

Sphere of Influence Updates for Four Recreation and Park Districts

Summary

The enclosed report (*Nevada County Recreation and Park Districts Sphere of Influence Plans 2021*), **Attachment 1**, presents updated sphere of influence plan information for the four Recreation Districts in Nevada County:

- Bear River Recreation and Park District
- Oak Tree Recreation and Park District
- Truckee Donner Recreation and Park District
- Western Gateway Recreation and Park District

Maps depicting the location of each district are included in the sphere of influence plan report (Attachment 1). The Commission last updated the spheres of all four Recreation Districts in 2015.

The sphere of influence plan report contains updated information relative to the operational and financial status of each district. The report builds on the information and determinations originally provided in the *Nevada County Recreation and Park Services Municipal Service Review* prepared by LAFCo in 2006 (Note: this document is included in the sphere update report as *Appendix C*). Subsequent studies have also provided information for the sphere update, including two recent reports prepared by the County: a 2018 Fee Nexus Study and a 2019 evaluation of governance alternatives for the three western county recreation districts. These two studies, prepared by *Economic and Planning Systems, Inc.*, have also been included in the sphere update report as Appendices 'A' and 'B.'

Recommendation

Staff is recommending the Commission confirm the status quo spheres of influence for all four Recreation Districts, which consist of coterminous spheres for the Bear River, Oak Tree and Truckee Donner Recreation Districts, and sphere consisting of a single parcel for the Western Gateway Recreation District. None of the four districts have plans to annex land beyond their current boundaries. The single parcel that constitutes the Western Gateway district's sphere of influence is entirely surrounded by the district's boundaries.

Draft resolutions have been prepared for approval of each sphere update (**Attachments 2 - 5**). Each draft resolution contains written determinations on land use, service needs, service capacity, communities of interest and disadvantaged unincorporated communities, as required by LAFCo law. Recommended environmental determinations relative to the sphere plan updates are also included.

Suggested motion:

Adopt proposed Resolutions No. 21-06 through 21-09 updating the spheres of influence for the four Recreation and Park Districts.

Background

Recreation and Park Districts are independent special districts which operate in accordance with the provisions of the Recreation and Park District Law, starting at Section 5780 of the Public Resources Code. Each of the four districts has a board of directors comprised of voters residing within the district. Recreation and Park Districts are empowered to:

- (a) Organize, promote, conduct, and advertise programs of community recreation, including, but not limited to, parks and open space, parking, transportation, and other related services that improve the community's quality of life.
- (b) Establish systems of recreation and recreation facilities, including, but not limited to, parks and open space.

- (c) Acquire, construct, improve, maintain, and operate recreation facilities, including, but not limited to, parks and open space, both inside and beyond the district’s boundaries.

Brief histories of each district are included in the sphere of influence plan report (*Attachment 1*). Truckee Donner is the oldest of the Recreation Districts, having been established in 1962. The newest is the Oak Tree Recreation District, which was created in 2011.

Sphere of Influence

Each of the four Recreation Districts has evolved to reflect the priorities and circumstances of its community. Although all four agencies are actively providing services, none of them is in a position to expand its service area. Therefore, spheres that are *coterminous* with agency boundaries are recommended for three of the four districts. Since the Western Gateway Recreation District’s boundaries entirely surround a single 24-acre property, the sphere for that district consists of that single parcel.

Municipal Service Review

In 2006, LAFCo completed a Municipal Service Review of recreation services in Nevada County. The MSR examined the manner in which these services were provided by three of the four recreation districts (Oak Tree Recreation District having not yet been established), as well as Nevada Irrigation District and the cities of Grass Valley and Nevada City. This report has been included in the sphere update report in its entirety as Appendix ‘C.’

Outstanding Issues

Since the 2015 sphere of influence updates for the Recreation Districts, there have been no Grand Jury reports issued specific to any of the four districts. Note that the Grand Jury has issued reports in FYEs 2019 and 2020 that surveyed and made recommendations for improving public accountability and transparency for all 24 independent districts in Nevada County.

In 2018, the County approved an update to the park and recreation mitigation fee structure for western Nevada County, following the preparation of a nexus study by *Economic and Planning Systems, Inc.* This report has been included in the sphere of influence plan report (*Attachment 1*). Note that eastern county recreation mitigation fees are administered and paid directly to the Truckee Donner Recreation and Park District.

In 2019, the County arranged for a survey of governance alternatives for the three western Recreation Districts. This report, also prepared by *Economic and Planning Systems, Inc.*, provided an overview of various governance and functional alternatives to improve the services of the districts (the entire report has been provided within the sphere of influence plan report (*Attachment 1*)). Following the completion of this study, the County has been working to encourage coordination and collaboration between the western recreation districts. The County has also engaged an independent contractor to work closely with the Districts and to support their efforts to improve their administrative and operational activities.

CEQA Compliance

Sphere of influence actions, including adoptions, updates and amendments, are within the sole purview of LAFCo, so it is appropriate in this case for LAFCo to act as Lead Agency. In 2015, when it last updated the spheres plans for the Recreation and Park Districts, the Commission found the updates to be exempt from the California Environmental Quality Act (under State CEQA Guidelines Section 15061 (b) (3)): *The activity is covered by the General Rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.*

In consideration of the circumstances listed below, the 2021 sphere of influence updates appear to qualify for exemption to CEQA under the *General Rule* exemption cited above:

- Each agency’s sphere of influence is coterminous with its external boundary and service area, and no change to this status is contemplated.
- Each agency’s service capacity is sufficient only for continued service within existing service areas.
- The service provided by each agency is consistent with the General Plan and zoning, as well as with the current land uses and needs of the residents.
- No unusual circumstances relative to any agency’s services or to LAFCo’s update of the spheres of influence have been identified.

Compliance with Statutory Requirements and Commission Policy

Consistency with statutory requirements and Commission policy is discussed below:

Statutory Requirements

Government Code Section 56425 (e) sets forth the factors that the Commission shall consider when determining the sphere of influence of each local agency:

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

Land use information for each agency has been provided and discussed in the sphere of influence plan report.

