

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM
3.31
(ID # 4313)

MEETING DATE:

Tuesday, August 29, 2017

FROM : ECONOMIC DEVELOPMENT AGENCY (EDA):

SUBJECT: ECONOMIC DEVELOPMENT AGENCY (EDA): Resolution No. 2017-108 Initiating
the Dissolution of County Service Area 60 (Clerk to File Notice of Exemption)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2017-108 by the County of Riverside requesting the Local Agency Formation Commission to take proceedings for the dissolution of County Service Area 60;
2. Find that the dissolution of County Service Area 60 is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301, Existing Facilities Exemption; Section 15061(b) (3), General Rule or "Common Sense" Exemption, and Section 15378; and,
3. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk within five days of approval by the Board.

ACTION: Policy

Robert Field, Assistant County Executive Officer/EDA 7/24/2017

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Perez and duly carried, IT
WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Washington, Perez and Ashley
Nays: None
Absent: Tavaglione
Date: August 29, 2017
xc: EDA, Recorder

Kecia Harper-Ihem
Clerk of the Board

By:
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$3,000	\$0	\$3,000	\$0
NET COUNTY COST	\$0	\$0	\$0	\$0
SOURCE OF FUNDS: County Service Area 60 Pinyon Pines Operating Budget			Budget Adjustment: No	
			For Fiscal Year:	17/18

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

County Service Area 60 was formed on December 9, 1968 in order to construct, operate, and maintain a fire station in the Pinyon Pines area. On September 10, 2002, the voters within CSA 60 approved a special tax assessment to provide support to volunteer firefighter efforts. The purpose of the CSA has been accomplished and is now part of the core services provided by the County of Riverside through the County Fire.

Riverside County Fire no longer has a volunteer firefighter program, instead opting for a reserve program. CSA Administration and the Board of Supervisors have addressed the need to dissolve the CSA. The ongoing operation and maintenance of the fire station as well as management of reserve firefighters will be provided by the Riverside County Fire.

Pursuant to CEQA, the dissolution of CSA 60 was reviewed and determined to be categorically exempt from CEQA under State CEQA Guidelines Section 15301, Class 1, Existing Facilities Exemption; Section 15061(b)(3), General Rule or "Common Sense" Exemption; and Section 15378. The dissolution of CSA 60 would not result in direct impacts to the physical environment and there are no reasonably foreseeable indirect effects to the fire station that would occur.

Impact on Residents and Businesses

There will be no impact on resident or businesses as the services provided by County Service Area 60 are now part of the core public safety services provided by the Riverside County Fire Department.

Attachments:


- Resolution 2017-108
- CEQA negative declaration
- Map of county service area 60 pinyon pines

SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

RF:JWW:SH:MF MT 4313


Nehini Lasna, Principal Management Analyst

8/21/2017


Gregory J. Priamos, Director County Counsel

8/10/2017

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3
4 **RESOLUTION NO. 2017-108**

5 **A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF**
6 **RIVERSIDE REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TO**
7 **TAKE PROCEEDINGS FOR THE DISSOLUTION OF CSA 60**

8 WHEREAS, County Service Area 60 (CSA 60) is deemed to be an independent special
9 district whose affairs and finances are under the supervision and control of the Board of
10 Supervisors pursuant to California Government Code Section 25214; and

11 WHEREAS, the Riverside County Board of Supervisors desires to initiate a proposal
12 pursuant to the Cortese-Knox Hertzberg Local Government Reorganization Act of 2000,
13 commencing with Section 56000 of the California Government Code, for the dissolution of CSA
14 60; and

15 WHEREAS, notice of intent to adopt this resolution of application has been given to the
16 commission, each interested agency and each subject agency at least 20 days prior to the adoption
17 of this resolution; and

18 WHEREAS, the territory proposed to be dissolved is inhabited, and a description of the
19 boundaries of the territory is set forth in Exhibit A, attached hereto and by this reference
20 incorporated herein; and

21 WHEREAS, this proposal is consistent with the sphere of influence of the affected CSA;
22 and is not affected by any other sphere of influence; and

23 WHEREAS, it is desired that the proposed dissolution of CSA 60 be subject to the terms
24 and conditions set forth below:

25 WHEREAS, the reasons for the proposed dissolution of CSA 60 are as follows: The
26 purpose of the CSA has been accomplished and there is no need to continue the service of
27 operating and maintaining the Pinyon Flats Fire Station as that responsibility is now performed
28 as a core service of the County of Riverside through Riverside County Fire/Cal Fire. The
community has addressed the need to dissolve the CSA. CSA 60 has also been approved by

