

Agenda Item #12
Executive Officer Report
Spreckels-Area Fire Protection
Reorganization Proposal
(LAFCO File #15-01)

several authorized services including fire protection and emergency medical services, street lighting, the collection and disposal of garbage, and storm drain maintenance.

Existing Fire Protection Arrangements

The CSD has contractually provided fire protection service through the Spreckels Volunteer Fire Company (VFC) since 1991. The VFC is a private, nonprofit organization that was founded in 1898 and maintains a privately owned historic fire station on Spreckels Avenue, along with various fire apparatus and equipment.

The VFC is the official first responder to emergency calls in Spreckels. Formal automatic aid agreements have existed between the VFC and MCRFD (as successor agency to the Salinas Rural Fire Protection District) since at least 1988. According to information provided in the application for the current proposal, MCRFD has been the actual first responder to all fire-related emergency calls in the Spreckels area since at least 2000.

Based on information in LAFCO's 2012 countywide review of all agencies providing fire protection and emergency medical services, the CSD appears to expend approximately half of its annual revenues for fire protection-related transfer payments to the VFC. In Fiscal Year 2008-09, the last year for which an audit was available in the 2012 review, the CSD's expenditure for fire protection service and fire department expense was \$71,220. In the CSD's adopted Fiscal Year 2015-16 budget, the anticipated fire-related expenditure is \$74,500.

In July 2015, the CSD and MCRFD entered into a contractual agreement by which MCRFD currently extends its fire suppression, emergency medical service and rescue, investigations, inspections, and other services to the portion of Spreckels that is outside MCRFD's district boundaries. For Fiscal Year 2015-16, the CSD will pay MCRFD a total of \$7,157 for these services. MCRFD's annual revenues are approximately \$12 million.

Tanimura and Antle Farmworker Housing

In September 2015, the County Board of Supervisors approved development of a 100-unit (800-bed) farmworker housing complex at 121 Spreckels Avenue, on the former site of the historic Spreckels sugar refinery. When fully developed and occupied, the farmworker housing will, in effect (seasonally) double the community's existing population, and will therefore likely substantially increase the current level of need for fire protection and emergency services.

The July 2015 contract for MCRFD to provide fire protection services to the CSD was sufficient for County approval of the farmworker housing project's development permits. Approval of the proposed reorganization would supersede the contract by permanently placing the site within MCRFD's boundaries.

Joint Application to LAFCO

Following coordination among LAFCO staff and representatives of the two districts, the CSD and MCRFD boards of directors adopted resolutions to initiate the proposed reorganization in September 2015. If LAFCO approves the proposal,

1. MCRFD will annex areas of Spreckels that are currently an "island"/"pocket" surrounded by areas already within MCRFD; and
2. The CSD will officially divest (relinquish) its existing fire protection powers in order to avoid creation of an unnecessary duplication of public agencies authorized to exercise such services. As companion actions to the divestiture,
 - The CSD is working with the County to finalize the discontinuation of the CSD's existing parcel-based special assessment, and

- The VFC and MCRFD are coordinating to arrange the transfer to MCRFD of equipment that was purchased with fire protection-related public funds.¹ A related condition of approval is included in the attached draft resolution approving the proposed reorganization.

Finance

Currently, the CSD's annual fire protection-related expenditures—which directly support the VFC, as outlined above—are financed by a parcel-based special assessment and by Proposition 172 funds². In the CSD's adopted budget for Fiscal Year 2015-16, these sources provide an anticipated \$58,600 and \$40,000, respectively.

If LAFCO approves the proposed reorganization, MCRFD has indicated that it does not seek to retain the CSD's existing parcel-based special assessment. MCRFD will finance the extension of its services to the proposal area through a combination of its property tax revenue base and reallocation to MCRFD of the portion of annual Proposition 172 funds that the County currently allocates to the CSD.³

Agency Coordination, Public Review, and CEQA Compliance

For purposes of the CEQA, MCRFD is acting as the Lead Agency for this proposal and LAFCO is a Responsible Agency with discretionary approval power over the proposed Sphere of Influence expansion and reorganization. As the CEQA Lead Agency, the fire district's board of directors, in its initiating resolution, determined the proposal to be categorically exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), pertaining to activities covered by the "general rule" that CEQA only applies to projects that have potential to cause significant environmental impacts, as well as Section 15320 pertaining to local government reorganizations that do not change the geographical area in which previously authorized powers are exercised. The Executive Officer has reviewed the record and concurs with this finding.

LAFCO referred the proposal to affected local agencies for review and comment in early October. In early November, the proposal was legally noticed in the Monterey County Weekly for a December 7, 2015 LAFCO public hearing and a January 4, 2016 Conducting Authority ("protest") hearing. In accordance with legal requirements, mailed public hearing notices, along with a map of the annexation, were sent to registered voters and property owners within the proposed annexation area and within a 300-foot radius. The mailer also included a two-page letter from MCRFD Chief Michael Urquides providing general information about what it means to be annexed into the fire district. A copy of the mailer is provided as Attachment 4 to this report.

Public hearing notices were also posted on the LAFCO web site, at the County Government Center and the LAFCO office, and mailed to all known interested agencies and organizations. Based on these measures, LAFCO has met and exceeded all requirements and procedures for public agency referrals and public noticing. As of this writing, LAFCO staff has received no comments or concerns about the proposed reorganization from any affected agencies or members of the public.

¹ The VFC is reportedly working with the owner of the historic Spreckels fire station (Tanimura and Antle) to secure a long-term building lease to preserve the history of the VFC and its historic firefighting equipment. It is also anticipated that some members of the VFC will, in the future, submit applications to become volunteer firefighters with MCRFD. These actions are not tied to LAFCO's approval of the proposed reorganization.

² The one-half cent statewide sales tax approved by the electorate in 1993 is collected by the State Board of equalization and apportioned to each county based on its proportionate share of statewide taxable sales. Each county is required to deposit this revenue in a Public Safety Augmentation Fund to be allocated by the County Auditor to the county and cities within the county. The county may then, in turn, allocate funds to various special districts that provide public safety-related services.

³ Pursuant to a property tax exchange agreement approved by the Board of Supervisors in November 2015, MCRFD will receive a portion of the existing annual 1% ad valorem property tax within the proposal area.

Reconsideration

After the Commission has adopted a resolution making determinations, any person or affected agency may file a written request with the LAFCO Executive Officer requesting amendments to, or reconsideration of, the resolution. The person or agency shall file the written request within 30 days of the adoption of the resolution. Pursuant to State law (the Cortese-Knox-Hertzberg Act, Section 56895), “The request shall state the specific modification to the resolution being requested and shall state what new or different facts that could not have been presented previously are claimed to warrant the reconsideration.”

Conducting Authority (“Protest”) Proceedings and Hearing

If the Commission approves the reorganization proposal, then a subsequent protest hearing will be required, following consideration of any reconsideration requests as outlined above. Protest proceedings allow registered voters and property owners within the proposed annexation area the opportunity to voice their opposition and to potentially make the annexation subject to a confirmation election of the people, or to terminate the annexation in the event of a majority voter protest. Because the next regularly scheduled Commission meeting is not until late January, staff recommends that the protest hearing be delegated to the Executive Officer with a hearing to be scheduled for January 4, 2016 at 4:00 PM in the County Board of Supervisors Chambers.

