

PENN VALLEY FIRE PROTECTION DISTRICT

BOARD OF DIRECTORS

Bruce Stephenson, **Chairman**
Joey Jordan, Director
Tina Kissell, Director
Gordon Mangel, Director
Terry McMahan, **Vice-Chair**



ADMINISTRATION
P.O. Box 180
Penn Valley, CA 95946
(530) 432-2630

Fire Chief: Don Wagner
dwagner@pennvalleyfire.com
Finance Administrator
mthelen@pennvalleyfire.com

BEFORE THE BOARD OF DIRECTORS OF THE PENN VALLEY FIRE PROTECTION DISTRICT

RESOLUTION 2023-03

RESOLUTION OF APPLICATION REQUESTING THE NEVADA COUNTY LOCAL AGENCY FORMATION COMMISSION TAKE PROCEEDINGS FOR THE ANNEXATION BY THE PENN VALLEY FIRE PROTECTION DISTRICT OF THE TERRITORY OF THE ROUGH AND READY FIRE PROTECTION DISTRICT

Whereas, the Board of Directors of the Penn Valley Fire Protection District (PVFPD) desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the annexation of the lands within the Rough and Ready Fire Protection District, in conjunction with the initiation of dissolution proceedings by the Rough & Ready Fire Protection District Board of Directors on March 20, 2023; and

Whereas, the Board of Directors of the Penn Valley Fire Protection District is in agreement with the Board of Directors of the Rough and Ready Fire Protection District that the proposed annexation following dissolution of the Rough and Ready Fire Protection District will benefit the inhabitants and properties of both Districts by improving efficiency and effectiveness and assuring the long term sustainability of fire suppression, prevention, and emergency medical services within the subject territory; and

Whereas, the Board of Directors of the Penn Valley Fire Protection District understands this proposal is consistent with a determination set forth in the Nevada County Local Agency Formation Commission's Municipal Service Review for Fire and Emergency Services adopted by said Commission on January 20, 2005, recognizing that both districts should participate in discussions regarding annexation or establishment of a joint fire authority. The Board therefore hereby requests LAFCo to amend the spheres of influence for each district to facilitate this annexation. Specifically, the sphere of influence of Penn Valley Fire Protection District should be amended to include the territory within the Rough and Ready Fire Protection District, which should be assigned a 'zero' sphere of influence, consistent with the dissolution of the Rough and Ready Fire Protection District as requested by the Rough and Ready Fire Protection District Board of Directors on March 20, 2023; and

Whereas, the Penn Valley Fire Protection District and Rough and Ready Fire Protection District have been working cooperatively and collaboratively to prepare for the annexation by Penn Valley Fire Protection District of the Rough and Ready Fire Protection District territory by preparing a joint Plan for Services; and

Whereas, the Plan for Services addresses transfer and continued operation of Rough and Ready's Fire Station #59, along with the station's associated equipment and apparatus, extension of certain fire suppression assessments and special taxes, transfer of assets, provision for debts and obligations of the Rough and Ready Fire Protection District, and assignment to the Penn Valley Fire Protection District of the Rough and Ready Fire Protection District's existing rights under Health & Safety Code section 1797.201 and any other related issues. The Plan for Service will be submitted to the Nevada County Local Agency Commission for its consideration as part of the approval of this annexation and where appropriate, the terms of the Plan for Services should be included in LAFCo's proposed terms and conditions for the annexation. The annexation application will not be considered complete by LAFCo until the Plan for Services has been approved by both District Boards and submitted to LAFCo, nevertheless, LAFCo is hereby requested to commence initial proceedings immediately after the execution of this resolution.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT this Resolution is hereby adopted and approved by the Board of Directors of the Penn Valley Fire Protection District. The Nevada County Local Agency Formation Commission is hereby requested to take proceedings for the annexation of the territory within the Rough and Ready Fire Protection District, according to the terms and conditions stated above and, in the manner, provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 following dissolution of the Rough and Ready Fire Protection District.

BE IT FURTHERED RESOLVED THAT the Board of Directors of the Penn Valley Fire Protection District finds and orders that:

1. The Chairman of the Penn Valley Fire Protection District Board of Directors and staff are directed to complete and submit to LAFCo the application for annexation of the territory within the Rough and Ready Fire Protection District.
2. Request is made to the Nevada County Local Agency Formation Commission to initiate proceedings for annexation of the above-named Districts in accordance with the terms of this resolution and in the manner provided by law.
3. Request is made to the Nevada County Local Agency Formation Commission to include these terms and conditions in its action to approve the annexation proposed here:
 - a. An appropriate property tax-sharing agreement between the Penn Valley Fire Protection District and the County of Nevada is agreed pursuant to Revenue & Taxation Code section 99 that has the support of the Board of Directors of the Penn Valley Fire Protection District.
 - b. The County of Nevada is designated as the successor agency to the Rough and Ready Fire Protection District to protect the Penn Valley Fire Protection District from contingent and other liabilities of the Rough and Ready Fire Protection District.
 - c. That the existing rights of the Rough and Ready Fire Protection District under Health & Safety Code section 1797.201 be assigned to the Penn Valley Fire Protection District from and after the effective date of the annexation proposed here.
 - d. That the existing special tax of the Penn Valley Fire Protection District to fund emergency medical services be extended to the territory of the Rough and Ready Fire Protection District.

BE IT FURTHERED RESOLVED THAT this resolution shall be effective only upon adoption

by the Board of Directors of the Rough and Ready Fire Protection District of a resolution requesting LAFCo initiate dissolution proceedings for the Rough & Ready Fire Protection District.

PASSED AND ADOPTED at a Regular Meeting of the Board of Directors of the Penn Valley Fire Protection District of Nevada County held on April ____, 2023 by the following roll-call vote:

AYES: _____ **NOES:** _____

Bruce Stephenson

Terry McMahan

Joey Jordan

Gordon Mangel

Tina Kissell

ABSENT: _____

ABSTAIN: _____

ATTESTED BY: _____
Brenda Cummings, Clerk of the Board

DATED: _____