

RESOLUTION NO. L97-04

**RESOLUTION OF THE MENDOCINO COUNTY LOCAL AGENCY
FORMATION COMMISSION APPROVING FORMATION OF THE
SANEL VALLEY FIRE PROTECTION DISTRICT
AND ADJUSTMENT OF THEIR SPHERE OF INFLUENCE**

WHEREAS, an application for formation of a special district to be known as Sanel Valley Fire Protection District was duly filed by the County of Mendocino Board of Supervisors as lead agency by Resolution No. 97-003 dated January 7, 1997 in accordance with Health & Safety Code Sections 13815 et seq., which further set forth a finance mechanism for transfer of a special tax per parcel subject to voter approval at the regular election of June 3, 1997 in an amount not to exceed \$43 per unit, which was later amended by the Mendocino County Board of Supervisors by Resolution No. 97-030 dated March 4, 1997 to no more than \$35 per unit special tax and further called for said election for the special tax measure as well as setting the Gann limit for \$150,000 which application was received by the Mendocino County Local Agency Formation Commission together with supporting documents required by rules of said Commission on April 15, 1997; and,

WHEREAS, said application has been processed pursuant to the provisions of Division 3, Title 5 commencing with Section 56000 of the Cortese - Knox Local Government Reorganization Act of 1985, State of California; and,

WHEREAS, at the times and in the form and manner provided by law, said Executive Officer has given notice of public hearing by this Commission upon said application and prepared a report which was delivered at said hearing, including her recommendations thereon, with said application and report having been presented to and considered by this Commission; and,

WHEREAS, a public hearing was held by this Commission at a special meeting held on May 22, 1997 as continued from the noticed Public Hearing scheduled for May 5, 1997; and,

WHEREAS, at such hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented, or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to said application and report; and

WHEREAS, at such hearing this Commission set forth several conditions that required corrections, clarifications and/or modifications to the proposal to be completed some prior to action by the Conducting Authority and others prior to allowing the issue to go before the voters for the November ballot.

NOW THEREFORE, BE IT RESOLVED, that the formation of a special district to be known as the Sanel Valley Fire Protection District being identified in the files of the Mendocino County Local Agency Formation Commission as File No. L95-4 be the same and is hereby conditionally approved by the Mendocino County Local Agency Formation Commission with the following findings:

1. The final boundaries of this district formation are as identified in the legal description attached as Exhibit A and map as Exhibit B of this resolution.
2. Resolution No. 97-008 has been executed by the Mendocino County Board of Supervisors accepting a zero tax exchange agreement of property tax revenues relating to the formation of the new Sanel Valley Fire Protection District.
3. A Property Tax issue collected by the Hopland Public Utilities District was acknowledged by the Commission as having been executed by the Hopland Public Utilities District for transfer to the new Sanel Valley Fire Protection District.
4. The Mendocino County Board of Supervisors conducted the CEQA process and made a finding of a Negative Declaration which Notice of Determination was recorded on January 23, 1997 and was accepted by the Commission.
5. Action on this proposal and forwarding to the Conducting Authority is subject to passage of the special tax and Gann limit scheduled for voter approval on June 3, 1997.
6. The following terms and conditions of approval by the Commission shall be as follows:
 - a. All issues and provisions adopted in the County of Mendocino's Resolution No. 97-003 and 97-030, including all exhibits, and application package, as referenced hereto and incorporated as though set forth herein, shall be set forth as LAFCO conditions of approval of this district formation.
 - b. All required water service agreements, including, but not limited to the Russian River Estates and Retech shall be completed no later than July 14, 1997.
 - c. The overlap of Sphere of Influence between the proposed district and Anderson Valley Community Services District shall be resolved to the satisfaction of both parties prior to action by the Conducting Authority. The LAFCO Fire District Sphere of Influence map is to be corrected and filed at the LAFCO office, with copies to both parties.