After LAFCO publishes a public hearing notice for the protest hearing, registered voters and landowners within the affected area will have an ability to file written protests of the Commission’s decision via mail, email, fax, or in person. Written protests may also be submitted in person at the protest hearing. Protests must be submitted prior to the close of the protest hearing. Pursuant to State law (the Cortese-Knox-Hertzberg Act, Section 57051), protests must be dated after publication of the protest hearing notice in order to count toward the protest proceedings outcomes. All protests must be in writing and must include:

- 1) Printed name and signature;
- 2) Dated on or after the date of publication of a hearing notice for the protest proceedings;
- 3) The protest filer’s place of residence – street address or other designation sufficient to enable the place of residence to be easily ascertained; and
- 4) Indication of whether each person is signing as a registered voter within the annexation proposal area or as a property owner within the annexation proposal area, or both.

As stated above, protests must be submitted prior to the close of the protest hearing in order to be valid. Within 30 days of the close of the protest hearing, the Commission shall, pursuant to Government Code section 57075, make a finding regarding the value of written protests that have been filed and not withdrawn, and take one of the actions described below.

- The Commission shall order the proposed reorganization, subject to a subsequent confirmation election by registered voters residing within the affected territory, if written protests have been filed and not withdrawn by either of the following:
 - 1) Between 25 percent and 50 percent of the registered voters residing in the affected territory, or
 - 2) At least 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of land within the affected territory.
- The proposed reorganization shall be abandoned, without need of a confirmation election, if the Commission finds that written protests filed and not withdrawn prior to the conclusion of the hearing represent 50 percent or more of registered voters residing in the territory.
- If none of the above-described protest thresholds are met, the Commission shall order the reorganization without an election. A Certificate of Completion will be filed for the reorganization, and the reorganization will become effective, once all conditions of approval have been satisfied.

Conclusion

As reflected in the draft resolution, LAFCO staff's analysis of the proposed reorganization finds it to be in the public interest and consistent with the requirements of State LAFCO law and locally adopted LAFCO policies. It is also consistent with fundamental LAFCO objectives of encouraging the orderly development of local government agencies and efficiently providing local government services. Staff therefore recommends approval of the proposal.

Alternative Actions

In lieu of the recommended actions, the Commission may act to deny the annexation proposal. The Commission may also act to modify, delete, or add any appropriate conditions of approval. Substantial changes to the draft resolution would require a continuation of the agenda item, with direction to the Executive Officer to prepare a new draft resolution based on the Commission's findings.

Respectfully Submitted,



Kate McKenna, AICP
Executive Officer

Attachments:

1. Draft Resolution, including map of the proposed annexation to the Monterey County Regional Fire District
2. Monterey County Regional Fire District - Map of existing boundaries and Sphere of Influence
3. Spreckels Community Services District - Map of existing boundaries and Sphere of Influence
4. November 2015 mailer to property owners and registered voters in the affected area

CC:

Michael Urquides, Fire Chief, Monterey County Regional Fire District
Paul Ingram, Business Manager, Spreckels Community Services District
Sherrie Collins, Emergency Services Manager, County of Monterey
Bob Schubert, Senior Planner, County of Monterey

Prepared by: Darren McBain, Senior Analyst

Agenda Item #12.1

Draft LAFCO Resolution

Approving the Spreckels-Area Fire
Protection Reorganization Proposal

(LAFCO File #15-01)

THE LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

RESOLUTION NO. 15 - xx

RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION
APPROVING THE SPRECKELS-AREA FIRE PROTECTION REORGANIZATION
PROPOSAL (LAFCO FILE NO. 15-01)

WHEREAS, an application for a proposed special district reorganization consisting of a Sphere of Influence amendment and annexation to the **Monterey County Regional Fire District** of all Spreckels-area lands not currently within the fire district (approximately 282 acres), and divestiture of the **Spreckels Community Services District's (CSD)** currently authorized fire protection powers (the "Proposal") was heretofore filed and accepted for filing by the Executive Officer of this Local Agency Formation Commission; and

WHEREAS, the two Districts' boards of directors have jointly initiated, and are in support of, the proposed reorganization; and

WHEREAS, the area of the proposed reorganization is entirely surrounded by the currently adopted Sphere of Influence and boundaries of the Monterey County Regional Fire District, and currently receives services by said District under a contractual agreement; and

WHEREAS, the Commission adopted a countywide "Municipal Service Review and Sphere of Influence Update for Districts Providing Fire Protection and Emergency Medical Services in Monterey County" in March 2012; and

WHEREAS, the Executive Officer, pursuant to Government Code section 56658, set December 7, 2015 as the hearing date on this proposal and provided public notice as required by law; and

WHEREAS, the public hearing by this Commission was held upon the date and at the time and place specified in said notice of hearing; and

WHEREAS, the Executive Officer, pursuant to Government Code section 56665, has reviewed this proposal and prepared a report, including recommendations thereon, and has furnished a copy of this report to each person entitled to a copy; and

WHEREAS, this Commission, on December 7, 2015 heard from interested parties and considered the proposal and the report of the Executive Officer, and considered the factors determined by the Commission to be relevant to this proposal, including, but not limited to, factors specified in Government Code sections 56425(e) and 56668; and

WHEREAS, the Monterey County Regional Fire District's Board of Directors, as the Lead Agency, has reviewed the record and found that the proposed reorganization is categorically exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) as activities covered by the general rule that CEQA only applies to projects that have potential to cause significant environmental impact and pursuant to Section 15320 pertaining to local government reorganizations that do not change the geographical area in which previously authorized powers are exercised; and

WHEREAS, the Monterey County Board of Supervisors considered and approved a property tax exchange agreement for this proposal in November 2015.

NOW, THEREFORE, the Local Agency Formation Commission of Monterey County does HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

Section 1. The forgoing recitals are true and correct.

Section 2. The Commission has considered the Fire District's finding that the proposed annexation is categorically exempt from the California Environmental Quality Act and that no additional CEQA documentation is required.

Section 3. In determining the Sphere of Influence of the District, the Commission, in accord with Section 56425(e) of the Government Code, has considered and prepared a written statement of its determinations with respect to each of the following:

- *The present and planned land uses in the area, including agricultural and open-space lands.*

The Fire District's proposed 282-acre Sphere of Influence expansion area consists of the "original"/historic section of the unincorporated community of Spreckels, with a range of residential, commercial, industrial, agricultural, and institutional land uses. The current and potential use of lands within the proposal area will not be changed by the proposed Sphere expansion.

- *The present and probable need for public facilities and services in the area, and The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.*

Existing and approved future development within the proposal area will benefit from the provision of fire protection and emergency medical services. The Sphere expansions area is an "island" within the District's existing Sphere and boundaries, and currently receives District services by contract. The District has demonstrated that it has capacity and resources to serve the proposal area.