FORM APPROVED COUNTY COUNSEL
BY: Dale A. Gardner 8/10/17
DATE

1 voters to collect a special assessment for support to volunteer firefighters. The County now
2 administers a reserve firefighter program and the need for funding volunteer firefighter programs
3 no longer exists. Therefore the CSA is assessing itself for a volunteer program that no longer
4 exists; and

5 WHEREAS, this Board certifies that this action is exempt from CEQA review as a Change
6 in Organization per 14 CCR Section 15320, because the change does not change the geographical
7 area in which the previously existing powers are exercised and the proposal will not have an
8 adverse effect on the environment;

9 NOW, THEREFORE, the Board of Supervisors of the County of Riverside resolve, find,
10 declare, and order as follows:

11 1. The above recitals are true and correct.

12 2. The Riverside County Board of Supervisors requests that the Local Agency Formation
13 Commission of Riverside County take proceedings for the dissolution of CSA 60 described in
14 Exhibit A, according to the terms and conditions stated below and in the manner provided by the
15 Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

16 3. The dissolution of CSA 60 shall be subject to the following terms and conditions:

17 A. The County of Riverside shall defend, indemnify, and hold harmless the Riverside
18 County Local Agency Formation Commission (LAFCO), its agents, officers, and
19 employees from any claim, action, or proceeding against LAFCO, its agents, officers,
20 or employees to attach, set aside, void, or annul an approval of LAFCO concerning the
21 dissolution of CSA 60. LAFCO will promptly notify the County of Riverside of any
22 such claim, action, or proceedings against LAFCO and will cooperate fully in the
23 defense. If LAFCO fails to promptly notify the County of Riverside of any such claim,
24 action or proceeding, or fails to cooperate fully in the defense, the County of Riverside
25 shall not, thereafter, be responsible to defend, indemnify, or hold harmless LAFCO.

26 B. The assets and the debts and obligations of the County Service Area 60 will be
27 succeeded to by the County of Riverside as successor to CSA 60 to be administered as
28 provided by law and applicable property taxes/special assessment taxes collected and

1 outstanding bond and other debt obligations be met and related actions/proceedings be
2 taken as prescribed/permitted by law.

3
4 Passed and adopted by the Riverside County Board of Supervisors at a regular meeting
5 thereof held on the 29th day of August, 2017, by the following vote:

6
7 ROLL CALL:

8 Ayes: Jeffries, Washington, Perez and Ashley
9 Nays: None
Absent: Tavaglione

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11 The foregoing is certified to be a true copy of a resolution duly
adopted by said Board of Supervisors on the date therein set forth.

