

**TEHAMA  
LOCAL AGENCY  
FORMATION COMMISSION**



**POLICIES, PROCEDURES  
AND RULES**

**June 27, 2023 VERSION  
Adopted November 8, 2023  
By  
LAFCo Resolution No. 1-2023**

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**SECTION A**

**INTRODUCTION**

## **1. PURPOSE OF LAFCO**

This chapter provide background information regarding the purpose of the Tehama Local Agency Formation Commission's (LAFCO's) policies, and procedures. It also discusses the legislature's intent and direction to the LAFCO, the LAFCO's jurisdiction, and its composition and responsibilities.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Act) establishes procedures for local government changes of organization, including city incorporations, annexations to a city or special district, and city and special district consolidations.

Local agency formation commissions (LAFCO's) have numerous powers under the Act, but those of primary concern are the power to act on local agency boundary changes and to adopt spheres of influence for local agencies. Among the purposes of LAFCO's are the discouragement of urban sprawl and the encouragement of the orderly formation and development of local agencies.

## **2. HISTORY OF LAFCO**

The Local Agency Formation Commission, or LAFCO was created in 1963 by the Know-Nisbet Act.

In 1971, the Legislature expanded LAFCO's power by requiring them to establish spheres of influence—areas of planned growth—for all cities and special districts, and to prepare studies that consider future growth and planned municipal service needs. LAFCO's powers and responsibilities were substantively expanded again in 2001 when the Legislature enacted the Cortese-Know-Hertzberg Local Government Reorganization Act of 2000 (CKH Act)- a comprehensive revision of LAFCO law that enabled LAFCO's to be more effective in fulfilling their legislative mission. Under the CKH Act, LAFCO's has exclusive power to regulate local government boundaries, including the power to create and dissolve local agencies and change their boundaries.

## **3. PURPOSE OF POLICIES, PROCEDURES AND RULES**

It is the intent of the Legislature that each commission, not later than January 1, 2002, shall establish written policies and procedures and exercise its powers pursuant to this part in a manner consistent with those policies and procedures and that encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space and agricultural lands within those patterns (GC 56300). Therefore, as these Policies, Procedures and Rules shall be updated from time to time, this document, once adopted by Resolution shall replace and supersede the current Policies, Procedures and Standards Manual that was adopted on April 11, 1990 in its entirety.

## **4. COMMISSION COMPOSITION**

Tehama LAFCO's Commissions composition is representative of the region's governmental agencies, by providing for city, county and public membership. Tehama LAFCO does not have a Special District representative. Tehama County LAFCO membership includes the following:

- There are three (3) incorporated Cities in Tehama County that represent Two (2) regular LAFCO members that are current City Councilmembers through appointment by their respective City Councils, and there are two (2) LAFCO alternates from the City Councilmembers appointed by the City Councils.
- Two (2) Tehama County Supervisors appointed by the Tehama County Board of Supervisors, and one (1) LAFCO alternate from the Supervisors is appointed by the Tehama County Board of Supervisors.
- One (1) Public member appointed by the regular City and County members of the LAFCO.

#### **4.1 DUTIES OF OFFICERS AND STAFF**

Tehama LAFCO shall have a Chairperson, Vice Chairperson and Executive Officer:

- CHAIRPERSON: The Chairperson shall preside at all meetings of the LAFCO.
- VICE CHAIRPERSON: In the event of an absence of the Chairperson or of his/her inability to act, the Vice Chairperson shall take the place of and perform the duties of the Chairperson.
- EXECUTIVE OFFICER: The Acting Planning Director for Tehama County shall be designated as the Tehama LAFCO Executive Officer with all the powers and duties thereby established through Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Act) and delegated by Tehama LAFCO.
- LEGAL COUNSEL: The Acting County Counsel for Tehama County shall be designated as the Tehama LAFCO Legal Counsel with all the powers and duties thereby established by Law, including but not limited to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Act) and delegated by Tehama LAFCO Executive Officer.

#### **4.2 ELECTIONS AND TERMS OF THE COMMISSION MEMBER AND OFFICERS**

- LAFCO, at the first regular meeting scheduled and conducted, or as soon as practical thereafter, shall seat a Chairperson and Vice Chairperson. The position of Chairperson and Vice Chairperson shall be nominated, second and voted on by a majority of the members present; there shall be no meeting without a quorum.
- The Public Member at Large Position, shall be posted on the LAFCO webpage, if vacant. When vacant interested parties shall provide a statement of interest and qualification(s) along with their contact information. This information shall be agenzized with a line item under appointments on said meetings agenda. The position of Public Member at Large shall be nominated, second and voted on by a majority of the members present; there shall be no meeting without a quorum.