- d. The discrepancy regarding the number of registered voters in the proposed district territory is to be resolved and the outcome relayed to County Elections and the Assessor's Office for consistency, prior to going to the November ballot.
- e. The question of formation of the Sanel Valley Fire Protection District shall be presented to the voters for the November 1997 ballot, with the transfers of the special tax and Gann limit to be further noted for the voter awareness. The Impartial Analysis shall be prepared by the Executive Officer with the assistance of County Counsel.
- f. The Commission hereby designates the Mendocino County Board of Supervisors as the conducting authority for further proceedings pursuant to Health & Safety Code section 13823, in this case, calling for voter election of the formation, with reference to the transfer of the special tax and Gann limit to the new district if formation is successful.
- g. Costs of the election shall be in accordance with Health & Safety code section 13887.
- h. Election of District Board Members shall be in accordance with section 13837 of the Health & Safety Code.
- i. Upon success of the election and formation, all agreements, JPA's, and ordinances noted in the County of Mendocino's application - File L95-4, shall be executed.

BE IT FURTHER RESOLVED AND ORDERED that the Executive Officer of said Commission is hereby authorized and directed to forward copies of this Resolution in the manner as provided by law.

ADOPTION of this Resolution was moved by Commissioner McMichael, seconded by Commissioner Delbar and carried on this 22nd day of May, 1997 by the following roll call vote:

AYES: Kummert, Delbar, Pinches, McMichael, Melo, Ranker and Alfano
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

WHEREUPON, the Chairman declared the resolution adopted, AND SO ORDERED



Chairman

ATTEST:

Executive Officer
STATE OF CALIFORNIA, County of Mendocino

By MARY HIATT Executive Officer, Local Agency Formation Commission in and for the County of Mendocino, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Local Agency Formation Commission as the same appears spread upon their minute book.



Executive Officer

SANEL VALLEY FIRE PROTECTION ZONE

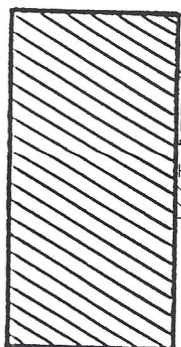
All that certain property situated in the County of Mendocino, State of California, more particularly described as follows:

Beginning at a point on the line between Mendocino and Sonoma Counties; the said point being more particularly described as the Southeast corner of Section 25, Township 12 North, Range 11 West, Mount Diablo Base and Meridian; thence from the said Point of Beginning, Northerly along the East line of the said Section 25 to the Northeast corner thereof; thence Westerly along the North line of the said Section 25 to the Southeast corner of the West Half of the Southwest Quarter of Section 24; thence Northerly along the East line of the West Half of the West Half of said Section 24 to the North line of the said Section 24; thence Westerly along the North line of the said Section 24 to the Southeast corner of Section 14; thence Northerly along the East line of Sections 2, 11, and 14 to the Northeast corner of the Southeast Quarter of the said Section 2; thence Westerly along the North line of the Northeast Quarter of the Southeast Quarter to the East line of the West Half of the East Half of the said Section 2; thence Northerly along the said East line of the West Half of the East Half to the South line of Section 34; Township 13 North, Range 11 West; thence Easterly along the South line of the said Section 34 to the Southeast corner thereof; thence Easterly along the South line of Section 35 to the Southeast corner of the West Half of the said Section 35; thence Northerly along the East line of the said West Half to the Northeast corner thereof; thence Easterly along the South line of Section 26 to the Southeast corner of the said Section 26; thence Easterly along the South line of Section 25 to the Southeast corner thereof and being on the West line of Section 29, Township 13 North, Range 10 West, Mount Diablo Meridian; thence Northerly along the West line of the said Section 29 to the Northwest corner thereof; thence Easterly along the North line of the said Section 29 to the Northeast corner thereof; thence Easterly along the North line of Section 28 to the Southeast corner of the West Half of Section 21; thence Northerly along the East line of the said West Half to the Northeast corner thereof; thence Northerly along the West Half of Section 16 to the Northeast corner thereof; thence Westerly along the North line of the said West Half to the Northwest corner thereof; thence Northerly along the East line of Section 8 to the Northeast corner thereof; thence Westerly along the North line of the said Section 8 to the Northwest corner thereof and being on the East line of Section 12, Township 13 North, Range 11 West, Mount Diablo Meridian; thence Southerly along the said East line to the Southeast corner thereof; thence Westerly along the South line of Sections 10, 11 and 12 to the Northeast corner of Section 16; thence Northerly along the said East line of Section 9 to the Northeast corner thereof; thence Westerly along the North line of Sections 8 and 9 to the East line of Sanel Rancho; thence Northerly along the said East line of the Sanel Rancho to the Northeast Corner of the said Rancho; thence westerly along the North line of the said Rancho to its intersection with the East line of Section 28, Township 14 North, Range 12 West, Mount Diablo Meridian; thence Northerly along the said East line of Section 28 to the West line of Lands conveyed to L. E. Crawford in Book 176 of Deeds, Page 159, Mendocino County Records; thence Northerly along the said West line of the said Crawford Lands to a point that bears North 89°31'08" East, 3418.42 feet from the West One- Quarter corner of Section 21; thence South 89°31'08" West, 3418.42 feet to the said West One- Quarter corner of Section 21; thence South along the West line of the said Section 21 to the Northeast corner of Section 29; thence Westerly along the

