

**SHASTA LAFCO RESOLUTION 2021-13**

**RESOLUTION OF THE SHASTA LOCAL AGENCY FORMATION COMMISSION  
MAKING DETERMINATIONS AND APPROVING AN  
ANNEXATION TO THE  
FALL RIVER VALLEY COMMUNITY SERVICES DISTRICT**

**WHEREAS**, the Shasta Local Agency Formation Commission (LAFCO), hereinafter referred to as the "Commission", is responsible to review and regulate boundary changes for local governmental agencies whose jurisdictions are within Shasta County pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

**WHEREAS**, in the accordance with California Government Code Section 56661, the Executive Officer has given sufficient notice of the public hearing by the Commission on the proposal; and

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

**WHEREAS**, the Commission heard and fully considered all testimony and evidence presented at a public hearing held on October 7, 2021; and

**WHEREAS**, the proposal seeks Commission approval for annexation of territory into Fall River Valley Community Services District (CSD).

**WHEREAS**, the annexation is located within the District's sphere of influence; and

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

**WHEREAS**, the Commission considered all the factors required under California Government Code Section 56425; and

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

1. The Commission's considered each of the factors required by Government Code Section 56668 and LAFCo adopted policies when making determinations on the proposal based on the information and analysis provided in the Executive Officer's written staff report incorporated by reference.
2. The Commission finds that property owners received notice of the proposed annexation.
3. The annexation territory is found to be inhabited.

4. The boundaries of the affected territory are found to be definite and certain.
5. Shasta LAFCO, hereby determines that the proposed annexation is statutorily exempt from California Environmental Quality Act (CEQA) Guidelines found in Public Resources Code Section 210000 et seq. pursuant to Section 15262 – Feasibilities & Planning Studies and categorically exempt pursuant to Section 15306 – Information Collection.
6. The Commission, pursuant to Government Code Section 56425, makes the written statement of determinations included in the sphere of influence update, hereby incorporated by reference.
7. The proposal is assigned the following distinctive short-term designation:  

**Fall River Valley CSD Annexation**
8. The Plan for Services provided by the Fall River Valley CSD shall determine the manner in which services are provided to the affected territory.
9. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be filed within one calendar year from the date of approval unless a time extension is approved by the Commission.
10. Upon effective date of the proposal, the affected territory will be subject to all previously authorized charges, fees, assessments, and lawfully enacted taxes. The affected territory will also be subject to all the rates, rules, regulations, and ordinances of Fall River Valley CSD.
11. The proposal is subject to a tax exchange agreement which was passed by the County Board of Supervisors on August 31, 2021 by Resolution 2021-079.
12. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be filed within one calendar year from the date of approval unless a time extension is approved by the Commission.
13. Upon effective date of the proposal, the affected territory will be subject to all previously authorized charges and fees that were lawfully enacted by the District for the provision of water services. The affected territory will also be subject to all of the District rates, rules, regulations, and ordinances.
14. LAFCO is the conducting authority for this annexation. In accordance with the provisions of Government Code § 56000 et. seq. and Shasta LAFCO Policies, if the Commission does not receive written objections prior to the close of the public hearing on October 7 2021, the protest-hearing requirement pursuant to Government Code § 57000 et seq. shall be waived and the annexation of territory is ordered complete, subject to conditions below. If written protests are received at

the public hearing, the proposal shall be subject to protest proceeding thresholds in Government Code § 57077.2. As necessary the Commission hereby directs the Executive Officer to schedule a protest hearing for this matter after the expiration of the reconsideration period specified by § 56895; to conduct the hearing for this reorganization; and, upon completion of the hearing, to take action as appropriate in accordance with LAFCO Policies and the requirements.

- 15. The Executive Officer is instructed to mail a certified copy of this resolution to the applicants per Government Code Section 56882.
- 16. The approval will be subject to the following conditions:
  - a) Completion of the 30-day reconsideration period provided under G.C. Section 56895.
  - b) Submittal of a final map and geographic description of the affected territory conforming to State Board of Equalization requirements (Exhibit "A").
  - c) Payment of any outstanding fees as identified in the Commission's adopted fee schedule and incurred in the processing of this proposal.

**BE IT FURTHER RESOLVED** The Fall River Valley Community Services District Annexation is hereby approved and incorporated herein by reference as presented on the attached map noted as Exhibit A.

**THE FOREGOING RESOLUTION** was passed and duly adopted at a regular meeting of the Shasta LAFCO Commission on October 7, 2021, by the following votes:

AYES: *Baugh, Chimenti, Haynes, Mezzano, Morgan, Russell, Ryner*  
 NOES: *None*  
 ABSTAINS: *None*  
 ABSENT: *Fust*

*11/23/21*  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Joe Chimenti, Vice-Chairman  
 Shasta Local Agency Formation Commission

ATTEST:  
*11/23/21*  
 \_\_\_\_\_  
 Date

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