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

There are no relevant communities of interest. The proposal will provide for equal services to all residents of the Spreckels community.

- *The present and probable need for . . . [structural fire protection] . . . facilities and services of any disadvantaged unincorporated communities [DUCs] within the existing Sphere of Influence.*

The Fire District's existing Sphere, which is coterminous with its existing district boundaries, covers approximately 361 square miles of unincorporated lands. As such, it includes various areas that meet the definition of a DUC; primarily Chualar, Boronda, and rural housing areas outside Salinas. The Fire District consistently maintains good International Organization for Standardization (ISO) Public Protection Classification ratings. There are no known current or anticipated future unmet needs for fire protection services in these areas.

Section 4. The Commission has considered the factors set forth for special district reorganizations in the Cortese-Knox-Hertzberg Act and found them to be consistent with the proposed change of organization as more fully discussed below.

Section 5. *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 incorporated and unincorporated areas, during the next 10 years (Gov. Code § 56668(a).)*

The reorganization proposal affects the unincorporated community of Spreckels (population approximately 700). The community includes a range of residential, commercial, industrial, agricultural, and institutional land uses. The area proposed for annexation to the Fire District is approximately 282 acres in size. The community is about two miles south of the southern edge of the City of Salinas, and is

effectively surrounded by agricultural fields. The primary natural feature in the area is the Salinas River, located near the community's southwestern edge.

The main anticipated source of likely future population growth within the affected area is a 100-unit (800-bed) Tanimura and Antle farmworker housing complex at 121 Spreckels Avenue, on the former site of the historic Spreckels sugar refinery. This project was approved by the County Board of Supervisors in September 2015.

Section 6. *The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed [annexation] and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. (Gov. Code § 56668(b).)*

When fully developed and occupied, the approved Tanimura and Antle farmworker housing will, in effect (seasonally) double the community's existing population, and will therefore likely substantially increase the current level of need for fire protection and emergency services. By filling in the only remaining unincorporated "gap" within the Fire District's extensive existing boundaries, the proposed reorganization will allow for the most cost-effective provision of fire protection services to the overall Spreckels community. Alternatively, the Fire District would continue to serve the affected area by contractual agreement as is currently the case.

Section 7. *The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county. (Gov. Code § 56668(c).)*

The proposed action would not adversely affect adjacent areas, mutual social and economic interest, or the local governmental structures of the county. The affected area is the only remaining unincorporated "gap" within the Fire District's existing boundaries. Alternatively, the Fire District would continue to serve the affected area by contractual agreement as is currently the case. The District continues to exercise its 201 rights within the original Carmel Valley Fire District Boundaries and this LAFCO action will not change, add or alter that right.

Section 8. *The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377. (Gov. Code § 56668(d).)*

The annexation is consistent with all adopted Commission policies on providing planned, orderly, efficient patterns of urban development. Government Code Section 56377 pertains to directing development away from open-space and agricultural land, unless this would be detrimental to the promotion of the planned, orderly, efficient development of an area. Existing and planned land uses are not affected by the proposed annexation. The proposed annexation does not affect any development pattern, or direct the location of development. Agricultural and open-space lands within the annexation areas will benefit from the availability of fire protection and emergency medical services.

Section 9. *The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined in Section 56016. (Gov. Code § 56668(e).)*

The proposed annexation is limited to the provision of fire protection, emergency medical and related services. There will therefore be no impact on maintaining the physical and economic integrity of the area's agricultural land.

Section 10. *The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries. (Government Code §56668(f).)*

The reorganization's boundaries are definite and certain, and are consistent with assessment lines and ownership. The proposal will fill in the only remaining unincorporated "gap" within the Fire District's existing boundaries.

Section 11. *A regional transportation plan adopted pursuant to Section 65080, and consistency with City or County General and Specific Plans. (Gov. Code § 56668(g).)*

The proposed reorganization has no impact on the regional transportation plan, is consistent with applicable County general plan policies and zoning regulations, and will not change area development patterns.

Section 12. *The proposal's consistency with county general and specific plans. (Gov. Code §§ 56375.5, 56668(h).)*

The 2010 Monterey County General Plan supports the improvement of fire protection services throughout the County. It specifically requires that "all new development shall be required to annex into the appropriate fire district." The proposal is consistent with the intent of this policy.

Section 13. *The Sphere of Influence of any local agency which may be applicable to the proposal being reviewed. (Gov. Code §§ 56375.5, 56668(i).)*

This proposal was jointly initiated by the boards of directors of the two relevant local agencies.

Section 14. *The comments of any affected local agency or other public agency. (Gov. Code § 56668(j).)*

No public agencies commented on the proposal.

Section 15. *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. (Gov. Code § 56668(k).)*

The Fire District currently provides services to the affected area by contractual agreement with the CSD. If the proposal is approved, future funding will be provided through a tax transfer agreement that has been negotiated with the County, and possibly State funding (Proposition 172 funds). The Fire District has demonstrated that it has resources and capabilities to permanently include the affected area within its district boundaries.

Section 16. *Timely availability of water supplies adequate for projected needs as specified in Section 65352.5. (Gov. Code § 56668(l).)*

The annexation will have no impact on the timely availability of water supplies.

Section 17. *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 consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7. (Gov. Code § 56668(m).)*

The annexation will have no impact on housing needs.

Section 18. *Any information or comments from the landowner or owners, voters, or residents of the affected territory. (Gov. Code § 56668(n).)*

LAFCO published a hearing notice in the Monterey County Weekly and provided mailed notice to property owners and registered voters in the proposal's affected area and within a 300-foot radius (approximately 700 notices). No information or comments have been received in response.

Section 19. *Any information relating to existing land use designations. (Gov. Code § 56668(o).)*

The unincorporated community of Spreckels includes parcels designated for a variety of agricultural, industrial, commercial, and residential uses. The proposed reorganization will have no effect on land use or land use designations.

Section 20. *The extent to which the proposal will promote environmental justice. As used in this subdivision, "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. (Gov. Code § 56668(p).)*

The proposal will provide for a consistent level of service to all residents, regardless of race, ethnicity, or income.

Section 21. *Whether existing agencies can feasibly provide the needed service or services in a more efficient and accountable manner, or reorganization with other single-purpose agencies that provide related services. (Gov. Code §§ 56301, 56886.5)*

The proposed reorganization, transferring fire protection responsibility to an existing, established public agency (Monterey County Regional Fire District) that is already currently providing the service, is the most cost-effective arrangement.

Section 22. *Apportionment of property tax revenue. (Revenue & Taxation Code §99.01)*

Monterey County and the Fire District agreed to a property tax transfer agreement for the proposal in November 2015.

Section 23. *Consistency with Policies and Procedures Relating to Spheres of Influence and Changes of Organization and Reorganization.*

The proposal is consistent with local LAFCO Policies and Procedures. Of most relevance, the proposal is consistent with policies relating to Economics, Service Delivery and Development Patterns (Section D.VII.) The proposal will provide for services in response to a demonstrated need and will not have adverse financial impacts on either of the two districts. The Fire District has resources and capabilities to provide the most cost-effective fire protection services to the affected area.