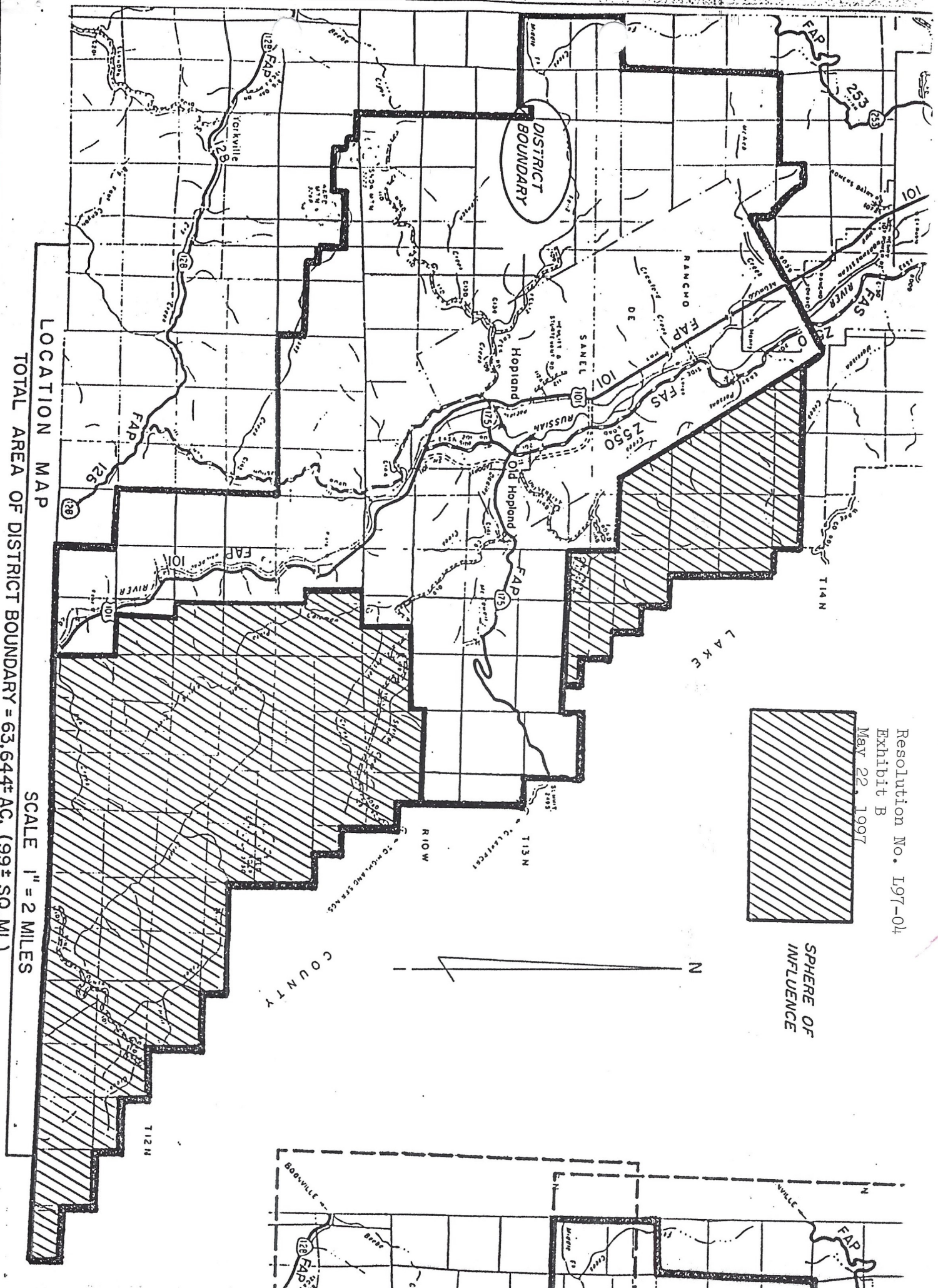
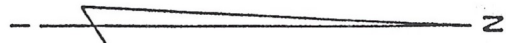
LEGAL DESCRIPTION