- c. All Commission members not represented by a public agency shall serve a four (4) year term. All Commission members represented by a public agency shall serve at the pleasure of the agency based on that agencies committee and commission policies, which typically are reviewed on an annual bases for appointment and/or re-appointment.

## **5. COMMISSION MEETINGS AND HEARINGS**

All Meetings shall be conducted in accordance with the Brown Act.

### **5.1 MEETINGS**

- REGULAR MEETINGS of LAFCO may take place on a quarterly basis on the second Wednesday of that month at 2:00 p.m. in the Tehama County Board Chambers at the Administration Building 727 Oak Street Red Bluff, California 96080 if an item is ajenized.
- MEETING NOTICE's shall be in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Act), which may require a published notice 21 days prior to a meeting/hearing and mailing to property owners of an affected territory. Preliminary/Final Budget meetings shall be published in the local newspaper 21 days prior to the Budget meeting and mailed notices to the three incorporated Cities within Tehama County and Tehama County Administration.
- A QUORUM for conducting the business of Tehama LAFCO shall consist of three (3) voting members, except that at least one of the members must also be a member of the Board of Supervisors and another member must also be a City Councilmember. In the absence of a quorum, the members present shall open the meeting indicate for the record that there is not a quorum and close/adjourn the meeting.

### **5.2 MEETING AGENDA FORMAT**

LAFCO Agenda format should be as follows:

#### **I. CALL MEETING TO ORDER - 2:00 PM**

#### **II. PLEDGE OF ALLEGIANCE**

#### **III. CITIZEN'S CONCERNS**

**This time is set aside for citizens to address the LAFCo on any item of interest to the public that is within the subject matter jurisdiction of the Commission. No action may be taken on any item not appearing on the agenda unless the action is otherwise authorized by Government Code Section 54954.2(b) (typically, this applies to items meeting criteria as an off agenda emergency). The Chair reserves the right to**

limit each speaker to three (3) minutes. Disclosure of a speaker's identify is purely voluntary during the public comment period.

**IV. MINUTES OF MEETING**

If any minutes to approve-1. Approval of the Month/Day/Year Local Agency Formation Commission Minutes.

**V. PUBLIC HEARING**

1. Meeting Item(s)

**VI. ADJOURN**

**6. LAFCO PROCESSING FEES**

A \$2,626 dollar project application/agency/petition processing fee was adopted by LAFCO on November 14, 2018, pursuant to GC 56383. This fee does not cover CEQA documents, studies, consultants, filling fees, and/or the cost of other project related descriptions, maps, documents, studies, consultants, etc. All cost associated with a LAFCO project are to be paid by the applicant/agency/petitioner(s).

All LAFCO projects shall comply with the California Environmental Quality Act. In addition to the above fee for review and processing of petitions etc., an additional fee shall be charged to an applicant/agency/petitioner for the preparation of appropriate environmental documents as set forth in the CEQA Guidelines. Prior to the preparation of said environmental documents, the Executive Officer shall secure a written agreement from the petitioner to reimburse LAFCO and put a deposit down of 20% of the projected consultant costs agreed upon by both parties, with an additional amount of no less than 60% deposited once the application is deemed complete and the consult is retained by LAFCO, all invoices costs associated with the CEQA process shall be recovered and paid by the applicant/agency/petitioner within 10 business days of the consultants invoice and all final costs associated with CEQA document shall be paid prior to the released of the final draft of said document.

**LAFCO RESOLUTION NO. 1-2023**

**A RESOLUTION OF THE TEHAMA LAFCO ESTABLISHING FEES, POLICIES,  
PROCEDURES AND PER DIEM/REIMBURSEMENT RULES RELATED TO THEIR  
POWERS AND FUNCTIONS AS SET FORTH IN THE CORTESE-KNOX-  
HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000;  
INCLUDING ALL AMENDMENTS THERETO**

**WHEREAS**, it is the intent of the Legislature that each commission, not later than January 1, 2002, shall establish written policies and procedures and exercise its powers pursuant to this part in a manner consistent with those policies and procedures and that encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space and agricultural lands within those patterns (GC 56300); and

**WHEREAS**, Tehama LAFCO should update its policies and procedures document from time to time; and

**WHEREAS**, Tehama LAFCO provides City and Special Districts boundary related services as needed by the public under the supervision of the Tehama LAFCO Executive Officer as authorized by Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