Section 24. The proposal is approved subject to the following terms and conditions:

- a. Review and pre-clearance of the annexation by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act, as applicable;
- b. Documentation that an appropriate transfer of equipment from the Spreckels Volunteer Fire Company to the Monterey County Regional Fire District is complete or in progress, to the satisfaction of the Fire Chief of the Monterey County Regional Fire District and the LAFCO Executive Officer; and
- c. Acceptance of a map and property description by the State Board of Equalization; and
- d. Payment of all fees incurred in the processing of the application consistent with the LAFCO fee schedule, including the fee required by the State Board of Equalization.

Section 25. The applicant shall agree, as a condition of the approval of this application to defend at its sole expense any action brought against LAFCO, the Commission and its staff, because of the approval of this application. The applicant will reimburse LAFCO for any court costs and attorneys' fees which may be required by a court to pay as a result of such action. LAFCO may, at its sole discretion, participate in the defense of any such action; but such participation shall not relieve applicant of his obligations under this condition. The obligation on the part of the applicant to indemnify LAFCO is effective upon the adoption of this resolution and does not require any further action.

Section 26. The Certificate of Completion for the reorganization shall not be issued until all terms and conditions are met. The Sphere of Influence expansion shall be effective immediately upon approval of this resolution and the completion of any requested reconsiderations.

Section 27. If a Certificate of Completion for a change of organization or reorganization has not been filed within one year after the Commission approves a proposal for that proceeding, the proceeding shall be deemed abandoned unless prior to the expiration of that year the Commission authorizes an extension of time for that completion. The extension may be for any period deemed reasonable to the Commission for completion of necessary prerequisite actions by any party. If a proceeding has not been completed because of the order or decree of a court of competent jurisdiction temporarily enjoining or restraining the proceedings, this shall not be deemed a failure of completion and the one-year period shall be tolled for the time that order or decree is in effect. [Government Code section 57001]

Section 28. The Spreckels Community Services District is hereby divested of its previously authorized fire protection-related powers.

Section 29. The proposed Sphere of Influence amendment and the annexation to the Monterey County Regional Fire District are hereby approved as described in Exhibit "A," attached hereto and made a part hereof. The reorganization is assigned the following distinctive short form designation: "Spreckels-Area 2015 Fire Protection Reorganization."

Section 30. The regular County assessment roll will be used and the annexation area will not be taxed for existing general bonded indebtedness of either of the subject special districts. No transfer of any portion of the CSD's existing benefit assessment fee to the Monterey County Regional Fire District is conferred, implied, or intended as part of LAFCO's approval of this reorganization.

Section 31. The affected territory is inhabited and requires the Commission to set a protest hearing for the proposed annexation in accordance with Government Code Section 57000 and Government Code Section 57002. The protest hearing is set for Monday, January 4, 2016 at 4:00 P.M. at the Monterey County Board of Supervisors Chambers in Salinas, with the protest hearing delegated to the Executive Officer.

Section 32. The effective date shall be the filing of the Certificate of Completion.

Section 33. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner and as provided in Section 56882 of the Government Code.

UPON MOTION of Commissioner _____, seconded by Commissioner _____, the foregoing resolution is adopted this 7th day of December, 2015 by the following vote:

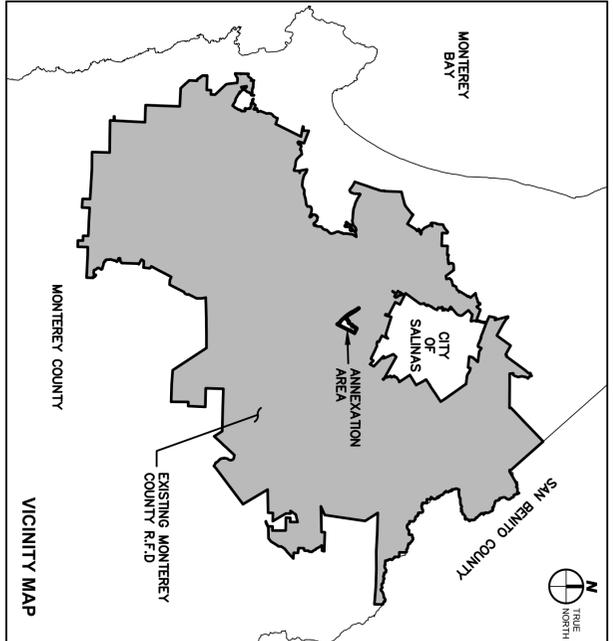
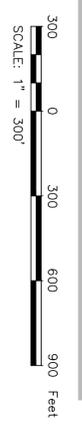
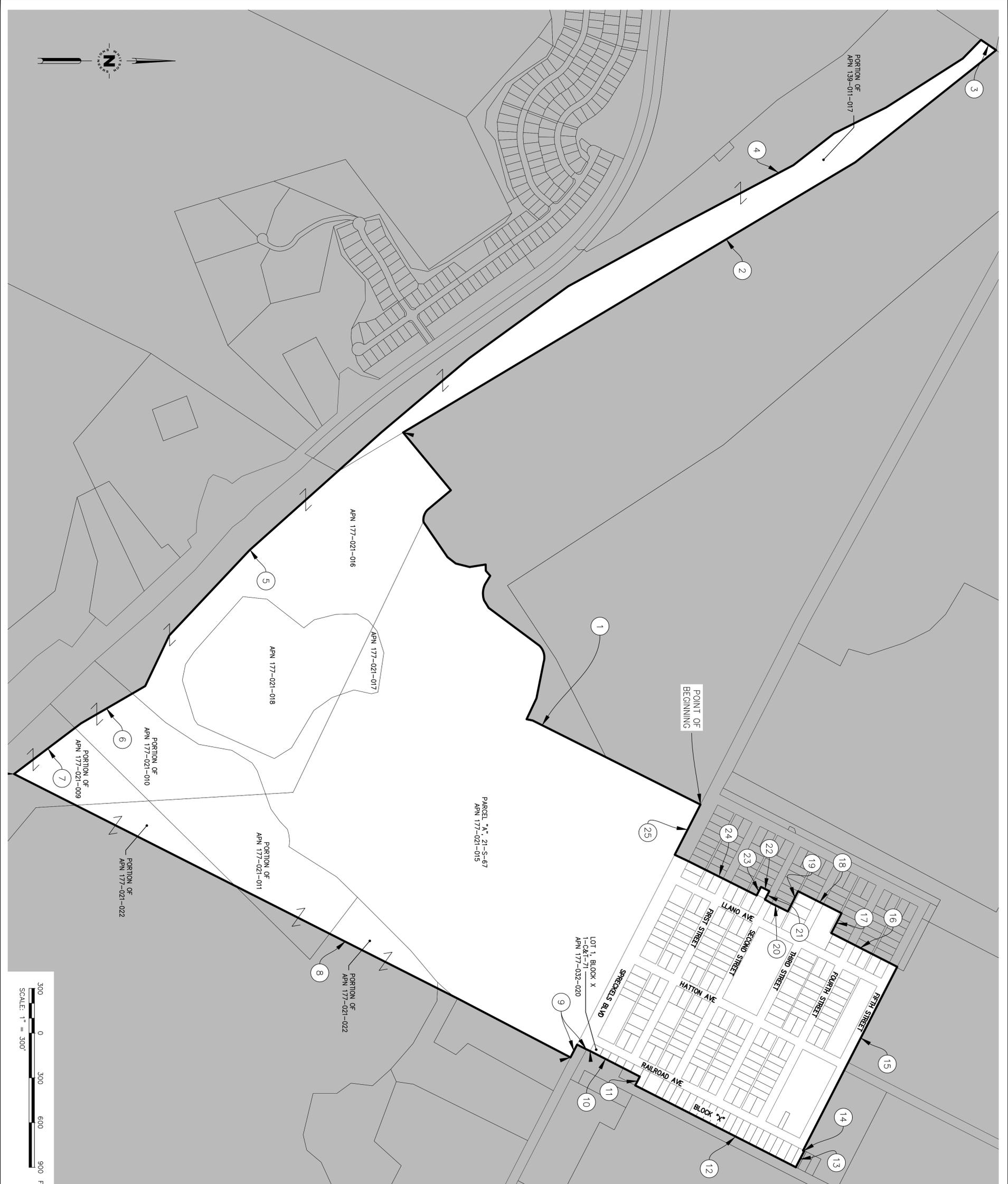
AYES:
NOES:
ABSENT:
ABSTAIN:

Joe Gunter, Vice Chair
Local Agency Formation Commission of Monterey County

ATTEST: I certify that the within instrument is a true and complete copy of the original resolution of said Commission on file within this office.

Witness my hand this ___ day of _____, 2015

By: _____
Kate McKenna, AICP, Executive Officer



LEGEND

	PROPOSED ANNEXATION BOUNDARY
	ASSESSOR'S PARCEL LINE
	MONTEREY COUNTY REGIONAL FIRE DISTRICT ANNEXATION AREA
	REGIONAL FIRE DISTRICT
	COURSE NUMBER PER ANNEXATION GEOGRAPHIC DESCRIPTION

NOTE

THIS MAP IS BASED ON GEOGRAPHIC INFORMATION SYSTEMS (GIS) DATABASES MAINTAINED BY THE MONTEREY COUNTY ASSESSOR'S OFFICE AND THE STATE BOARD OF EQUALIZATION. LINES SHOWN ARE NOT BASED ON LEGAL PROPERTY BOUNDARIES AND SHALL NOT BE CONSTRUED AS RECORD PROPERTY INFORMATION. FOR ASSESSMENT PURPOSES ONLY.



**MONTEREY COUNTY REGIONAL
 FIRE DISTRICT
 2015 ANNEXATION**

WHITSON ENGINEERS
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 CIVIL ENGINEERING ■ LAND SURVEYING ■ PROJECT MANAGEMENT

**MONTEREY COUNTY REGIONAL FIRE DISTRICT
2015 ANNEXATION
GEOGRAPHIC DESCRIPTION**

Certain real property situate in the County of Monterey, State of California, described as follows:

Beginning at a Point on the existing Monterey County Regional Fire District Boundary, said point being the northwesterly corner of that real property shown and designated "Parcel A" on that certain map recorded October 30, 1997 and on file in Volume 21 of Surveys, Page 67, Official Records of said County, and also designated APN 177-021-015 by the Monterey County Assessor's office; thence

1. Along said District Boundary and the easterly boundary of APNs 177-021-015 and 177-021-016 in a southerly and westerly direction along the courses labelled "L63" through "L39" on said map, in descending order, to the northeasterly boundary of that parcel APN 139-011-017; thence following the northeasterly boundary of said APN 139-011-017
2. Northwesterly, 4667.95 feet to the most northerly corner of said APN 139-011-017; thence
3. Southwesterly, along the northwesterly boundary of said APN 139-011-017 approximately 122 feet to the Salinas River; thence following the Salinas River
4. Southwesterly, approximately 5202 feet to the most easterly corner of said APN 139-011-017, said corner also being an angle point on the boundary of APN 177-021-016; thence continuing along the Salinas River and through APN 177-021-016
5. Southeasterly, approximately 2047 feet to a point on the southeasterly boundary of APN 177-021-016, also being the northwesterly boundary of APN 177-021-010; thence continuing along the Salinas River and through APN 177-021-010
6. Southeasterly, approximately 448 feet to a point on the southeasterly boundary of APN 177-021-010, also being the northwesterly boundary of APN 177-021-009; thence continuing along the Salinas River and through APN 177-021-009
7. Southeasterly, approximately 510 feet; thence
8. Northeasterly approximately 4170 feet to the northeasterly corner of that real property shown and designated "Parcel A" on that certain map recorded October 30, 1997 and on file in Volume 21 of Surveys, Page 67, Official Records of said County; also being the southwesterly sideline of Spreckels Ave.; thence continuing along the southwesterly sideline of Spreckels Ave.
9. Northwest 68.00 feet; thence crossing Spreckels Ave. at a right angle and continuing Northeast to a point on the northeasterly sideline of Spreckels Ave., also being at the southeast corner of Lot 1 on Block X on that certain map titled "Official Map of Spreckels" recorded on January 8, 1907 in Volume 1 of Cities and Towns at page 71, and also designated APN 177-032-020 by the Monterey County Assessor's office ; thence along the easterly boundary of said Block X
10. North 25°24'00" East, 375.00 feet; thence continuing along the boundary of said Block X
11. South 64°36'00" East, 68.00 feet; thence continuing along the boundary of said Block X

- 12. North 25°24' East, 1,200.00 feet; thence continuing along the boundary of said Block X
- 13. North 64°36' West, 120.00 feet; thence continuing along the boundary of said Block X
- 14. South 25°24' West, 15.00 feet to a point on the southeasterly sideline of Railroad Ave. and the northeasterly sideline of Fifth St. as shown on said Official Map of Spreckels; thence continuing along the northeasterly sideline of Fifth St.
- 15. North 64°36'00" West, 780.00 feet; thence crossing 5th St. at a right angle and continuing
- 16. South 25°24'00" West, 492.00 feet; thence
- 17. North 64°36'00" West, 150.00 feet; thence
- 18. South 25°24'00" West, 324.00 feet; thence
- 19. South 64°36'00" East, 150.00 feet; thence
- 20. South 25°24'00" West, 180.00 feet; thence
- 21. North 64°36'00" West, 57.50 feet; thence
- 22. South 25°24'00" West, 60.00 feet; thence
- 23. South 64°36'00" East, 57.50 feet; thence
- 24. South 25°24'00" West, 604.00 feet to the southwesterly sideline of Spreckels Ave.; thence continuing along the southwesterly sideline of Spreckels Ave.
- 25. North 64°36'00" West, 348.62 feet, more or less, to the Point of Beginning.

Containing an area of 282 acres, more or less.

Attached hereto is a plat to accompany geographic description, and by this reference made a part hereof.