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- (2) The present and probable need for public facilities and services in the area.**

Documentation of the need for each agency’s services has been provided in the sphere of influence plan report.

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- (3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.**

Information regarding each agency’s capacity and adequacy of services has been provided in the sphere of influence plan report.

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

Information regarding relevant social or economic communities of interest is provided for each agency in the sphere of influence plan report.

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- (5) For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.**

The four subject Recreation and Park Districts do not provide any of the listed services.

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- f) Upon determination of a sphere of influence, the commission shall adopt that sphere.**

The Commission may take this action following a public hearing on the matter.

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- g) On or before January 1, 2008, and every five years thereafter, the commission shall, as necessary, review and update each sphere of influence.**

The Commission has established a schedule for sphere updates, and may take this action following a public hearing on the matter.

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- h) In determining a sphere of influence, the commission may assess the feasibility of governmental reorganization of particular agencies and recommend reorganization of those agencies when reorganization is found to be feasible and if reorganization will further the goals of orderly development and efficient and affordable service delivery. The commission shall make all reasonable efforts to ensure wide public dissemination of the recommendations.**

Although no potential governmental reorganizations have been identified relative to the recreation districts subject to this review, the Commission should be aware of this option. As discussed above, in 2019 the County prepared a report discussing alternative governance options, which has been provided as an appendix in the sphere plan report (Attachment 1).

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- i) When adopting, amending, or updating a sphere of influence for a special district, the commission shall establish the nature, location, and extent of any functions or classes of services provided by existing districts.**

The sphere of influence plan report contains information regarding the nature, location and extent of the services provided by each agency. This information has also been incorporated into the draft Resolutions adopting each sphere plan.

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- j) When adopting, amending, or updating a sphere of influence for a special district, the commission may require existing districts to file written statements with the commission specifying the functions or classes of services provided by those districts.**

Each agency has been contacted during this sphere of influence update process and the sphere of influence report provides a discussion for each agency relative to services.

Commission Policy

Applicable Commission policies include General Policies, as well as specific policies for spheres of influence and for district annexations.

GENERAL POLICIES (SECTION II of the Commission’s Policies)

A. Communication between local agencies is encouraged.	<i>Consistent</i>
B. Urban development proposals shall include annexation to a city where possible.	<i>Not Applicable</i>
<i>The sphere of influence plans that are the subject of this report are not associated with any proposals for urban development.</i>	
C. LAFCo will normally deny proposals that result in urban sprawl.	<i>Not Applicable</i>
<i>Adoption of updated spheres of influence for each Recreation District will not result in urban sprawl, as it is characterized by LAFCo policy.</i>	
D. Environmental consequences (CEQA) shall be considered.	<i>Consistent</i>
<i>Adoption of these sphere of influence plans will not result in any changes to the existing service patterns and appear to qualify for exemption to CEQA pursuant to Section 15061 (b) (3) of the State CEQA Guidelines.</i>	
E. LAFCo will consider the impact of a proposal on the regional supply of housing for all income levels.	<i>Not Applicable</i>
<i>The sphere updates will have not effect the regional housing supply.</i>	
F. LAFCo will favor proposals that promote compact urban form and infill development.	<i>Not Applicable</i>
<i>The sphere of influence plan updates will neither promote nor prevent compact urban form and infill development.</i>	
G. Government structure should be simple, accessible, and accountable.	<i>Consistent</i>
H. Agencies must provide documentation that they can provide service within a reasonable period of time.	<i>Consistent</i>
<i>Financial and operational information has been gathered to document the ability of each agency to continue provision of services to meet existing demand.</i>	

<p>I. Efficient services are obtained when proposals:</p> <ul style="list-style-type: none"> a. Utilize existing public agencies. b. Consolidate activities and services. c. Restructure agency boundaries to provide more logical, effective, and efficient services. 	<i>Consistent</i>
<p>J. Adverse impacts on adjacent areas, social and economic interests and the local government structure must be mitigated.</p>	<i>Consistent</i>
<p>K. Conformance with general and specific plans required.</p> <p><i>The continued provision of the services provided by each district is consistent with the General Plans of all three land use authorities (County of Nevada, County of Placer and the Town of Truckee).</i></p>	<i>Consistent</i>
<p>L. Boundaries:</p> <ul style="list-style-type: none"> a. Definite boundaries are required. b. Boundaries that are favored: <ul style="list-style-type: none"> • Create logical boundaries & eliminate islands or illogical boundaries. • Follow natural or man-made features & include logical service areas. c. Boundaries that are disfavored: <ul style="list-style-type: none"> • Split neighborhoods or communities. • Result in islands, corridors, or peninsulas. • Are drawn for the primary purpose of encompassing revenue-producing territories. • Create areas where it is difficult to provide services. 	<i>Consistent</i>
<p>M. Revenue neutrality is required for all proposals.</p> <p><i>Update to the sphere of influence plans for the subject districts will have no impact on the existing local government tax apportionment structure.</i></p>	<i>Not Applicable</i>
<p>N. PrimeAgricultural and Open Space Land conservation standards are:</p> <ul style="list-style-type: none"> a. The proposal must lead to planned, orderly and efficient development. b. An approved Sphere of Influence Plan is required. c. Findings with respect to alternative sites are required. d. Impact on adjacent agricultural/open space lands must be assessed. <p><i>The sphere of influence plan updates do not involve and will not impact any Prime Agricultural or Open Space lands.</i></p>	<i>Not Applicable</i>
<p>O. Need for services must be established, and exists when:</p> <ul style="list-style-type: none"> a. A public health and safety threat exists. b. The residents have requested extension of non-growth-inducing community services. c. The subject area is likely to be developed for urban use within 5 years. 	<i>Consistent</i>
<p>P. Disadvantaged Unincorporated Communities will be identified and addressed as required.</p> <p><i>This sphere of influence plans report includes a discussion of the recognized Disadvantaged Unincorporated Communities relevant to this proposal.</i></p>	<i>Consistent</i>

Q. Exceptions are justified on the following grounds:	<i>Not Applicable</i>
<ul style="list-style-type: none"> a. Unique b. Standards conflicts c. Quality/Cost d. No alternative is available 	

SPHERE OF INFLUENCE POLICIES (SECTION III, Item A)

1. Sphere Plans must conform to LAFCo policy, the Cortese-Knox-Hertzberg Act, the Sphere Plans of other agencies in the area, applicable MSRs, and the long-range planning goals for the area.	<i>Consistent</i>
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The sphere of influence updates are consistent with the listed items in all respects.