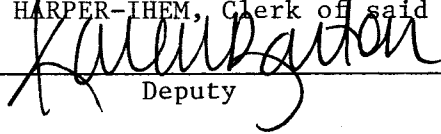
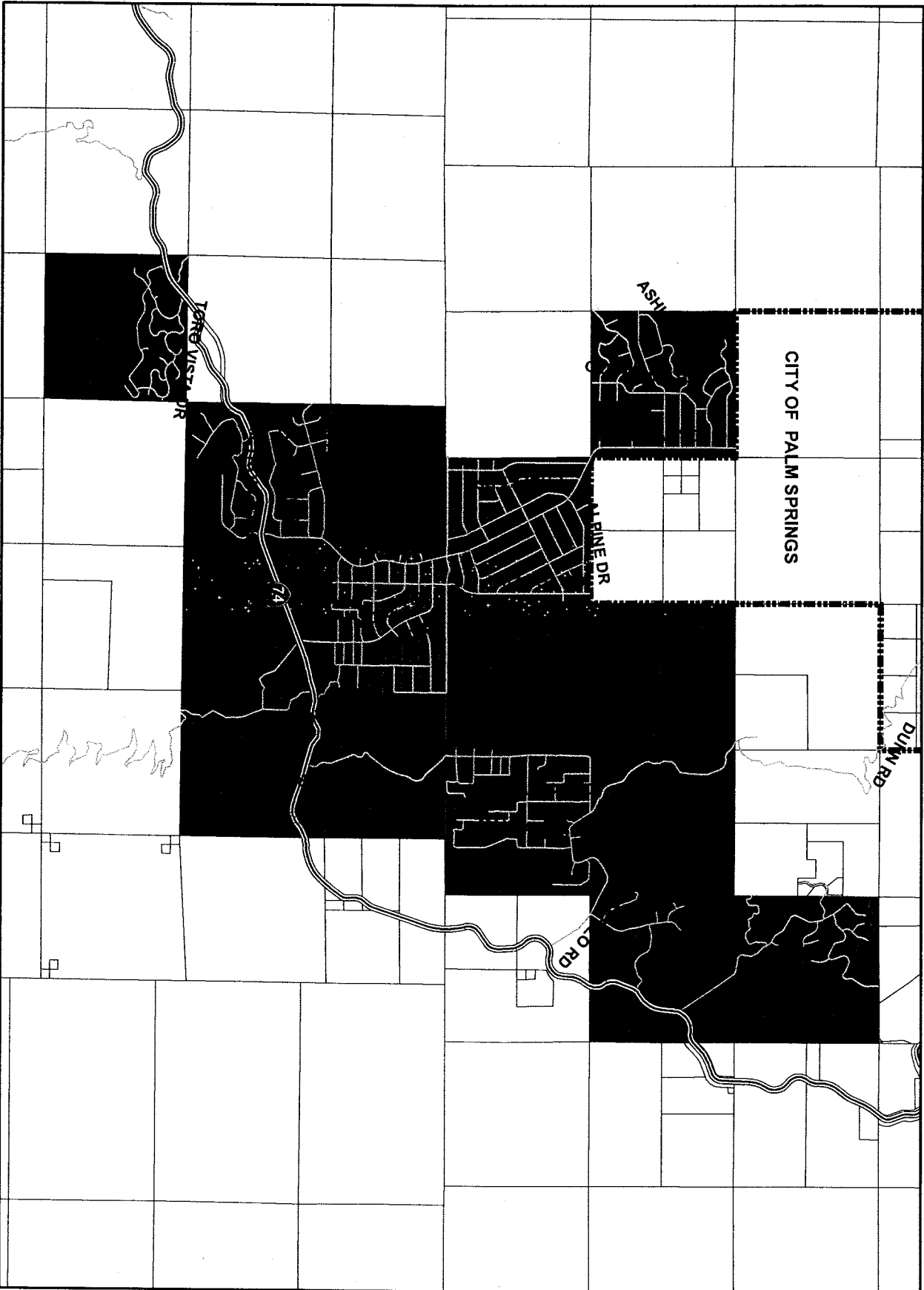
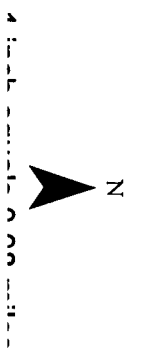
12 KECIA HARPER-IHEM, Clerk of said Board
13 By 
14 Deputy

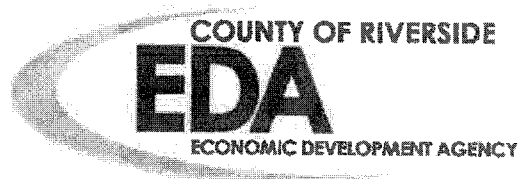
EXHIBIT A

CSA 60



This map was made by the Riverside County Economic Development Agency utilizing Geographic Information System (GIS) technology. The map data was produced by the County of Riverside Planning and Research Agency. The County of Riverside assumes no warranty or legal responsibility for the information contained on this map. Data and updates are subject to change. Data and updates should be verified by the user.





Original Negative Declaration/Notice of Determination was routed to County Clerks for posting on.

8/31/17 Date via EDA Initial

NOTICE OF EXEMPTION

May 9, 2017

Project Name: County of Riverside, Economic Development Agency (EDA) Dissolution of County Service Area 60 Pinyon Pines

Project Number: ED9060010

Project Location: County of Riverside, County Service Area 60 (Pinyon Pines); See Attached Exhibit

Description of Project: County Service Area (CSA) 60 is located in the unincorporated area of Riverside County. CSA 60 was formed on December 9, 1968 in order to construct, operate, and maintain a fire station in the Pinyon Pines area. On September 10, 2002, the voters within CSA 60 approved a special tax assessment to provide support to volunteer firefighters in CSA 60. The Fire Station, Riverside County Fire Station 30, is now funded and operated by the Riverside County Fire Department, which no longer has a volunteer firefighter program, and no funds reserve fire fighters. Therefore, the Pinyon Pines Fire Station no longer needs to support volunteer fire fighters and the purpose of the CSA has been accomplished. CSA Administration and the Board of Supervisors have addressed the need to dissolve the CSA 60. The ongoing operation and maintenance of Fire Station 30, as well as management of reserve firefighters will be provided by the Riverside County Fire Department. The dissolution of CSA 60, is identified as the proposed project under the California Environmental Quality Act (CEQA). The dissolution of the CSA will eliminate the annual special tax assessment of \$25.00 per parcel within CSA 60. No expansion of an existing use will occur. No additional direct or indirect physical environmental impacts are anticipated from the dissolution of CSA 60.

