

SANTA CRUZ LOCAL AGENCY FORMATION COMMISSION  
RESOLUTION NO. 913

On the motion of Commissioner Pirie  
duly seconded by Commissioner Campos  
the following resolution is adopted:

DISAPPROVING APPLICATION NUMBER 913  
FORMATION OF BONNY DOON FIRE PROTECTION DISTRICT AND  
DETACHMENT OF BONNY DOON FROM COUNTY SERVICE AREA 48  
(COUNTY FIRE)

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WHEREAS, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, this Commission has received a petition and application from Bonny Doon Fire/Rescue, Inc. to form a fire protection district in Bonny Doon, to detach Bonny Doon from County Service Area 48 (County Fire), to establish a Sphere of Influence for the Bonny Doon Fire Protection District, and to exclude the Bonny Doon area from the Sphere of Influence for County Service Area 48; and

WHEREAS, the short term designation of this proposal is the "LAFCO Application Number 913, Formation of Bonny Doon Fire Protection District and Detachment of Bonny Doon from County Service Area 48 (County Fire)"; and

WHEREAS, this Commission has held a noticed public hearing on the application during the evening of September 22, 2008; and

WHEREAS, this Commission has carefully considered the Executive Officer's Report, including all factors required by Government Code Section 56668, the Initial Study and Negative Declaration prepared pursuant to the California Environmental Quality Act, as well as all written and oral testimony that was submitted by the interested members of the affected communities;

NOW, THEREFORE, BE IT RESOLVED that the Commission has reviewed the Negative Declaration dated August 8, 2008 together with the comments received during the public review process, and approves the Negative Declaration. The Commission finds that Application Number 913 will not have a significant effect on the environment.

AND, BE IT FUTHER RESOLVED, that Application Number 913 is hereby disapproved because the proposal is inconsistent with the policies of the Cortese-Knox-Hertzberg Local Government Reorganization Act and the policies of the Santa Cruz Local Agency Formation Commission. Specific inconsistencies include, but are not limited to, the following:

1. Government Code Section 56301 states, in part, “When the formation of a new government entity is proposed, a [LAFCO] commission shall make a determination as to whether existing agencies can feasibly provide the needed service or services in a more efficient and accountable manner.”

The Commission hereby determines that the existing service agency, County Service Area 48, can provide fire and initial emergency services more efficiently than the model presented in Application Number 913. This is the case for both the 49 square miles of the Bonny Doon area as well as the 286 square miles within the whole of County Service Area 48. County Service Area 48 is significantly more cost-efficient than the cost of services would be in Bonny Doon and elsewhere in rural Santa Cruz County under the model proposed by Application Number 913.

2. Government Code Section 56886.5 (a) states, in pertinent part, that: “(a) If a proposal includes the formation of a district or the incorporation of a city, the [LAFCO] commission shall determine whether existing agencies can feasibly provide the needed service or services in a more efficient and accountable manner. If a new single-service local agency is deemed necessary, the commission shall consider reorganization with other single-purpose local agencies that provide related service.”

The Commission has evaluated the relevant efficiencies in the determination as summarized in the previous section concerning Government Code Section 56301. Application Number 913 proposes the formation of a new single-service local agency. The Commission does not deem the new district necessary.

3. Santa Cruz LAFCO Standard 2.1.1 states:  
“New or consolidated service shall be provided by one of the following agencies in the descending order of preference:  
-annexation to an existing city,  
-annexation an existing district of which the Board of Supervisors is the governing body,  
-annexation to an existing multi-purpose district,  
-annexation to another district,  
-formation of a new county service area,  
-incorporation of a new city,  
-formation of a new multi-purpose district,  
-formation of a new single-purpose district.”

The Commission determines that Application Number 913 proposes to form a new single-purpose district. This is the lowest priority of service organization. The service is currently being provided by an existing district of which the Board of Supervisors is the governing body, which is a higher priority service organization and a feasible means of delivering the service.

4. Santa Cruz LAFCO Policy 2.4 states:  
“ The Commission shall consider the effects of a proposal on adjacent areas, mutual social and economic interests, and on local government structure.”

The Commission has considered the potential effects of the proposal upon Bonny Doon, Davenport, the North Coast, Skyline, Summit, Corralitos, and the other areas served by County Service Area 48. The application would likely result in County Service Area 48 losing significant revenues and potentially causing a degradation of services in one or more of the four off-season paid stations (Big Creek, Saratoga Summit, Burrell, and Corralitos). As a result, formation of a Bonny Doon Fire Protection District would likely have a negative effect on adjacent areas.

PASSED AND ADOPTED by the Local Agency Formation Commission of Santa Cruz County this fifth day of November 2008, by the following vote:

AYES:

NOES:

ABSENT:

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JAMES W. RAPOZA, CHAIRPERSON  
Santa Cruz Local Agency Formation Commission

Attest:

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Patrick M. McCormick  
Executive Officer

Approved as to form:

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Christopher Cheleden  
LAFCO Counsel