fire services is attached.

6. Outline of the proposed governing body structure and, at a minimum, a projected five-year budget for revenues and expenditures. The budget presented will need to indicate the source and amount of revenues and expenditures based upon services to be provided. Note any "share" of property tax revenues generated within the district boundaries. Identify any additional revenue source for any projected budget shortfall.

The CSA # 1 oversight is provided by the five-members of Shasta County Board of Supervisors that meet weekly. The Board of Supervisors are elected at large from within the County boundary.

Operating costs for service area is anticipated to be roughly \$400,000, while revenue is expected to be 100% of the tax revenue from the Shasta CSD.

The combined district will have revenue from taxes.

**Shasta CSD**

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Board of Directors

**CSA #1**

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Board of Supervisors

**RESOLUTION NO. 2022-02**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SHASTA COMMUNITY SERVICES DISTRICT ESTABLISHING A PROPERTY TAX EXCHANGE RELATED TO THE SHASTA COMMUNITY SERVICES DISTRICT AND THE SHASTA FIRE PROTECTION DISTRICT FIRE SERVICES DIVESTITURE AND DESIGNATION OF SUCCESSOR AGENCY**

**WHEREAS**, Revenue and Taxation Code Section 99, as amended, provides for the affected agencies to determine an appropriate property tax transfer for all jurisdictional changes of organizations occurring within Shasta County prior to the proposal being considered by the Shasta Local Agency Formation Commission (“LAFCO”); and

**WHEREAS**, in the event that a jurisdictional change would affect the service area or service responsibility of one or more special districts, the Board of Supervisors of the County in which districts are located shall, on behalf of the districts, negotiate any exchange of property tax revenues; and

**WHEREAS**, the Shasta Fire Protection District submitted an application to Shasta LAFCO for a reorganization that would transfer fire services to the Shasta Fire Protection District, which is inside the Shasta Community Services District (CSD) Sphere of Influence (the “Divestiture”); and

**WHEREAS**, a map showing the proposed service area to be divested and transferred to Shasta Fire Protection District is attached as Exhibit A; and

**WHEREAS**, the phrase “area of Divestiture” shall refer to the areas to be transferred to Shasta Fire Protection District; and

**WHEREAS**, the current distribution of property taxes for the affected properties within the area of the Divestiture has been determined and provided to each affected agency; and

**WHEREAS**, by law, the Board of Supervisors shall determine the distribution of property tax revenues in the area of Divestiture among the affected special districts, after having provided notice and an opportunity to comment to the affected special districts.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, THAT THE Board of supervisors of the County of Shasta **DOES HEREBY ESTABLISH** the following distribution of property taxes generated in the area of the Divestiture after the effective date of the Divestiture:



1. Base Year Property Tax Revenue, as defined by the Revenue & Taxation Code, shall be distributed as follows:
  - a. To Shasta Fire Protection District, 90.94% of the 2021 base year property tax revenue allocated to the Shasta CSD, after final approval from the Board of Equalization of the tax sharing agreement previously approved pursuant to Resolution 2019-009, pursuant to the Tax Rate Allocation Factors established by law.
  - b. To Shasta CSD 9.06% of the 2021 base year property tax revenue allocated to the Shasta CSD, after final approval from the Board of Equalization of the tax sharing agreement previously approved pursuant to Resolution 2019-009, pursuant to the Tax Rate Allocation Factors established by law.
  - c. No other Base Year Property Tax Revenues shall be changed or otherwise impacted by this resolution.
  
2. Annual Property Tax Increment Revenue, as defined by the Revenue & Taxation Code, shall be distributed as follows:
  - a. To Shasta Fire Protection District, 94.65% of the 2021 and future annual property tax increment revenue allocated to the Shasta CSD, after approval from Board of Equalization of the tax sharing agreement previously approved pursuant to Resolution 2019-009, pursuant to the Tax Rate Allocation Factors established by law.
  - b. To Shasta CSD, 5.35% of the 2021 and future annual property tax increment revenue allocated to the Shasta CSD, after final approval from the Board of Equalization of the tax sharing agreement previously approved pursuant to resolution 2019-009, pursuant to the Tax Rate Allocation Factors established by law.  
No other Property Tax Increment Factors shall be changed or otherwise impacted by this resolution.

Resolution No. 2022-02

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**BE IT FURTHER RESOLVED** the County Executive Officer, to the extent permissible by law, is hereby authorized to sign any documents pertaining to implementation of this resolution and to act as Board of Supervisors representative in the above related tax exchange matter.


**DULY PASSED AND ADOPTED** this 15<sup>th</sup> day of June 2022 by the Board of Directors of the Shasta Community Services District by the following vote:

AYES: President Brent Lemler, Vice President Karen Preisser, Director David Cross, Director Jane Heinan, Director Shawna Staup

NOES: None

ABSENT: All board members were present

RECLUSE: None



\_\_\_\_\_  
Brent Lemler, President  
Board of Directors  
Shasta Community Services District

ATTEST:

David C. Clark  
Secretary of the Board of Directors

By



**SHASTA LOCAL AGENCY FORMATION COMMISSION  
LAFCO RESOLUTION 2022-08**

**RESOLUTION OF THE SHASTA LOCAL AGENCY FORMATION COMMISSION  
APPROVING THE SHASTA COMMUNITY SERVICES DISTRICT  
PROPOSED FIRE SERVICES DIVESTITURE AND SUCCESSOR AGENCY DESIGNATION**