**WHEREAS**, The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000-GC Section 56383 authorizes Tehama LAFCO to establish fees to meet the reasonable cost of providing services; and

**WHEREAS**, The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000-GC Section 56384 authorizes Tehama LAFCO to appoint and Executive Officer, Legal Counsel and staff as it deems appropriate; and

**WHEREAS**, The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000-GC Section 56334 authorizes Tehama LAFCO Commission members and alternates to be reimbursed for the actual amount of their reasonable and necessary expenses incurred in attending meetings and in performing the duties of their office. The commission may authorize payment of Per Diem to commission members and alternates for each day while they are in attendance at meetings of the commission; and

**WHEREAS**, Local agency formation commissions (LAFCOs) have numerous powers under the Act, but those of primary concern are the power to act on local agency boundary changes and to adopt spheres of influence for local agencies. Among the purposes of LAFCOs are the discouragement of urban sprawl and the encouragement of the orderly formation and development of local agencies. Therefore, because of LAFCO's Staff and Commission members responsibilities and public charge, which can take many different forms in order to perform their duties and office, the Commission is authorized to adopt rules, pursuant to Government Code Section 56300, that define and set compensation rates, standards, and Per Diem and Reimbursement processes; and

**WHEREAS**, Tehama LAFCO deems it in the public interest to amend the current Policies, Procedures and Standards Manual; and



**WHEREAS**, Tehama LAFCO deems the update of the current Policies, Procedures and Standards Manual necessary in order to provide for the orderly development of the County and to provide for the promotion and protection of the public health, safety, peace, morals, comfort, convenience and general welfare; and

**WHEREAS**, Tehama LAFCO conducted a noticed public hearing regarding the Tehama LAFCO Policies, Procedures and Standards Manual updated and associated CEQA Exemption; and

**WHEREAS**, the update to Tehama LAFCO's current Policies, Procedures and Standards Manual are designed to address and conform to the changes in the state law and specifically the Cortese–Knox–Hertzberg Local Government Reorganization Act of 2000, which have taken place since April 11, 1990 when the current document was adopted. The focus is on actions that provide policies on staffing, fees, Per Diem and Reimbursement, and procedures for processing change of organization/reorganization as specifically outlined in Cortese–Knox–Hertzberg Local Government Reorganization Act of 2000 and/or subsequent amendments. Based on the proposed updates, which are necessary to comply with Government Code 56300, as well as others contained herein, it can be seen with certainty that there is no possibility that the project will have a significant effect on the environment. Furthermore the Tehama Policies, procedures and Rules involves procedures for protection of the environment, Section C(3). The project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3); the activity is not subject to CEQA, and CEQA Guidelines section 15307; and

**WHEREAS**, the Commission heard, discussed and considered all oral and written testimony for and against said annexation, including inter alia, the Executive Officer's report and recommendations; and

**NOW, THEREFORE BE IT RESOLVED, DETERMINED AND ORDERED** by the Tehama County Local Agency Formation Commission as follows:

1. That the update of Tehama LAFCO's current Policies, Procedures and Standards Manual is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3); 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, and CEQA Guidelines Section 15307; and
2. The updated Tehama LAFCO's current Policies, Procedures and Standards Manual conforms to the provisions of The Cortese–Knox–Hertzberg Local Government Reorganization Act of 2000; and
3. Adopt Tehama LAFCO's June 27, 2023 Policies, Procedures and Rules document, replacing the current Policies, Procedures and Standards Manual that was adopted on April 11, 1990 in its entirety, with the findings contained in the staff report and this Resolution.

The foregoing resolution was offered on a motion by Commissioner Leach and adopted by the following vote of the Tehama County LAFCo:

AYES: Commissioners: Carlson, Kleykamp, Leach and Gonzales

NOES: None

ABSENT OR NOT VOTING: Nolen, Demo and Mitchell

STATE OF CALIFORNIA )  
 ) ss  
County of Tehama )

I, SCOT TIMBOE, Tehama County Executive Officer of the Tehama County Local Agency Formation Commission, State of California, hereby certify the above and foregoing to be a full, true and correct copy of the Resolution offered and adopted by said LAFCo on the 8 day of November, 2023.