2. Sphere boundaries must conform to the Commission’s standards on the five factors of consideration (GC. § 56425):	<i>Consistent</i>
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- **Land Use**
- **Need for public facilities & service**
- **Capacity & adequacy of public facilities and services**
- **Communities of interest**

Disadvantaged unincorporated communities, relative to agencies providing sewer, water or structural fire protection

With respect to land use and the need for facilities and services, the territory included within each agency’s jurisdictional boundaries and sphere of influence includes residential uses that benefit from recreation and park services. Each agency’s current capacity and adequacy levels are documented in the Sphere of Influence Plan report. Communities of interest that have relevance to the provision of the subject services are discussed in the report.

The fifth factor of consideration on Disadvantaged Unincorporated Communities applies only to the spheres of influence of agencies that provide sewer, water or structural fire protection services and does not pertain to the subject agencies.

Recommended determinations with respect to each of the listed factors have been included in each draft resolution.

3. LAFCo may designate territory as an Area of Interest.	<i>Not Applicable</i>
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No territory is recommended for this designation.

4. LAFCo may adopt a “zero” or “minus” sphere for an agency if appropriate.	<i>Not Applicable</i>
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SPECIFIC REQUIREMENTS FOR DISTRICT SPHERE PLANS (SECTION III, Item B)

Documentation of Need for Service and District Capacity to Serve.	<i>Consistent</i>
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As noted above, documentation of the need for each agency’s services and capacity of each to meet that need has been provided in the Sphere of Influence Plan report.

Multi-Service District Sphere Plans	<i>Not Applicable</i>
<i>None of the subject districts provide multiple services; each only provides Recreation and Park services.</i>	
Sphere Plans for New Districts	<i>Not Applicable</i>
MUNICIPAL SERVICE REVIEWS (SECTION III, Item C)	
LAFCo will Prepare or Update Appropriate Service Reviews	<i>Consistent</i>
<i>As noted above, the Commission prepared a Municipal Service Review on Recreation and Park Services in 2006. The sphere of influence plans for each agency incorporates information relative to that study.</i>	
AMENDMENTS AND UPDATES OF SPHERES (SECTION III, ITEM D)	
1. Adoption and Revision Procedures.	<i>Consistent</i>
<i>LAFCo procedures for adoption, amendment and update of spheres include a public hearing and compliance with the requirements of the Cortese-Knox Hertzberg Act</i>	
2. Updates and Amendments Defined.	<i>Consistent</i>
<i>LAFCo procedures distinguish between sphere amendments (which involve discrete changes to a sphere plan or map to accommodate a specific proposal), and sphere updates (which are undertaken at routine intervals and involve a comprehensive review of the entire agency sphere plan). The Commission is asked to take action to update the sphere of influence plans.</i>	
3. Amendments Required in order to:	<i>Not Applicable</i>
<ul style="list-style-type: none"> a. Add or remove territory from the sphere b. Move territory from one development horizon to another c. When a district seeks to provide a new or different service d. Address significant changes in the agency's plans 	
4. Updates Required every five years or as the Commission deems necessary.	<i>Consistent</i>
5. General Requirements.	<i>Consistent</i>
<i>Commission policy requires sphere updates and amendments to comply with Commission General Policies and with specific policies and standards for sphere updates and amendments.</i>	
6. Precedence of Amendments over Annexations.	<i>Not Applicable</i>
7. Demonstrated Need Required for Sphere Amendments	<i>Not Applicable</i>
8. Open Space and Prime Agricultural Land for Sphere Amendments	<i>Not Applicable</i>

Comments from the Public and from Affected Agencies

No unfavorable comments have been received from members of the public or from the public agencies affected by the sphere updates.

Remarks and Conclusion

LAFCo law defines a sphere of influence as the *probable physical boundaries and service area of a local agency, as determined by the Commission* (Government Code § 56076). Pursuant to Government Code §

56425, the Commission is required to consider and adopt determinations on the following factors: (1) Present and planned land uses in the area, including agricultural and open space lands, (2) Present and probable need for public facilities and services in the area, (3) Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide, (4) Existence of any social or economic communities of interest in the area, if the commission determines that they are relevant to the agency, and (5) Existence of any Disadvantaged Unincorporated Communities (only for agencies providing water, sewer or fire protection). The Commission is also required to establish the nature, location, and extent of any functions or classes of services provided by districts. Information relative to these topics has been included in the sphere of influence plan report (*Nevada County Recreation and Park Districts – Sphere of Influence Plans - 2021*).

The financial and operational information collected for the Truckee Donner Recreation and Park District demonstrates the district is financially viable and capable of providing services at the level desired by the residents. The District has a full board and a staff capable of handling administrative and operational matters.

The Oak Tree and Western Gateway Recreation and Park Districts appear to be able to meet their administrative responsibilities, although both districts rely upon board member volunteers for most duties. Although each district is minimally funded, they both appear to be able to fund the basic operational requirements, including park maintenance.

The Bear River Recreation and Park District appears to be struggling to meet its administrative responsibilities, but is catching up with providing required independent audits to the County Auditor's office. The District at present has two board vacancies.