END OF DESCRIPTION

PREPARED BY:

WHITSON ENGINEERS

RICHARD P. WEBER P.L.S.
L.S. NO. 8002



Assessor's Parcel numbers are current as of the date of this Geographic Description.

This Geographic Description is for tax assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

LAFCO *of Monterey County*

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

Agenda Item #12.2

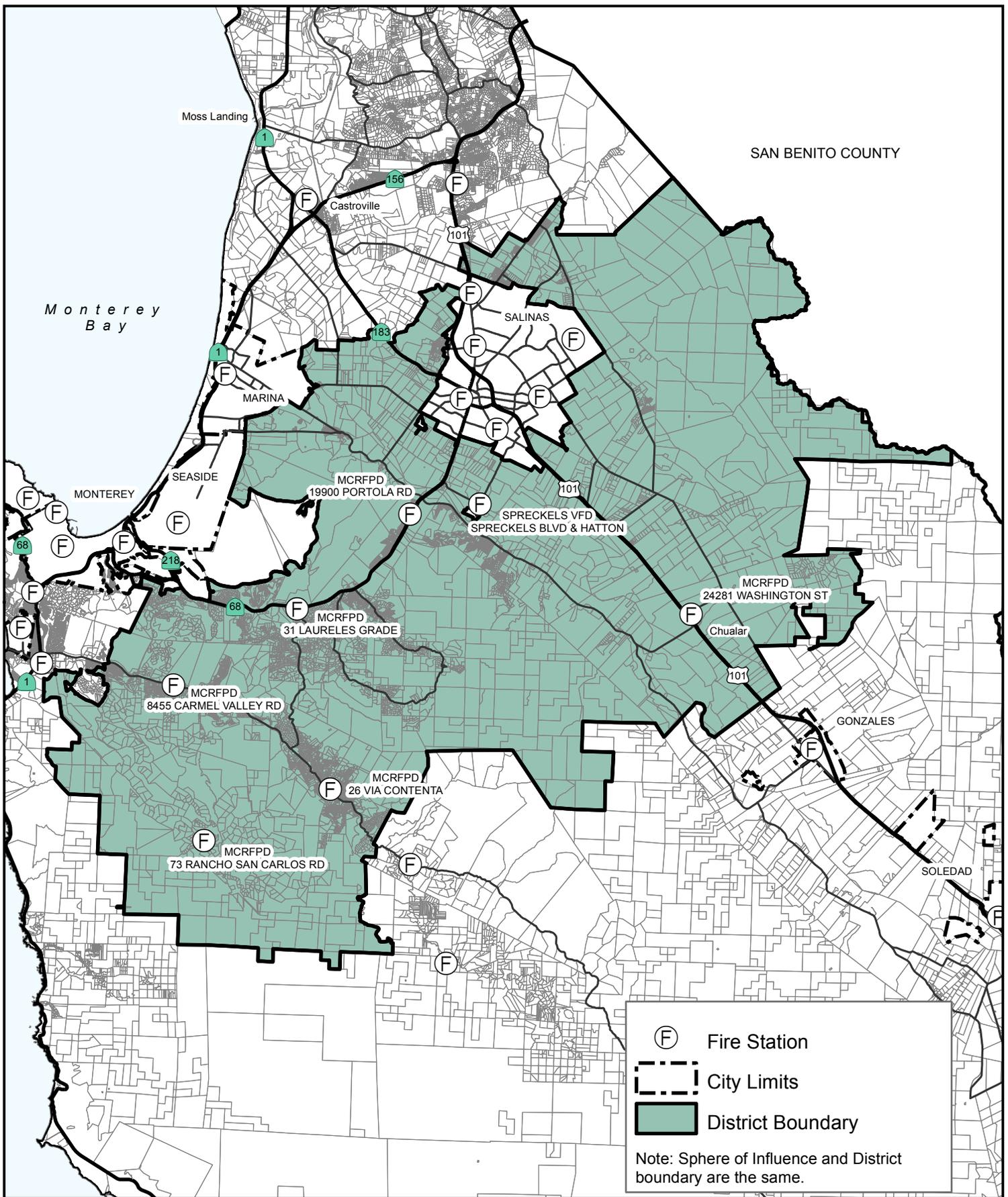
Draft LAFCO Resolution Attachment

Regional Fire District Map

Spreckels-Area Fire Protection

Reorganization Proposal

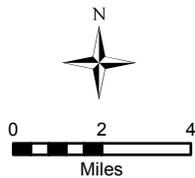
(LAFCO File #15-01)



LAFCO of Monterey County
 LOCAL AGENCY FORMATION COMMISSION

P.O. Box 1369
 Salinas, CA 93902
 Telephone (831) 754-5838

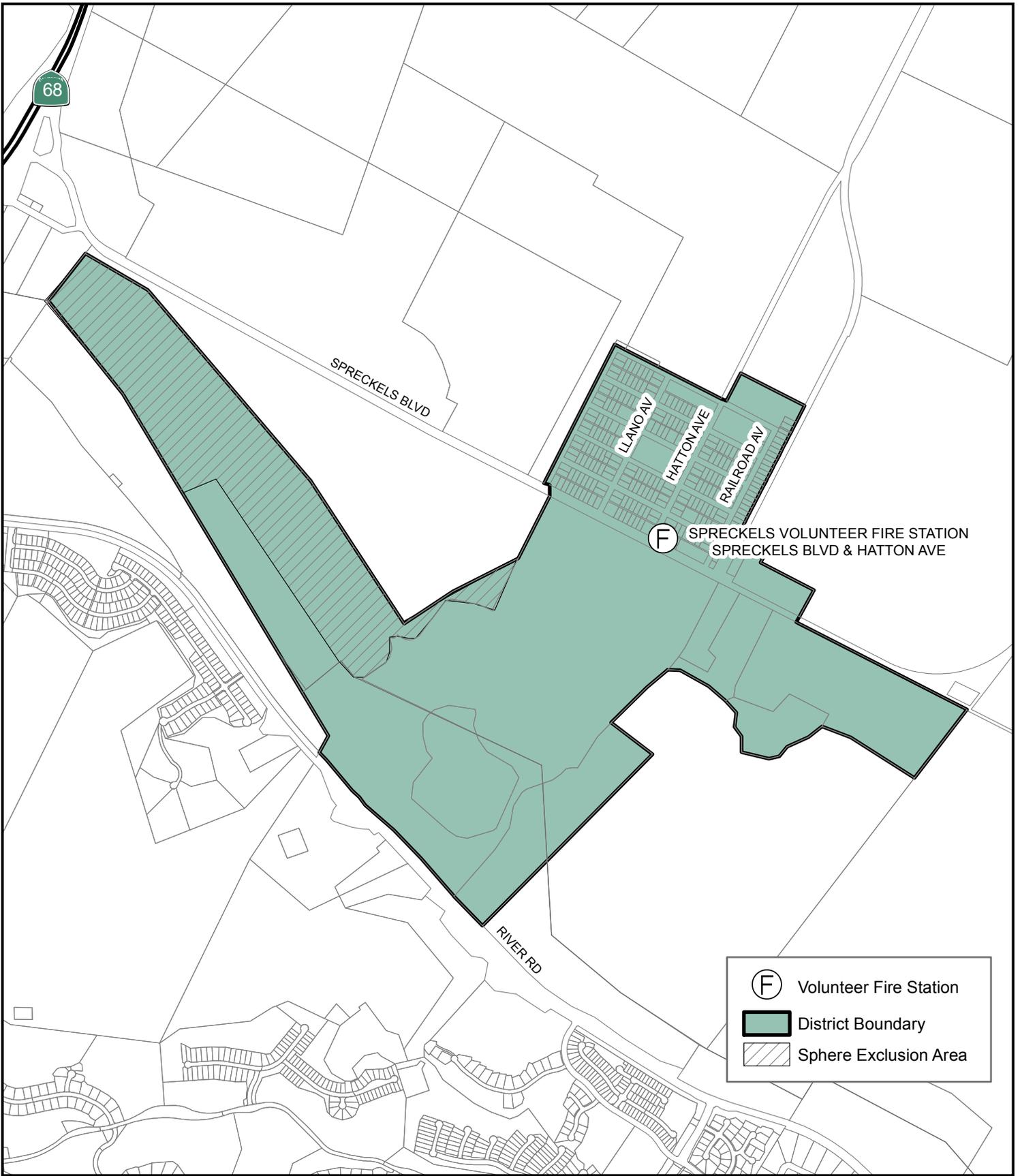
132 W. Gabilan St., Suite 102
 Salinas, CA 93901
 FAX (831) 754-5831