Scot Timboe, EXECUTIVE OFFICER  
TEHAMA COUNTY LAFCO

**SECTION B**

**LAFCO ADMINISTRATION**

## **1. CONFLICT OF INTEREST AND DISCLOSURE REQUIREMENTS**

Tehama LAFCO's Conflict of Interest Code (hereinafter referred to as the "Code") is adopted pursuant to the provisions of the Political Reform Act of 1974, set forth in California Government Code §81000 et seq. (hereinafter referred to as the "Act") including all amendments thereto, for the purpose of requiring designated employees and Commissioners, which includes the filing of Form 700 statement disclosing financial interests that may be materially affected by their official actions. Designated employees and commissioners must disqualify themselves from acting in their official capacity in order to avoid a conflict of interest.

Public officials cannot make or influence a governmental decision in which they have a conflict of interest. An official will have a conflict of interest if the decision has a foreseeable financial effect on their economic interests. They may not exert influence on a decision in which they have a conflict of interest unless their participation is legally required, or the official can establish that effect of the decision is indistinguishable from the effect on the general population.

If a conflict of interest arises during a change of organization and/or reorganization project the individual, if an employee of LAFCO shall assign a non-impacted and conflicted employee said project to process, and if the individual with a conflict of interest is a LAFCO commissioner, they shall act in accordance with the Brown Act.

## **2. LAFCO BUDGET**

The LAFCO Budget process should coincides with the City of Red Bluff, City of Corning and Tehama County budget process, since there are no other funding sources. Each Year by June 15, LAFCO shall adopt a Preliminary/Final Budget. The adopted LAFCO Budget shall be divided in the following way: 50% County, 30% City of Red Bluff and 20% City of Corning, pursuant Government Code 56381(b)(2).

It shall be the practice of Tehama LAFCO to adopt the Preliminary/Final Budget for each fiscal year at the regularly scheduled meeting in April, due to the timing of the three cities and county budget process, which contains multiple public hearings and notices for the public to one again review and participate in the LAFCO Budget/Funding process.

The proposed budget needs to maintain an amount consistent with the funds available to LAFCo in the previous year, unless specific findings are made, pursuant to GC 56381. If LAFCO does not spend all of the funds available to LAFCO in any budget year, the funds available shall be divided pursuant to paragraph one of Section B subsection 2 above and either refunded to the agency or used as a credit for the following fiscal years agencies budgetary responsibilities (GC 56381(c)).

## **3. STAFF SERVICES AGREEMENT**

The Tehama County Planning Director serves in the Tehama LAFCO Executive Officer capacity as indicated in section A 4.1(c). This dual role can change by a Majority vote of the Tehama County Board of Supervisors and/or a majority vote by Tehama LAFCO.

The County Counsel of Tehama County serves in the Tehama Legal Counsel capacity as indicated in section A 4.1(d). This dual role can change by a Majority vote of the Tehama County Board of Supervisors and/or a majority vote by Tehama LAFCO.

The Commission saves salaries and benefits by coordinating the duties of the LAFCO Executive Officers role with Tehama County and specifically through the Tehama County Planning Director.

#### **4. COMPENSATION RULES (PER DIEMS AND REIMBURSEMENT)**

Commission members and alternates shall be reimbursed for the actual amount of their reasonable and necessary expenses incurred in attending meetings and in performing the duties of their office. The commission may authorize payment of a per diem to commission members and alternates for each day while they are in attendance at meetings of the commission (GC 56334).

Local agency formation commissions (LAFCOs) have numerous powers under the Act, but those of primary concern are the power to act on local agency boundary changes and to adopt spheres of influence for local agencies. Among the purposes of LAFCOs are the discouragement of urban sprawl and the encouragement of the orderly formation and development of local agencies. Because of LAFCO's staff and Commission members responsibilities and public charge, which can take many different forms in order to perform their duties and office, the Commission adopts the following rules, pursuant to Government Code Section 56300:

**Rule 4.1. PER DIEMS AND REIMBURSEMENTS** – Pursuant to Government Code Section 56334, which permits LAFCOs to authorize payment of per diems to commissioners for attending meetings and in performing the duties of their office, the Commission has established a per diem rate of \$100. Per diems shall be provided to Commissioners (regulars and those alternates activated due to a regular commission members absence) for each day in attendance at commission regular and special meetings. Per diems shall also be provided for each day in attendance at standing or ad hoc committee meetings as well as official meetings, conferences, and trainings organized by the California Association of LAFCOs or the Northern Region of LAFCOs. No Commissioner shall receive more than five per diems per year. Commissioners shall also be reimbursed for reasonable and necessary expenses incurred in attending meetings and in performing official LAFCO duties. All requested per diems shall be listed on the LAFCO reimbursement form no later than 30 days after the event.