Staff recommends the Commission approve co-terminous spheres of influence for Bear River, Oak Tree and Truckee Donner Recreation and Park Districts, and approve a sphere including a single property for the Western Gateway Recreation District. This can be accomplished by adoption of the proposed resolutions provided with this report (***Attachments 2, 3, 4, 5,***). Note that the map exhibits for each resolution will be the same as the versions included in the sphere of influence plan report.

cc: Ed Downs and Debi Juric, Bear River Recreation and Park District
Anne Solik and Michael Travers, Oak Tree Recreation and Park District
Steve Randall and Mark Wasley, Truckee Donner Recreation and Park District
Dan House and Nancy Peirce, Western Gateway Recreation and Park District
Sandy “Jake” Jacobson, WNC Rec Coalition Facilitator/Grant Technician

Attachments:

- 1 Sphere of Influence Plan Report – Nevada County Recreation and Park Districts Sphere of Influence Plans -- 2021 (provided as a separate document)
- 2 Draft Resolution 21-06 (Bear River Recreation and Park District)
- 3 Draft Resolution 21-07 (Oak Tree Recreation and Park District)
- 4 Draft Resolution 21-08 (Truckee Donner Recreation and Park District)
- 5 Draft Resolution 21-09 (Western Gateway Recreation and Park District)

**Resolution 21-06 of the
Local Agency Formation Commission
of
Nevada County, California**

Making Determinations and Approving Sphere of Influence Plan Update for the Bear River Recreation and Park District

WHEREAS, California Government Code Section 56425 requires that a Local Agency Formation Commission (“LAFCo”) adopt Spheres of Influence for all agencies in its jurisdiction and to review those spheres for possible update every five years; and,

WHEREAS, proceedings for adoption, update and amendment of a Sphere of Influence are governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act, Section 56000 *et seq.* of the Government Code; and,

WHEREAS, Government Code Section 56425 defines the purpose of a Sphere of Influence Plan as assisting a LAFCo to carry out its responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities; and

WHEREAS, such a plan will be utilized by members of the public, public agencies, service providers and affected property owners to ascertain the timing of development and expected scope and provision of public services; and,

WHEREAS, the Sphere of Influence Plan is a flexible document that may be amended to accommodate changes in development patterns and local circumstances and, further, will be reviewed in five years; and,

WHEREAS, the Bear River Recreation and Park District is an independent district which was established for the purpose of providing recreation services within its boundaries; and,

WHEREAS, California Government Code Section 56430 requires the Commission to conduct service reviews of the provision of municipal services prior to or in conjunction with action to update or adopt a sphere of influence; and,

WHEREAS, the Commission prepared a Municipal Service Review of Nevada County Recreation and Park Services in 2006 and adopted written determinations on services provided throughout the County; and,

WHEREAS, in 2009 and in 2014, following noticed public hearings, the Commission approved sphere of influence plan updates for the Bear River Recreation and Park District which provided for a sphere of influence with no additional territory beyond the district’s jurisdictional boundaries; and,

WHEREAS, the Executive Officer has reviewed the 2014 sphere of influence plan, the relevant Municipal Service Review, and more recent documentation prepared by the District and the County relative to recreation services, and has prepared a report summarizing the District’s capacity to provide services to the current and future population within its current service area and sphere of influence including recommendations and conditions for update of the District’s sphere of influence; and has furnished copies of said report to the Commission and to all other persons required by law to receive it; and,

WHEREAS, at the time and in the manner provided by law, the Executive Officer gave notice of the date, time, and place of a public hearing by the Commission upon the Bear River Recreation and Park District Sphere of Influence Plan; and,

WHEREAS, the Commission has heard all interested parties desiring to be heard and has considered the proposal and report by the Executive Officer and all other relevant evidence and information presented at said hearing;

NOW, THEREFORE, the Local Agency Formation Commission of Nevada County hereby determines the following:

- 1. The Commission’s purposes and responsibility.***

The proposed update of the Sphere of Influence Plan for the Bear River Recreation District, including the conditions established herein, is consistent with the purposes and responsibility of the Commission for planning the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities.

2. Considerations specified in Government Code Section 56425 (e).

The Commission has considered the documentation on file in this matter, including the Municipal Service Review listed above, the Sphere of Influence Plan report prepared by LAFCo staff, and various reports provided to the Commission as they relate to the following considerations stated in Government Code Section 56425(e):

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

Territory within the Bear River Recreation and Park District is under the land use authority of Nevada County. The General Plan provides for a variety of land uses, including residential, commercial and industrial. The sphere of influence for the District includes no lands beyond the District's jurisdictional boundaries.

b. The present and probable need for public facilities and services in the area.

In addition to the recreation services provided by the District, the subject territory receives a variety of services from other agencies, including fire protection and emergency response, public safety, streets and traffic circulation, general government services, and water and wastewater services (some portions).

c. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The Sphere of Influence Plan report documents the District's capacity to meet current and projected demands.

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

Relevant communities of interest are discussed in the Sphere of Influence plan report. Two large residential communities are served by the District: Lake of the Pines and the Alta Sierra communities.

e. For agencies that provide sewer, water or structural fire protection, the need of any disadvantaged unincorporated communities for those public facilities and services.

The Bear River Recreation and Park District does not provide any of the listed services.

3. Considerations specified in Government Code Section 56425(i).

The Commission has considered the documentation on file in this matter submitted by the District and other interested agencies and individuals, as well as the Municipal Service Review and various staff reports provided to the Commission and has established the nature, location, and extent of the functions or classes of services provided by the District. The Bear River Recreation and Park District operates under the provisions of the California Public Resources Code (Sections 5780, *et seq.*). The District provides the following recreation services as authorized under the provisions of the statute throughout its jurisdiction:

- a. Organization, promotion and conduct of community recreation programs
- b. Establishment and operation of systems of recreation and recreation facilities
- c. Acquisition, construction, improvement, maintenance and operation of recreation facilities.

NOW, THEREFORE, the Local Agency Formation Commission of Nevada County also makes the following findings and determinations:

1. The Commission finds that the update of the Sphere of Influence Plan for the Bear River Recreation and Park District is consistent with the land use designations of the applicable land use authorities and with the Spheres of Influence of other service providers in the area.
2. The Commission, as Lead Agency for the purposes of the California Environmental Quality Act (CEQA), hereby determines that the update of the District's Sphere of Influence Plan will have no foreseeable environmental impacts and is therefore exempt from the California Environmental Quality Act (CEQA) under the provisions established by Section 15061 (b)(3) of the State CEQA Guidelines; and the Commission's determinations supporting *CEQA's Common Sense Exemption* are as follows:
 - The sphere of influence is coterminous with the District's boundary and service area, and no change to this status is contemplated.
 - The District's service capacity is sufficient only for continued service within existing service areas.
 - The service provided by the District is consistent with the General Plan, as well as with the current land uses and needs of the residents.
 - No unusual circumstances relative to the District's services or to LAFCo's update of the sphere of influence have been identified.