North line of Sections 29 and 30 to the Northwest corner of the said Section 30; thence Southerly along the West line of Sections 30 and 31, Township 14 North, Range 12 West, Mount Diablo Meridian, and continuing Southerly along the East line of Section 1, Township 13 North, Range 13 West, Mount Diablo Meridian, to the Southeast corner of the said Section 1; thence Westerly along the North line of Section 12 to the Northwest corner of the said Section 12; thence Southerly along the west line of Sections 12 and 13 to the Northwest corner of Section 24; thence Easterly along the North line of the said Section 24 to the Northeast corner thereof; thence Easterly along the South line of Section 18, Township 13 North, Range 12 West, Mount Diablo Meridian, to the Southwest corner of the Southeast Quarter of the Southeast Quarter of the said Section 18; thence Northerly along the Westerly line of the said Southeast Quarter of the Southeast Quarter to the Northwest corner thereof; thence Easterly along the North line of the said Southeast Quarter of the Southeast Quarter to the East line of the said Section 18; thence Southerly along the East line of Sections 18, 19, 30 and 31 to the Southwest corner of Section 32; thence Easterly along the South line of the said Section 32 to the North One-Quarter corner of Section 4, Township 12 North, Range 12 West, Mount Diablo Meridian; thence Southerly along the West line of the East Half of the said Section 4 to the Southwest corner of Lot 6; thence Easterly along the South line of the said Lot 6 to the Northwest corner of the East Half of Lot 7; thence Southerly along the West line of the said East Half to the Southwest corner thereof; thence Easterly along the South line of the said Lot 7 to the Southwest corner of Lot 8 of Section 3; thence Easterly along the South line of the said Lot 8 to the Southeast corner thereof; thence Northerly along the East line of the said Lot 8 to the Northwest corner of Lot 7; thence Easterly along the North line of the said Lot 7 to the Northwest corner of Lot 8 of Section 2; thence Easterly along the North line of the said Lot 8 to the Northeast corner thereof; thence Southerly along the East line of Lots 8 and 9 to the Southeast corner of the said Lot 9; thence Easterly along the North line of Lot 11 to the Northwest corner of the East Half of the said Lot 11; thence Southerly along the West line of the said East Half to the Southwest corner thereof; thence Easterly along the South line of the said East Half to the Southeast corner thereof; thence Easterly along the South line of Lots 11 and 12 of Section 1 to the East One-Quarter corner; thence Southerly along the East line of the said Section 1 to the Southeast corner thereof; thence Easterly along the South line of Sections 4, 5, and 6, Township 12 North, Range 11 West, to the Northwest corner of Section 10; thence Southerly along the West line of Sections 10, 15 and 22 to the Northwest corner of Section 27; thence Easterly along the North line of the said Section 27 to the Northeast corner thereof; thence Southerly along the East line of the said Section 27 to the Southeast corner thereof and being on the line between Mendocino and Sonoma Counties; thence Easterly along the South line of Sections 25 and 26 to the point of beginning.

Resolution No. 197-04
Exhibit B
May 22, 1997



SPHERE OF INFLUENCE



LOCATION MAP

TOTAL AREA OF DISTRICT BOUNDARY = 63,644± AC. (99± SQ. MI.)

SCALE 1" = 2 MILES