**Rule 4.2. REIMBURSEMENTS** Pursuant to Government Code Section 56380/56375(j), the Commission shall make its own provisions for the usual and necessary operating expenses incurred by the Local Agency Formation Commission LAFCO. This includes – and as needed – providing reimbursements for Commissioners and staff. To facilitate compatibility between the Commission and County reimbursement practices, Tehama LAFCO will adhere to the following :

1. The Tehama Local Agency Formation Commission adopts Tehama County's guidelines for out of-county/in-county business and expense reimbursement (Non-Regular/Special Meeting functions), except as specified pursuant to Rule 4.3 below;
2. Authorizes the Commission by majority vote to approve necessary exceptions to the normal maximum rates and types of expense claims allowed by the County; and
3. On a quarterly basis, the Executive Officer will notify the Commission of any reimbursement requests; all authorizations under Item 2 above that

significantly depart from County guidelines shall be approved prior to completing reservations and/or expenditure(s). 1. The following general provisions apply to reimbursement of Commission expenses: (a) Commission members (regulars and alternates) may claim reimbursements for reasonable and necessary expenses incurred in performing the duties of their office, subject to activation at a meeting and or approved function/events/training. (b) The Commission by a majority vote is responsible for reviewing and approving requests for Commission and staff reimbursements except for regular/special meeting attendance in an active commission member role.

**Rule 4.3.** The following procedures apply to reimbursements involving Commissioners and staff: (a) Expense reimbursement requests should be submitted as soon as possible, although flexibility is permitted for purposes of consolidating multiple expenses, but no later than 45 days after incurring the expense. (b) Expense claims for costs incurred in one fiscal year should be – whenever practical – submitted for reimbursement during the same fiscal year. (c) Expense claims shall be submitted itemizing each expense succinctly summarize in writing the amount and purpose of the expense the commissioner expects to claim for reimbursement with physical receipts of each expense as justification. (d) The following provisions specific to transportation reimbursements apply: (i) Transportation requiring outside carrier services – including airlines, rails, shuttles, buses, vehicle rentals, and rideshares – shall be reimbursed equal to actual costs based on receipts of the past activity. (ii) Transportation requiring private vehicle usage shall be reimbursed using the current mileage rate of the Internal Revenue Service (IRS) plus actuals for tolls and parking. Commissioner and staff reimbursement for private vehicle usage shall not apply to normal travel to and from the LAFCO regularly scheduled meeting. (e) The following provisions specific to lodging reimbursements apply: (i) Lodging reimbursements apply to overnight travel outside Tehama, Shasta, Trinity, Plumas, Lassen, Glenn, Butte, Yolo Counties that requires attendance and/or travel before 7:00 A.M. for night-before accommodations and after 6:00 P.M. for night-of accommodations unless waived by the Commission. (ii) Lodging shall be reimbursed equal to actual costs so long as it does not exceed the maximum group rate published by the activity sponsor (i.e., conference organizer) and available at the time of booking based on receipts of the Lodging after the event. (f) The following provisions specific to meals and incidental reimbursements apply: (i) All meal expenses shall be reimbursed at cost based on the receipts provided in the reimbursement request to the commission, which shall be limited, reasonable and moderate, taking into account community standards and the prevailing restaurant costs of the area. (ii) Where the cost of a meal or meals is included as part of a registration charge or fee, there shall be no per diem meal reimbursement for the applicable meal period covered by such registration. (iii) As indicated in Rule 4.3 subsection (e)(i)-Commission and staff may request reimbursement for expenses paid in covering meals and incidentals of those in their company during an authorized function and/or duty that is a person in the service of LAFCO or a person donating service to LAFCO. (iv) No reimbursements shall be made for alcoholic beverages of any kind. (h) No prepayments shall be provided to Commission or staff for expected expenses incurred in performing work duties; all related costs shall be provided in the form of approved reimbursements unless otherwise provided under contract.

**SECTION C**  
**LAFCO PROCESS**

# **1. SPHERE OF INFLUENCE**

56076. "Sphere of influence" means a plan for the probable physical boundaries and service area of a local agency, as determined by the commission.

56425. (a) In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies subject to the jurisdiction of the commission to advantageously provide for the present and future needs of the county and its communities, the commission shall develop and determine the sphere of influence of each city and each special district, as defined by Section 56036, within the county and enact policies designed to promote the logical and orderly development of areas within the sphere.