AND, FURTHER, the Commission resolves and orders the following:

1. The Bear River Recreation and Park District Sphere of Influence Map, included herein as Exhibit A, and containing only lands within the District's jurisdictional boundaries, is hereby adopted by the Commission.
2. The services provided by the District are heretofore designated as Recreation and Park services as authorized by the California Public Resources Code, Sections 5780, et seq).
3. The Bear River Recreation and Park District Sphere of Influence Plan, contained within the report titled *Nevada County Recreation and Park Districts Sphere of Influence Plans 2021*, incorporating information provided by the 2006 Municipal Service Review, updated as relevant, as well as current information regarding the District's service capabilities as required by Section III of the Commission's Policies (Sphere of Influence Policies), is hereby approved and adopted by the Commission, and by this reference incorporated herein.
4. All changes of organization or reorganization for Bear River Recreation and Park District must be consistent with the updated Sphere of Influence Plan and Map, as well as with adopted LAFCo Policies and Procedures.
5. The Commission directs staff to file a Notice of Exemption as lead agency pursuant to Public Resources Code Section 21152 and Section 15075 of the CEQA Guidelines.

The foregoing resolution was duly passed by the Local Agency Formation Commission of Nevada County at a regular meeting held on November 18, 2021, by the following roll call vote:

Ayes:

Noes:

Abstentions:

Absent:

Signed and approved by me after its passage this ____ day of November, 2021.

Josh Susman, Chair
Nevada LAFCo

Attest:

SR Jones, Executive Officer

**Resolution 21-07 of the
Local Agency Formation Commission
of
Nevada County, California**

Making Determinations and Approving Sphere of Influence Plan Update for the Oak Tree Recreation and Park District

WHEREAS, California Government Code Section 56425 requires that a Local Agency Formation Commission (“LAFCo”) adopt Spheres of Influence for all agencies in its jurisdiction and to review those spheres for possible update every five years; and,

WHEREAS, proceedings for adoption, update and amendment of a Sphere of Influence are governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act, Section 56000 *et seq.* of the Government Code; and,

WHEREAS, Government Code Section 56425 defines the purpose of a Sphere of Influence Plan as assisting a LAFCo to carry out its responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities; and

WHEREAS, such a plan will be utilized by members of the public, public agencies, service providers and affected property owners to ascertain the timing of development and expected scope and provision of public services; and,

WHEREAS, the Sphere of Influence Plan is a flexible document that may be amended to accommodate changes in development patterns and local circumstances and, further, will be reviewed in five years; and,

WHEREAS, the Oak Tree Recreation and Park District is an independent district which was established for the purpose of providing recreation services within its boundaries; and,

WHEREAS, California Government Code Section 56430 requires the Commission to conduct service reviews of the provision of municipal services prior to or in conjunction with action to update or adopt a sphere of influence; and,

WHEREAS, the Commission prepared a Municipal Service Review of Nevada County Recreation and Park Services in 2006 and adopted written determinations on services provided throughout the County; and,

WHEREAS, in 2014, following noticed public hearings, the Commission approved the sphere of influence plan for the Oak Tree Recreation and Park District which provided for a sphere of influence with no additional territory beyond the district’s jurisdictional boundaries; and,

WHEREAS, the Executive Officer has reviewed the 2014 sphere of influence plan, the relevant Municipal Service Review, and more recent documentation prepared by the District and the County relative to recreation services, and has prepared a report summarizing the District’s capacity to provide services to the current and future population within its current service area and sphere of influence including recommendations and conditions for update of the District’s sphere of influence; and has furnished copies of said report to the Commission and to all other persons required by law to receive it; and,

WHEREAS, at the time and in the manner provided by law, the Executive Officer gave notice of the date, time, and place of a public hearing by the Commission upon the Oak Tree Recreation and Park District Sphere of Influence Plan; and,

WHEREAS, the Commission has heard all interested parties desiring to be heard and has considered the proposal and report by the Executive Officer and all other relevant evidence and information presented at said hearing;

NOW, THEREFORE, the Local Agency Formation Commission of Nevada County hereby determines the following:

- 1. The Commission’s purposes and responsibility.***

The proposed update of the Sphere of Influence Plan for the Oak Tree Recreation and Park District, including the conditions established herein, is consistent with the purposes and responsibility of the Commission for planning the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities.

2. Considerations specified in Government Code Section 56425 (e).

The Commission has considered the documentation on file in this matter, including the Municipal Service Review listed above, the Sphere of Influence Plan report prepared by LAFCo staff, and various reports provided to the Commission as they relate to the following considerations stated in Government Code Section 56425(e):

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

Territory within the Oak Tree Recreation and Park District is under the land use authority of Nevada County. The General Plan provides for a variety of land uses, including residential, commercial and industrial. The sphere of influence for the District includes no lands beyond the District's jurisdictional boundaries.

b. The present and probable need for public facilities and services in the area.

In addition to the recreation services provided by the District, the subject territory receives a variety of services from other agencies, including fire protection and emergency response, public safety, streets and traffic circulation, general government services, and wastewater services (some portions).

c. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The Sphere of Influence Plan report documents the District's capacity to meet current and projected demands.

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

Relevant communities of interest are discussed in the Sphere of Influence plan report. Two unincorporated communities are served by the District: French Corral and North San Juan.

e. For agencies that provide sewer, water or structural fire protection, the need of any disadvantaged unincorporated communities for those public facilities and services.

The Oak Tree Recreation and Park District does not provide any of the listed services.