**WHEREAS**, the Shasta Local Agency Formation Commission (LAFCO), hereinafter referred to as the “Commission”, is responsible for regulating boundary changes affecting cities and special districts pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

**WHEREAS**, the Shasta Community Services District (CSD), hereinafter referred to as “Shasta CSD” filed an application with the Commission by resolution of 2021-4 approving the application to rescind fire services and close operations of the Shasta Fire Department and name a successor agency on November 17, 2021; and

**WHEREAS**, the proposal seeks Commission approval for fire services divestiture and successor agency designation; and

**WHEREAS**, in the event that a jurisdictional change would affect the service area or service responsibility of one or more special districts, a property tax revenue sharing agreement as defined in Revenue and Taxation Code Section 2215 is negotiated; and

**WHEREAS**, the Shasta County Board of Supervisors did adopt Resolution 2022-040 to approve establishing a property tax exchange related to the Shasta Community Services District Fire Services divestiture and designation of successor agency on April 19, 2022, should CSA #1 be designated successor agency; and

**WHEREAS**, the Shasta Community Services District Board of Directors did adopt Resolution 2022-01, on April 20-to approve establishing a property tax exchange related to the Shasta Community Services District Fire Services divestiture, should CSA #1 be designated successor agency and then approved Resolution 2022-02 on, June 15 2022; should Shasta FPD be designated successor agency

**WHEREAS**, Pursuant to the Cortese Knox Hertzberg (CKH) Local Government Reorganization Act of 2000, Section 56810 (a) (2) If proposal includes district formation the Commission shall, on behalf of the district being formed, negotiate any property tax revenues exchange, which is a unique role for the Commission: 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 determinations on the proposal 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 recommendations, the environmental document, applicable general and specific plans, 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 May 19, 2022, then continued to August 4 2022 and then to October 6 2022; and

**WHEREAS**, the Commission considered all factors required under California GC Section 56425.

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

1. The Commission's determinations on the proposal incorporate the information and analysis provided in the Executive Officer's written staff report.
2. The reorganization proposal is categorically exempt from environmental review under provisions of State CEQA Guidelines Section 15320.
3. The proposal is assigned the following short-term designation: Shasta Community Services District - Fire Services Divestiture and Successor Agency Designation.
4. The Commission, pursuant to Government Code Section 56425, makes the written statement of determinations included in the staff report, hereby incorporated by reference.
5. The Shasta County – CSA #1 - Fire / Shasta Fire Protection District (FPD) shall be the successor agency to all rights, responsibilities, properties, contracts, assets, liabilities, and functions of Shasta Community Service District Fire Services.
6. Fire protection and emergency response services to be dispatched from Fire Station 56 when staffed, with automatic aid from CSA #1 Shasta County Fire Station 58.
7. The Commission approves the Shasta CSD divestiture of fire service areas and successor agency: Shasta County – CSA #1 - Fire / Shasta FPD to provide fire services, contingent upon satisfaction of following terms and conditions as determined by the Executive Officer:
  - a. Completion of the 30-day reconsideration period provided under Government Code Section 56895.
  - b. Divesting Agency, Shasta CSD shall transfer fire services assets, including Station 56 and contents, as well as fire service budget reserve funds.
  - c. Successor Agency. CSA # 1 or Shasta FPD, as shall be determined by Shasta LAFCO, shall be the successor to Shasta CSD for purposes of providing fire protection and emergency medical services to the affected territory, and succeeding to all of the rights, duties, and obligations with respect to enforcement, performance, or other contracts and

obligations within the affected territory previously served.

- d. Shasta CSD shall transfer fire services assets, including Station 56 and contents, as well as fire service budget reserve funds, to the successor agency as determined by Shasta LAFCO.
- e. Property Tax Revenues. Upon the effective date, designated property tax revenues shall be transferred to CSA # 1 / Shasta FPD as approved by Shasta LAFCO and Shasta CSD Property Tax Revenue Agreement Resolutions.
- e. The Commission delegates to the Executive Officer the performing of conducting authority proceeding requirements under Government Code Section 57000
- f. As allowed under Government Code 56107, the Commission authorizes the Executive Officer to make non-substantive corrections to address any technical defect, error, irregularity, or omission related to this action.
- g. Payment of any outstanding fees as identified in the Commission’s adopted fee schedule.
- h. The Executive Officer is directed to record a Certificate of Completion for this proposal upon completion of all proceedings.
- i. 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 unless an extension is approved.

8 The Executive Officer shall revise the official Commission records to reflect changes to fire services.

**BE IT FURTHER RESOLVED** The Shasta Community Services District Fire Services Divestiture and Successor Agency Designation is hereby approved and incorporated herein by reference as presented on the attached map noted as Exhibit A.

Adopted on October 6, 2022, by the following votes:

AYES:  
NOES:  
ABSTAINS:  
ABSENT:

Dated: \_\_\_\_\_

\_\_\_\_\_  
*Stan Neutze, Vice Chairman*  
Shasta Local Agency Formation Commission

Attest:

Dated: \_\_\_\_\_

\_\_\_\_\_  
*Kathy Bull, LAFCO Manager*  
Shasta Local Agency Formation Commission