Name of Public Agency Approving Project: County of Riverside, Economic Development Agency

Name of Person or Agency Carrying Out Project: County of Riverside, Economic Development Agency Community Services Division

Exempt Status: Not a project as defined in California Environmental Quality Act (CEQA) Section 21065 and State CEQA Guidelines 15378; Section 15301, Existing Facilities Exemption; Section 15061(b) (3), General Rule or "Common Sense" Exemption. Codified under Public Resources Code Division 13, Chapter 2.5, Section 21065, and California Code of Regulations Title 14, Articles 5, 19, and 20, Sections 15061, 15301, and 15378.

Reasons Why Project is Exempt: The direct effects of the dissolution of CSA 60, which will eliminate a special tax assessment within the Pinyon Pines area, would not constitute a project as defined by State CEQA Section 21065 and CEQA Guidelines Section 15378. Section 15378 (b) provides a list of five activities that are not considered a project under CEQA. The proposed dissolution would qualify under condition (5) identified in Section 15378 (b): organizational or administrative activity of the government that will not result in direct or indirect physical changes to the environment. The dissolution of CSA 60 by the Board satisfies this condition as the dissolution would entail a fiscal activity to eliminate a special tax assessment within CSA 60 and would not result in direct or indirect physical changes to the environment. Based on the above conditions, the dissolution of CSA 60 is not a project as defined by CEQA Section 21065 and State CEQA Guidelines Section 15378.

AUG 29 2017 3.31

The special tax assessment that comprises CSA 60 was implemented to construct, operate and maintain a fire station within CSA 60. The remaining component of CSA to fund volunteer fire fighters is no longer required due to the administrative reorganization of the Riverside County Fire Department, which now is responsible for the operation and maintenance of the fire station within CSA 60. The indirect effects of the dissolution of CSA which would result in the complete transfer of fiscal responsibilities from CSA 60 to the Riverside County Fire Department is categorically exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below. The project will not result in any specific or general exceptions to the use of the categorical exemption as detailed under State CEQA Guidelines Section 15300.2. The project will not cause an impact to an environmental resource of hazardous or critical concern nor would the project include a reasonable possibility of having a significant effect on the environment due to unusual circumstances. The project would not result in impacts to scenic highways, hazardous waste sites, historic resources, or other sensitive natural environments, or have a cumulative effect to the environment. No significant environmental impacts are anticipated to occur with the dissolution of CSA 60.

- **Section 15301 – Class 1 Existing Facilities Exemption:** This categorical exemption includes the operation, repair, maintenance, leasing, or minor alteration of existing public or private structures or facilities, provided the exemption only involves negligible or no expansion of the previous site's use. The project, as proposed, is limited to the removal of a special tax assessment within CSA 60 and the transfer of fiscal responsibility to the Riverside County Fire Department. The fire station will continue to provide fire suppression services and no change in use to the existing facility would occur. The continued operation and maintenance would not require any expansion of public services and facilities; therefore, the project is exempt as it meets the scope and intent of the Class 1 Exemption identified in Section 15301, Article 19, Categorical Exemptions of the CEQA Guidelines.
- **Section 15061 (b) (3) – “Common Sense” Exemption:** In accordance with CEQA, the use of the Common Sense Exemption is based on the “general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.” State CEQA Guidelines, Section 15061(b) (3). The use of this exemption is appropriate if “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” *Ibid*. This determination is an issue of fact and if sufficient evidence exists in the record that the activity cannot have a significant effect on the environment, then the exemption applies and no further evaluation under CEQA is required. See *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68. The ruling in this case stated that if a project falls within a category exempt by administrative regulation or 'it can be seen with certainty that the activity in question will not have a significant effect on the environment', no further agency evaluation is required. With certainty, there is no possibility that the project may have a significant effect on the environment. The dissolution of CSA 60 will not result in any direct or indirect physical environmental impacts. The use and operation of the fire station will be substantially similar to the existing use and will be limited to a transfer in funding responsibilities. Therefore, in no way, would the project as proposed have the potential to cause a significant environmental impact and the project is exempt from further CEQA analysis.

Based upon the identified exemptions above, the County of Riverside, Economic Development Agency hereby concludes that no physical environmental impacts are anticipated to occur and the project as proposed is exempt under CEQA. No further environmental analysis is warranted.

Signed: _____

Date: _____

Mike Sullivan, Senior Environmental Planner
County of Riverside, Economic Development Agency