3. Considerations specified in Government Code Section 56425(i).

The Commission has considered the documentation on file in this matter submitted by the District and other interested agencies and individuals, as well as the Municipal Service Review and various staff reports provided to the Commission and has established the nature, location, and extent of the functions or classes of services provided by the District. The Oak Tree Recreation and Park District operates under the provisions of the California Public Resources Code (Sections 5780, *et seq.*). The District provides the following recreation services as authorized under the provisions of the statute throughout its jurisdiction:

- a. Organization, promotion and conduct of community recreation programs
- b. Establishment and operation of systems of recreation and recreation facilities
- c. Acquisition, construction, improvement, maintenance and operation of recreation facilities.

NOW, THEREFORE, the Local Agency Formation Commission of Nevada County also makes the following findings and determinations:

1. The Commission finds that the update of the Sphere of Influence Plan for the Oak Tree Recreation and Park District is consistent with the land use designations of the applicable land use authorities and with the Spheres of Influence of other service providers in the area.
2. The Commission, as Lead Agency for the purposes of the California Environmental Quality Act (CEQA), hereby determines that the update of the District's Sphere of Influence Plan will have no foreseeable environmental impacts and is therefore exempt from the California Environmental Quality Act (CEQA) under the provisions established by Section 15061 (b)(3) of the State CEQA Guidelines; and the Commission's determinations supporting *CEQA's Common Sense Exemption* are as follows:
 - The sphere of influence is coterminous with the District's boundary and service area, and no change to this status is contemplated.
 - The District's service capacity is sufficient only for continued service within existing service areas.
 - The service provided by the District is consistent with the General Plan, as well as with the current land uses and needs of the residents.
 - No unusual circumstances relative to the District's services or to LAFCo's update of the sphere of influence have been identified.

AND, FURTHER, the Commission resolves and orders the following:

1. The Oak Tree Recreation and Park District Sphere of Influence Map, included herein as Exhibit A, and containing only lands within the District's jurisdictional boundaries, is hereby adopted by the Commission.
2. The services provided by the District are heretofore designated as Recreation and Park services as authorized by the California Public Resources Code, Sections 5780, et seq).
3. The Oak Tree Recreation and Park District Sphere of Influence Plan, contained within the report titled *Nevada County Recreation and Park Districts Sphere of Influence Plans 2021*, incorporating information provided by the 2006 Municipal Service Review, updated as relevant, as well as current information regarding the District's service capabilities as required by Section III of the Commission's Policies (Sphere of Influence Policies), is hereby approved and adopted by the Commission, and by this reference incorporated herein.
4. All changes of organization or reorganization for Oak Tree Recreation and Park District must be consistent with the updated Sphere of Influence Plan and Map, as well as with adopted LAFCo Policies and Procedures.
5. The Commission directs staff to file a Notice of Exemption as lead agency pursuant to Public Resources Code Section 21152 and Section 15075 of the CEQA Guidelines.

The foregoing resolution was duly passed by the Local Agency Formation Commission of Nevada County at a regular meeting held on November 18, 2021, by the following roll call vote:

Ayes:

Noes:

Abstentions:

Absent:

Signed and approved by me after its passage this ____ day of November, 2021.

Josh Susman, Chair
Nevada LAFCo

Attest:

SR Jones, Executive Officer

**Resolution 21-08 of the
Local Agency Formation Commission
of
Nevada County, California**

Making Determinations and Approving Sphere of Influence Plan Update for the Truckee Donner Recreation and Park District

WHEREAS, California Government Code Section 56425 requires that a Local Agency Formation Commission (“LAFCo”) adopt Spheres of Influence for all agencies in its jurisdiction and to review those spheres for possible update every five years; and,

WHEREAS, proceedings for adoption, update and amendment of a Sphere of Influence are governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act, Section 56000 *et seq.* of the Government Code; and,

WHEREAS, Government Code Section 56425 defines the purpose of a Sphere of Influence Plan as assisting a LAFCo to carry out its responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities; and

WHEREAS, such a plan will be utilized by members of the public, public agencies, service providers and affected property owners to ascertain the timing of development and expected scope and provision of public services; and,

WHEREAS, the Sphere of Influence Plan is a flexible document that may be amended to accommodate changes in development patterns and local circumstances and, further, will be reviewed in five years; and,

WHEREAS, the Truckee Donner Recreation and Park District is an independent district which was established for the purpose of providing recreation services within its boundaries; and,

WHEREAS, California Government Code Section 56430 requires the Commission to conduct service reviews of the provision of municipal services prior to or in conjunction with action to update or adopt a sphere of influence; and,

WHEREAS, the Commission prepared a Municipal Service Review of Nevada County Recreation and Park Services in 2006 and adopted written determinations on services provided throughout the County; and,

WHEREAS, in 2009 and in 2014, following noticed public hearings, the Commission approved sphere of influence plan updates for the Truckee Donner Recreation and Park District which provided for a sphere of influence with no additional territory beyond the district’s jurisdictional boundaries; and,

WHEREAS, the Executive Officer has reviewed the 2014 sphere of influence plan, the relevant Municipal Service Review, and more recent documentation prepared by the District and the County relative to recreation services, and has prepared a report summarizing the District’s capacity to provide services to the current and future population within its current service area and sphere of influence including recommendations and conditions for update of the District’s sphere of influence; and has furnished copies of said report to the Commission and to all other persons required by law to receive it; and,

WHEREAS, at the time and in the manner provided by law, the Executive Officer gave notice of the date, time, and place of a public hearing by the Commission upon the Truckee Donner Recreation and Park District Sphere of Influence Plan; and,

WHEREAS, the Commission has heard all interested parties desiring to be heard and has considered the proposal and report by the Executive Officer and all other relevant evidence and information presented at said hearing;

NOW, THEREFORE, the Local Agency Formation Commission of Nevada County hereby determines the following:

- 1. The Commission’s purposes and responsibility.***

The proposed update of the Sphere of Influence Plan for the Truckee Donner Recreation and Park District, including the conditions established herein, is consistent with the purposes and responsibility of the Commission for planning the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities.