FIRE PROTECTION DISTRICTS
MONTEREY COUNTY REGIONAL
FIRE PROTECTION DISTRICT

Last LAFCO-Approved Change: 07/01/2011
 Sphere of Influence Affirmed: 3/26/2012
 Map Produced: 4/12/2012

Agenda Item #12.3
Spreckels CSD Map
Spreckels-Area Fire Protection
Reorganization Proposal
(LAFCO File #15-01)



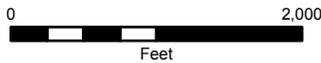
	Volunteer Fire Station
	District Boundary
	Sphere Exclusion Area

LAFCO of Monterey County

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COMMUNITY SERVICES DISTRICTS

SPRECKELS COMMUNITY SERVICES DISTRICT

Map Produced: 4/12/2012

Agenda Item #12.4

Spreckels Mailer

(Notice of Public Hearings)

Spreckels-Area Fire Protection

Reorganization Proposal

(LAFCO File #15-01)

LAFCO *of Monterey County*

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

NOTICE OF PUBLIC HEARINGS Spreckels-Area Fire Protection Reorganization Proposal

The Local Agency Formation Commission (LAFCO) of Monterey County has received a proposal (LAFCO File No. 15-01) for a proposed special district reorganization consisting of:

- **Monterey County Regional Fire District** – Sphere of Influence amendment and annexation to the District of all Spreckels-area lands not currently within the District (approximately 282 acres), and
- **Spreckels Community Services District (CSD)** - Divestiture of the fire protection services currently exercised by the CSD. If the reorganization is approved, the CSD will relinquish its fire protection powers and will discontinue existing funding to the Spreckels Volunteer Fire Company.

The two Districts' boards of directors have jointly initiated, and are in support of, the proposed reorganization.

Pursuant to Government Code sections 56660 and 57000, notice is hereby given that LAFCO will hold two public hearings to consider the actions listed below. The hearings will be held **in the Board of Supervisors Chamber of the Monterey County Government Center (168 W. Alisal Street, Salinas)**. All persons wishing to make presentations regarding the proposed actions will be heard.

1. On Monday, December 7, 2015 at 4:00 p.m.:

The Commission will consider approval of the proposed reorganization.

2. On Monday, January 4, 2016 at 4:00 p.m.:

If the proposed reorganization is approved at the December 7 public hearing, then LAFCO will hold Conducting Authority ("Protest") Proceedings to order the reorganization without election, subject to the protest thresholds specified in State law (Government Code sections 57000-57200), and pending delegation of the Protest Proceedings to the LAFCO Executive Officer at the December 7 public hearing.

Written protests regarding approval of the proposed reorganization may be filed by registered voters residing within the boundaries of the proposal, or by owners of land within the proposal's boundaries. Written protests may be filed with the LAFCO Executive Officer at LAFCO's office address listed above. In order to be valid, written protests must be filed after the December 7, 2015 public hearing, but no later than the conclusion of the January 4, 2016 Protest Proceedings.

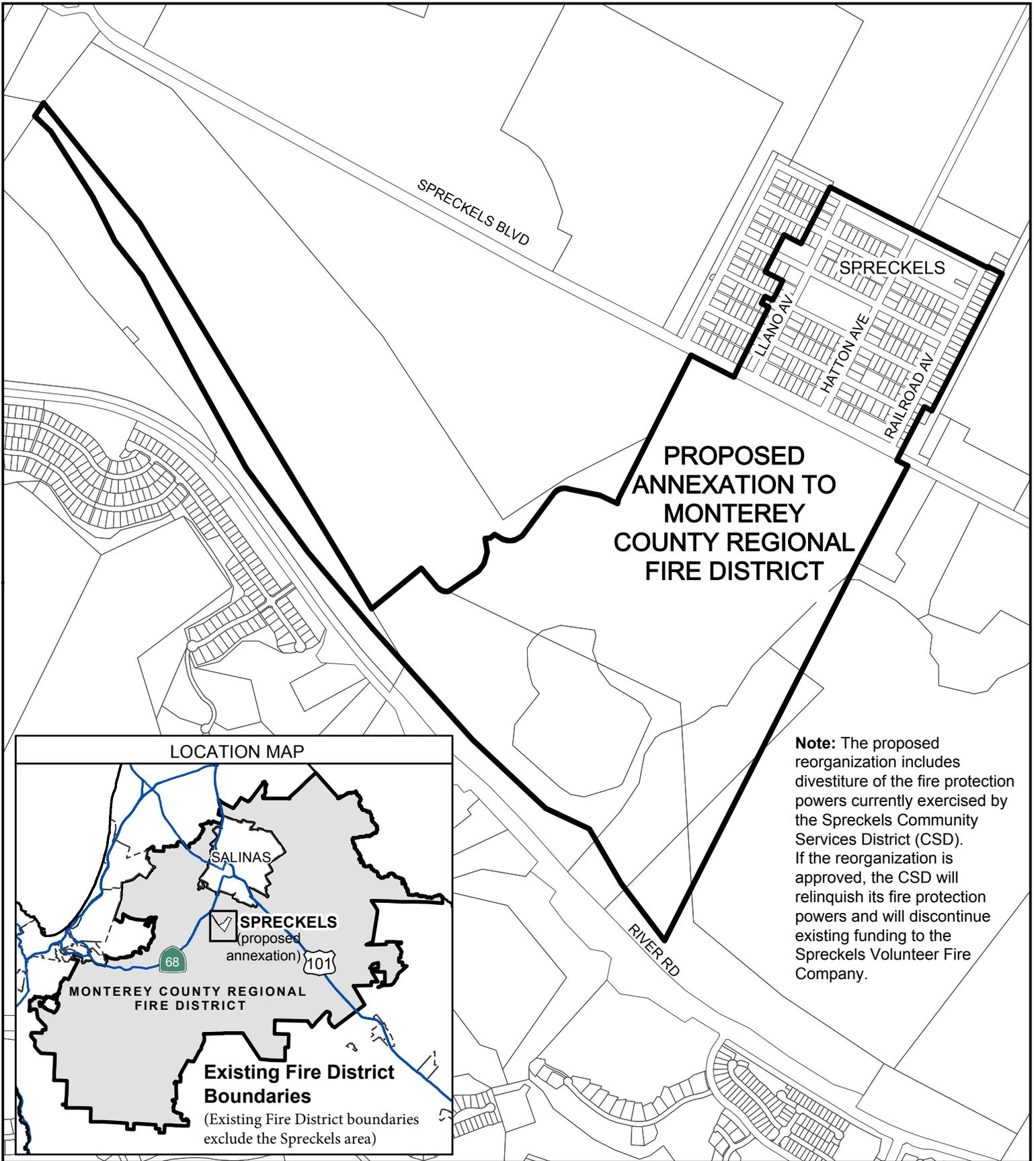
Information is on file at the LAFCO office and may be examined by interested persons. The agenda and Executive Officer's Report for December 7, 2015 will be available by 4:00 p.m. on Thursday, December 3 at www.monterey.lafco.ca.gov. The agenda and report for Monday, January 4, 2016 will be available by 4:00 p.m. on Thursday, December 31 at the same web address.