56425(e) In determining the sphere of influence of each local agency, the commission shall consider and prepare a written statement of its determinations with respect to each of the following:

- (1) The present and planned land uses in the area, including agricultural and open-space lands.
- (2) The present and probable need for public facilities and services in the area.
- (3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- (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.
- (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; 56425(g), Sphere of Influences will be updated as necessary and more specifically upon request and application by a City or Special District.

## **1.1 Service Review of Municipal Services (Service Plan and MSR)**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires LAFCo to conduct service reviews prior to establishing or updating spheres of influence. A service review is a comprehensive review of services within a designated geographic area intended to obtain information about municipal or agency services. Its purpose is to evaluate the provision of services from a comprehensive perspective and recommend actions, when necessary, to promote the efficient provision of those services. The service reviews are intended to serve as a tool to help LAFCo, the public and other agencies better understand the public service structure and evaluate options for the provision of efficient and effective public services. LAFCo must have a current Municipal Service Review (MSR) that demonstrates that the agency can provide adequate and efficient services to the areas included within the agency's sphere.

Contents of a Municipal Service Review-56430. (a) In order to prepare and to update spheres of influence in accordance with Section 56425, the commission shall conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission. The commission shall include in the area designated for service review the county, the region, the subregion, or any other geographic area as is appropriate for an analysis of the service or services to be reviewed, and shall prepare a written statement of its determinations with respect to each of the following:



**Determination 1: Growth and population projections for the affected area**

The need for, and patterns of, service provision should be determined by existing and anticipated growth patterns and population projections. The municipal service review will evaluate whether projections for future growth and population patterns are integrated into an agency's planning function. This analysis will be used to determine whether the sphere boundaries reflect expected growth boundaries. Consideration should be given to the impact on growth/land use patterns for adjacent areas, on mutual or regional social and economic interests, on open space and agricultural land, and on the government structure of the county. Growth and population projections should correspond to the sphere horizon and phasing plan depicted in the Sphere of Influence.

**Determination 2: The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.** Cities or special districts that provide sewer, municipal and industrial water and structural fire services shall identify any disadvantaged unincorporated communities (DUCs) within or contiguous to the sphere of influence of cities or special districts, and shall make a determination on infrastructure needs or efficiencies for those public facilities and services within the identified DUC.

**Determination 3: Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.**

Refers to the status of existing and planned public facilities and its relationship to the quality and levels of service that are, can and need to be provided. Infrastructure needs and deficiencies can be evaluated in terms of supply, capacity, condition of facilities, and service quality with correlations to operational, capital improvement, and finance plans. Maps and explanatory text that clearly indicate the location of existing facilities and proposed facilities, including a plan for the timing and location of new or expanded facilities need to be included. The identification of the anticipated service level needs to be tailored to the 5-10, and 30 year sphere horizons.

**Determination 4: Financial ability of agencies to provide service**

A community's public service needs should be viewed in light of the resources available to fund the services. The MSR will need to evaluate factors that affect the financing of necessary improvements and whether agencies are capitalizing on financing opportunities and collaborative strategies to deal with financial constraints.

**Determination 5: Status of, and opportunities for, shared facilities**

The service review should identify opportunities for jurisdictions to share facilities and resources creating a more efficient service delivery system. Sharing facilities and utilizing excess capacity in another agency's service system works to avoid service duplications, reduces costs, and minimizes unnecessary resource consumption. The service review will need to inventory facilities within the study area to determine if facilities are currently being utilized to capacity and whether efficiencies can be achieved by accommodating the facility needs of adjacent agencies. Options for planning for future shared facilities and services will also be considered.

### **Determination 6: Accountability for community service needs, including governmental structure and operational efficiencies**

The MSR will consider the advantages and disadvantages of various government structures that could provide public services. San Joaquin LAFCo encourages local agencies to use service reviews to determine whether initiation of proceedings for changes of organization and reorganization, including spheres of influence, would be in order and in the best interests of the agency and the community it serves. LAFCo will examine efficiencies that could be gained through: (1) functional reorganizations within existing agencies; (2) amending or updating spheres of influence; (3) annexations or detachments from cities or special districts; (4) formation of new special districts; (5) special district dissolutions; (6) merges or special districts with cities; (7) establishment of subsidiary districts; or (8) any additional reorganization options found in the LAFCo statute.