2. Considerations specified in Government Code Section 56425 (e).

The Commission has considered the documentation on file in this matter, including the Municipal Service Review listed above, the Sphere of Influence Plan report prepared by LAFCo staff, and various reports provided to the Commission as they relate to the following considerations stated in Government Code Section 56425(e):

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

Territory within the Truckee Donner Recreation and Park District is under the land use authority of the Town of Truckee, Nevada County and Placer County. The General Plans of each land use authority provide for a variety of land uses, including residential, commercial and industrial. The sphere of influence for the District includes no lands beyond the District's jurisdictional boundaries.

b. The present and probable need for public facilities and services in the area.

In addition to the recreation services provided by the District, the subject territory receives a variety of services from other agencies, including fire protection and emergency response, public safety, streets and traffic circulation, general government services, and water and wastewater services (some portions).

c. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The Sphere of Influence Plan report documents the District's capacity to meet current and projected demands.

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

Relevant communities of interest are discussed in the Sphere of Influence plan report. The District provides service to the entire Town of Truckee, the Martis Valley portion of unincorporated Placer County and the unincorporated communities of Kingvale, Soda Springs, Hirschdale and Floriston in Nevada County.

e. For agencies that provide sewer, water or structural fire protection, the need of any disadvantaged unincorporated communities for those public facilities and services.

The Truckee Donner Recreation and Park District does not provide any of the listed services.

3. Considerations specified in Government Code Section 56425(i).

The Commission has considered the documentation on file in this matter submitted by the District and other interested agencies and individuals, as well as the Municipal Service Review and various staff reports provided to the Commission and has established the nature, location, and extent of the functions or classes of services provided by the District. The Truckee Donner Recreation and Park District operates under the provisions of the California Public Resources Code (Sections 5780, *et seq.*). The District provides the following recreation services as authorized under the provisions of the statute throughout its jurisdiction:

- a. Organization, promotion and conduct of community recreation programs
- b. Establishment and operation of systems of recreation and recreation facilities
- c. Acquisition, construction, improvement, maintenance and operation of recreation facilities.

NOW, THEREFORE, the Local Agency Formation Commission of Nevada County also makes the following findings and determinations:

1. The Commission finds that the update of the Sphere of Influence Plan for the Truckee Donner Recreation and Park District is consistent with the land use designations of the applicable land use authorities and with the Spheres of Influence of other service providers in the area.
2. The Commission, as Lead Agency for the purposes of the California Environmental Quality Act (CEQA), hereby determines that the update of the District's Sphere of Influence Plan will have no foreseeable environmental impacts and is therefore exempt from the California Environmental Quality Act (CEQA) under the provisions established by Section 15061 (b)(3) of the State CEQA Guidelines; and the Commission's determinations supporting *CEQA's Common Sense Exemption* are as follows:
 - The sphere of influence is coterminous with the District's boundary and service area, and no change to this status is contemplated.
 - The District's service capacity is sufficient only for continued service within existing service areas.
 - The service provided by the District is consistent with the General Plan, as well as with the current land uses and needs of the residents.
 - No unusual circumstances relative to the District's services or to LAFCo's update of the sphere of influence have been identified.

AND, FURTHER, the Commission resolves and orders the following:

1. The Truckee Donner Recreation and Park District Sphere of Influence Map, included herein as Exhibit A, and containing only lands within the District's jurisdictional boundaries, is hereby adopted by the Commission.
2. The services provided by the District are heretofore designated as Recreation and Park services as authorized by the California Public Resources Code, Sections 5780, et seq).
3. The Truckee Donner Recreation and Park District Sphere of Influence Plan, contained within the report titled *Nevada County Recreation and Park Districts Sphere of Influence Plans 2021*, incorporating information provided by the 2006 Municipal Service Review, updated as relevant, as well as current information regarding the District's service capabilities as required by Section III of the Commission's Policies (Sphere of Influence Policies), is hereby approved and adopted by the Commission, and by this reference incorporated herein.
4. All changes of organization or reorganization for Truckee Donner Recreation and Park District must be consistent with the updated Sphere of Influence Plan and Map, as well as with adopted LAFCo Policies and Procedures.
5. The Commission directs staff to file a Notice of Exemption as lead agency pursuant to Public Resources Code Section 21152 and Section 15075 of the CEQA Guidelines.

The foregoing resolution was duly passed by the Local Agency Formation Commission of Nevada County at a regular meeting held on November 18, 2021, by the following roll call vote:

Ayes:

Noes:

Abstentions:

Absent:

Signed and approved by me after its passage this ____ day of November, 2021.

Josh Susman, Chair
Nevada LAFCo

Attest:

SR Jones, Executive Officer

**Resolution 21-09 of the
Local Agency Formation Commission
of
Nevada County, California**

Making Determinations and Approving Sphere of Influence Plan Update for the Western Gateway Recreation and Park District

WHEREAS, California Government Code Section 56425 requires that a Local Agency Formation Commission (“LAFCo”) adopt Spheres of Influence for all agencies in its jurisdiction and to review those spheres for possible update every five years; and,

WHEREAS, proceedings for adoption, update and amendment of a Sphere of Influence are governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act, Section 56000 *et seq.* of the Government Code; and,

WHEREAS, Government Code Section 56425 defines the purpose of a Sphere of Influence Plan as assisting a LAFCo to carry out its responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities; and

WHEREAS, such a plan will be utilized by members of the public, public agencies, service providers and affected property owners to ascertain the timing of development and expected scope and provision of public services; and,

WHEREAS, the Sphere of Influence Plan is a flexible document that may be amended to accommodate changes in development patterns and local circumstances and, further, will be reviewed in five years; and,

WHEREAS, the Western Gateway Recreation and Park District is an independent district which was established for the purpose of providing recreation services within its boundaries; and,

WHEREAS, California Government Code Section 56430 requires the Commission to conduct service reviews of the provision of municipal services prior to or in conjunction with action to update or adopt a sphere of influence; and,