As the lead agency under the California Environmental Quality Act (CEQA) Guidelines, the Monterey County Regional Fire District has determined the proposal to be exempt from environmental review.

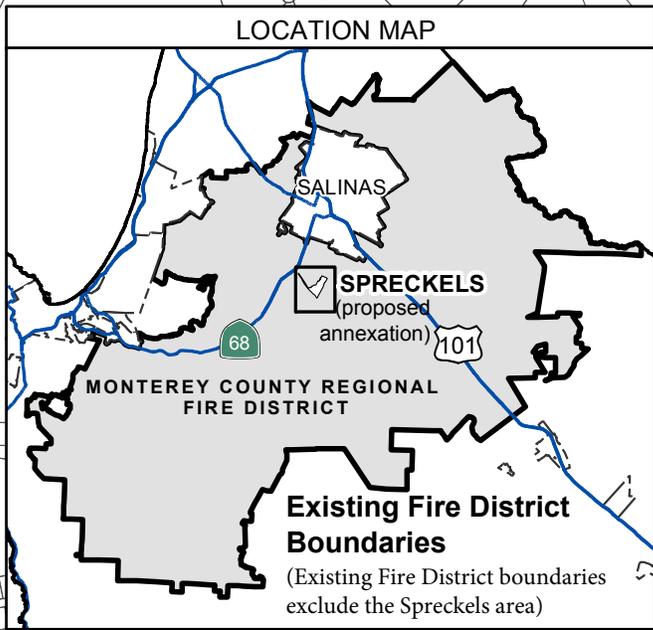
Please contact us at (831) 754-5838 or email LAFCO Senior Analyst Darren McBain at mcbaind@monterey.lafco.ca.gov if you have questions or would like more information.



KATE MCKENNA, AICP, Executive Officer
Local Agency Formation Commission of Monterey County



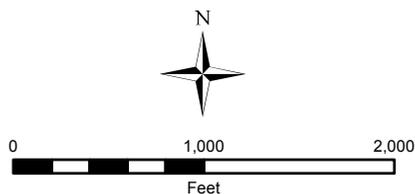
Note: The proposed reorganization includes divestiture of the fire protection powers currently exercised by the Spreckels Community Services District (CSD). If the reorganization is approved, the CSD will relinquish its fire protection powers and will discontinue existing funding to the Spreckels Volunteer Fire Company.



LAFCO of Monterey County
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**SPRECKELS-AREA
 FIRE PROTECTION REORGANIZATION**

**PROPOSED ANNEXATION TO
 MONTEREY COUNTY REGIONAL
 FIRE DISTRICT**

MONTEREY COUNTY REGIONAL FIRE DISTRICT

Michael B. Urquides, Fire Chief

19900 Portola Drive
Salinas, California 93908
(831) 455-1828 FAX (831) 455-0646
www.mcrfd.org

No-Cost Opportunity to Annex into the Monterey County Regional Fire District

November 10, 2015

Dear Spreckels Property Owners and Residents:

The Monterey County Regional Fire District (“MCRFD”) has begun the process of annexing the 154 remaining parcels within the Community of Spreckels not already within in our boundaries so we can continue to provide fire, emergency and prevention services to your residence, business, or parcel.

Response History to Spreckels – Over the last 15 years, the Monterey County Regional Fire District has provided 100% of 911 emergency services to the community of Spreckels under an automatic aid agreement with the Spreckels Community Services District (“Spreckels CSD”). For the past nine years, we have provided advanced life support paramedic services to your community as well.

Eligibility for Improved Insurance Protection Class Rating – Once the annexation process is complete your property will be eligible for a greatly-improved fire insurance rating granted by the Insurance Services Office (“ISO”) to all properties located within the Monterey County Regional Fire District. The ISO Protection Class Rating system is used by many insurance companies to determine property owners’ insurance premiums. Our fire district was recently granted the ISO Protection Class Rating of 3. The current Spreckels CSD contract fire protection provider has an ISO Protection Class Rating of 6. Fire protection agencies are assigned an ISO rating based upon its ability to respond quickly and with as many resources as possible. Ratings are assigned on a sliding scale from 1 to 10, with “ISO 1” the highest rating possible. Once the annexation process is complete you will be able to request a review of your insurance policy to realize the benefits the lower ISO rating may provide.

Reduction on Property Tax Bill - In addition, your property taxes will go down. Annexation will allow us to remove the Fire Benefit Assessment tax placed on your tax bill by the Spreckels Community Service District. The Monterey County Regional Fire District services will be funded by the property taxes you already pay. No extra assessments will be required.

*Serving the Northern Salinas Valley, Highway 68 Corridor, Fort Ord, Community of Chualar,
Santa Lucia Preserve, and Carmel Valley*

Other Services by the Spreckels Community Services District – All of the other services you receive from the Spreckels CSD will not be affected by this annexation. The only change is the agency that actually provides fire protection and emergency medical services to your community.

Waiver of Annexation Fee

Under this application to annex properties into the Monterey County Regional Fire District, the fire district's Board of Directors has waived the fees normally paid by property owners. Therefore, the annexation of your property into the MCRFD will be processed at **no cost to you**.

Questions?

Should you have questions I can be reached during regular business hours (8:00 am to 5:00 pm, Monday through Friday). My office number is (831) 455-1828 or I can be reached by cell phone at (831) 596-4725.

On behalf of the Board of Directors, I look forward to working with you as the annexation proceeds.

Sincerely,
MICHAEL B. URQUIDES
Fire Chief