### **(7) Any other matter related to effective or efficient service delivery, as required by commission policy**

Operational efficiency refers to the quality of public services and the agency's ability to provide services. Efficiently managed entities consistently implement plans to improve service delivery, reduce waste, eliminate duplications of effort, contain costs, build and maintain adequate contingency reserves, and encourage open dialogues with the public and other public and private agencies. The MSR will evaluate operational efficiency by analyzing agency functions, operations, and practices as well as the agency's ability to meet current and future service demands.

56428(c) The executive officer shall review each requested amendment and prepare a report and recommendation. The report shall be completed not less than five days before the date specified in the notice of hearing. The executive officer shall send copies of the report to the person or agency making the request, each affected local agency, and each person who has filed a request for a report.

LAFCo encourages the early involvement of agencies, the public, and other stakeholders in development of the service review report.

The final Service Plan/Municipal Service Review report shall be available to the public at least 21 days prior to final consideration by the Commission. This public review period may be in conjunction with the 21-day notice requirement for the public hearing in which the Service Plan/Municipal Service Review and Sphere of Influence will be adopted and/or updated by resolution. If the municipal service review supports a particular action such as a sphere of influence update or amendment application, and the required processes have been complied with, the Commission can take action on the proposals at the same hearing.

## **2. LAFCO PROCESS OVERVIEW**

Tehama LAFCO is primarily application driven, with a fee for any change of organization/reorganization of \$2,626. As a policy there are two ways that stakeholders within the jurisdiction of Tehama LAFCO can submit an application. If a landowner and/or voter is interested in pursuing a change of organization and/or reorganization of an eligible local agency (City, Eligible Special District) than they will complete the petition process. If an eligible local agency (City, Eligible Special District) are interested in pursuing a change of organization and/or reorganization than they will adopt a resolution.

Landowner petitions whom are not creating a City or Eligible Special District, should complete the petition process and seek consultation with the City or Eligible Special District of interest to adopt a supporting change of organization and/or reorganization resolution. Tehama LAFCO has provide the most common City/ Special District Change of Organizations and/or Reorganization criteria/standards/process etc. for the public to reference. While the following information is specific to each type of Change of Organization and/or Reorganization contained here within, the information can be used as an outline in a general informational manor to consider those action that are not included in this document; each type of action may have a principal act that may or may not deviate from the specific information contained within this document. Please contact Tehama LAFCO for specific information not captured within this reference document.

## **2.1 SPECIAL DISTRICT CHANGE OF ORGANIZATION (DISTRICT FORMATION)**

### **2.1a Community Service District**

56100. (a) Except as otherwise provided in Section 56036.5 and subdivision (b) of Section 56036.6, this division provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. All changes of organization and reorganizations shall be initiated, conducted, and completed in accordance with, and as provided in, this division.

(b) Conflict with principal act-Notwithstanding any other law, proceedings for the formation of a district shall be conducted as authorized by the principal act of the district proposed to be formed, except that the commission shall serve as the conducting authority and the procedural requirements of this division shall apply and shall prevail in the event of conflict with the procedural requirements of the principal act of the district. In the event of such a conflict, the commission shall specify the procedural requirements that apply, consistent with the requirements of this section.

The Community Service District Formation process is as follows:  
See Appendix A

### **2.1b Irrigation District**

56100. (a) Except as otherwise provided in Section 56036.5 and subdivision (b) of Section 56036.6, this division provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. All changes of organization and reorganizations shall be initiated, conducted, and completed in accordance with, and as provided in, this division.

(b) Conflict with principal act-Notwithstanding any other law, proceedings for the formation of a district shall be conducted as authorized by the principal act of the district proposed to be formed, except that the commission shall serve as the conducting authority and the procedural requirements of this division shall apply and shall prevail in the event of conflict with the procedural requirements of the principal act of the district. In the event of such a conflict, the commission shall specify the procedural requirements that apply, consistent with the requirements of this section.

The Irrigation District Formation process is as follows:  
See Appendix B

### **2.1c Recreation District**

56100. (a) Except as otherwise provided in Section 56036.5 and subdivision (b) of Section 56036.6, this division provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. All changes of organization and reorganizations shall be initiated, conducted, and completed in accordance with, and as provided in, this division.

(b) Conflict with principal act-Notwithstanding any other law, proceedings for the formation of a district shall be conducted as authorized by the principal act of the district proposed to be formed, except that the commission shall serve as the conducting authority and the procedural requirements of this division shall apply and shall prevail in the event of conflict with the procedural requirements of the principal act of the district. In the event of such a conflict, the commission shall specify the procedural requirements that apply, consistent with the requirements of this section.