WHEREAS, the Commission prepared a Municipal Service Review of Nevada County Recreation and Park Services in 2006 and adopted written determinations on services provided throughout the County; and,

WHEREAS, in 2009 and in 2014, following noticed public hearings, the Commission approved sphere of influence plan updates for the Western Gateway Recreation and Park District which provided for a sphere of influence with no additional territory beyond the district’s jurisdictional boundaries; and,

WHEREAS, the Executive Officer has reviewed the 2014 sphere of influence plan, the relevant Municipal Service Review, and more recent documentation prepared by the District and the County relative to recreation services, and has prepared a report summarizing the District’s capacity to provide services to the current and future population within its current service area and sphere of influence including recommendations and conditions for update of the District’s sphere of influence; and has furnished copies of said report to the Commission and to all other persons required by law to receive it; and,

WHEREAS, at the time and in the manner provided by law, the Executive Officer gave notice of the date, time, and place of a public hearing by the Commission upon the Western Gateway Recreation and Park District Sphere of Influence Plan; and,

WHEREAS, the Commission has heard all interested parties desiring to be heard and has considered the proposal and report by the Executive Officer and all other relevant evidence and information presented at said hearing;

NOW, THEREFORE, the Local Agency Formation Commission of Nevada County hereby determines the following:

- 1. The Commission’s purposes and responsibility.***

The proposed update of the Sphere of Influence Plan for the Western Gateway Recreation and Park District, including the conditions established herein, is consistent with the purposes and responsibility of the Commission for planning the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities.

2. Considerations specified in Government Code Section 56425 (e).

The Commission has considered the documentation on file in this matter, including the Municipal Service Review listed above, the Sphere of Influence Plan report prepared by LAFCo staff, and various reports provided to the Commission as they relate to the following considerations stated in Government Code Section 56425(e):

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

Territory within the Western Gateway Recreation and Park District is under the land use authority of Nevada County. The County's General Plan provides for a variety of land uses, including residential, commercial and industrial. The sphere of influence for the District includes no lands beyond the District's jurisdictional boundaries. The sphere of influence for the District consists of a single undeveloped parcel of approximately 24 acres which is designated as Planned Residential Community (PRC).

b. The present and probable need for public facilities and services in the area.

In addition to the recreation services provided by the District, the subject territory receives a variety of services from other agencies, including fire protection and emergency response, public safety, streets and traffic circulation, general government services, and water and wastewater services (some portions).

c. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The Sphere of Influence Plan report documents the District's capacity to meet current and projected demands.

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

Relevant communities of interest are discussed in the Sphere of Influence plan report. Three unincorporated communities are served by the District: Penn Valley, Rough & Ready and Lake Wildwood.

e. For agencies that provide sewer, water or structural fire protection, the need of any disadvantaged unincorporated communities for those public facilities and services.

The Western Gateway Recreation and Park District does not provide any of the listed services.

3. Considerations specified in Government Code Section 56425(i).

The Commission has considered the documentation on file in this matter submitted by the District and other interested agencies and individuals, as well as the Municipal Service Review and various staff reports provided to the Commission and has established the nature, location, and extent of the functions or classes of services provided by the District. The Western Gateway Recreation and Park District operates under the provisions of the California Public Resources Code (Sections 5780, *et seq.*). The District provides the following recreation services as authorized under the provisions of the statute throughout its jurisdiction:

- a. Organization, promotion and conduct of community recreation programs
- b. Establishment and operation of systems of recreation and recreation facilities
- c. Acquisition, construction, improvement, maintenance and operation of recreation facilities.

NOW, THEREFORE, the Local Agency Formation Commission of Nevada County also makes the following findings and determinations:

1. The Commission finds that the update of the Sphere of Influence Plan for the Western Gateway Recreation and Park District is consistent with the land use designations of the applicable land use authorities and with the Spheres of Influence of other service providers in the area.
2. The Commission, as Lead Agency for the purposes of the California Environmental Quality Act (CEQA), hereby determines that the update of the District's Sphere of Influence Plan will have no foreseeable environmental impacts and is therefore exempt from the California Environmental Quality Act (CEQA) under the provisions established by Section 15061 (b)(3) of the State CEQA Guidelines; and the Commission's determinations supporting CEQA's Common Sense Exemption are as follows:
 - The sphere of influence for the District includes only a single undeveloped parcel which is entirely surrounded by the District's jurisdictional boundary.
 - The District's service capacity is sufficient only for continued service within existing service areas.
 - The service provided by the District is consistent with the General Plan, as well as with the current land uses and needs of the residents.
 - No unusual circumstances relative to the District's services or to LAFCo's update of the sphere of influence have been identified.

AND, FURTHER, the Commission resolves and orders the following:

3. The Western Gateway Recreation and Park District Sphere of Influence Map, included herein as Exhibit A, and containing only lands within the District's jurisdictional boundaries, is hereby adopted by the Commission.
4. The services provided by the District are heretofore designated as Recreation and Park services as authorized by the California Public Resources Code, Sections 5780, et seq).
5. The Western Gateway Recreation and Park District Sphere of Influence Plan, contained within the report titled Nevada County Recreation and Park Districts Sphere of Influence Plans 2021, incorporating information provided by the 2006 Municipal Service Review, updated as relevant, as well as current information regarding the District's service capabilities as required by Section III of the Commission's Policies, is hereby approved and adopted by the Commission, and by this reference incorporated herein.
6. All changes of organization or reorganization for Western Gateway Recreation and Park District must be consistent with the updated Sphere of Influence Plan and Map, as well as with adopted LAFCo Policies and Procedures.
7. The Commission directs staff to file a Notice of Exemption as lead agency pursuant to Public Resources Code Section 21152 and Section 15075 of the CEQA Guidelines.

The foregoing resolution was duly passed by the Local Agency Formation Commission of Nevada County at a regular meeting held on November 18, 2021, by the following roll call vote:

- Ayes:
- Noes:
- Abstentions:
- Absent:

Signed and approved by me after its passage this ____ day of November, 2021.

Josh Susman, Chair
Nevada LAFCo

Attest:

SR Jones, Executive Officer