The Recreation District Formation process is as follows:  
See Appendix C

### **2.1d Water/Sewer/Storm Drain District**

56100. (a) Except as otherwise provided in Section 56036.5 and subdivision (b) of Section 56036.6, this division provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. All changes of organization and reorganizations shall be initiated, conducted, and completed in accordance with, and as provided in, this division.

(b) Conflict with principal act-Notwithstanding any other law, proceedings for the formation of a district shall be conducted as authorized by the principal act of the district proposed to be formed, except that the commission shall serve as the conducting authority and the procedural requirements of this division shall apply and shall prevail in the event of conflict with the procedural requirements of the principal act of the district. In the event of such a conflict, the commission shall specify the procedural requirements that apply, consistent with the requirements of this section.

The Water/Sewer/Storm Drain District Formation process is as follows:  
See Appendix D

## **2.2 SPECIAL DISTRICT CHANGE OF ORGANIZATION (ANNEXATION)**

### **2.2a Community Service District**

56100. (a) Except as otherwise provided in Section 56036.5 and subdivision (b) of Section 56036.6, this division provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. All changes of organization and reorganizations shall be initiated, conducted, and completed in accordance with, and as provided in, this division.

The Community Service District Annexation process is as follows:  
See Appendix E

### **2.2b Irrigation District**

56100. (a) Except as otherwise provided in Section 56036.5 and subdivision (b) of Section 56036.6, this division provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. All changes of organization and reorganizations shall be initiated, conducted, and completed in accordance with, and as provided in, this division.

The Irrigation District Annexation process is as follows:  
See Appendix F

### **2.2c Recreation District**

56100. (a) Except as otherwise provided in Section 56036.5 and subdivision (b) of Section 56036.6, this division provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. All changes of organization and reorganizations shall be initiated, conducted, and completed in accordance with, and as provided in, this division.

The Recreation District Formation process is as follows:  
See Appendix G

### **2.2d Water/Sewer/Storm Drain District**

56100. (a) Except as otherwise provided in Section 56036.5 and subdivision (b) of Section 56036.6, this division provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. All changes of organization and reorganizations shall be initiated, conducted, and completed in accordance with, and as provided in, this division.

The Water/Sewer/Storm Drain District Annexation process is as follows:  
See Appendix H

## **2.3 CHANGE OF ORGANIZATION (CITY ANNEXATION)**

### **2.3a CITY INCORPORATION**

56100. (a) Except as otherwise provided in Section 56036.5 and subdivision (b) of Section 56036.6, this division provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. All changes of organization and reorganizations shall be initiated, conducted, and completed in accordance with, and as provided in, this division.

The City Annexation process is as follows:  
See Appendix I

## **2.4 SPECIAL DISTRICT CHANGE OF ORGANIZATION (DISSOLUTION)**

### **2.4a District Dissolution**

56100. (a) Except as otherwise provided in Section 56036.5 and subdivision (b) of Section 56036.6, this division provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. All changes of organization and reorganizations shall be initiated, conducted, and completed in accordance with, and as provided in, this division.

The District Dissolution process is as follows:  
See Appendix J

## **2.5 SPECIAL DISTRICT CHANGE OF ORGANIZATION (DETACHMENT)**

### **2.5a District Detachment**

56100. (a) Except as otherwise provided in Section 56036.5 and subdivision (b) of Section 56036.6, this division provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. All changes of organization and reorganizations shall be initiated, conducted, and completed in accordance with, and as provided in, this division.

The District Detachment process is as follows:  
See Appendix K

## **3. CEQA GUIDELINES**

The California Environmental Quality Act (CEQA) of 1970 (as amended) is California's most fundamental and far reaching environmental law. CEQA is a procedural act that governs the review and approval process of most developments in California. These policies and procedures are written for the purpose of implementing the requirements of CEQA as contained in §21000 et seq of the Public Resources Code (PRC) and the state CEQA Guidelines as contained in §15000 et seq of the California Code of Regulations (CCR).

### **3.1 BASIC PURPOSES OF CEQA (§15002)**

The basic purposes of CEQA are to:

- (a) Inform governmental decision-makers and the public about the environmental effects of proposed activities;
- (b) Involve the public in the decision-making process;
- (c) Identify ways that damage to the environment can be avoided or significantly reduced; and,
- (d) Prevent environmental damage by requiring changes in projects through the use of alternatives, mitigation measures, or both.

### **3.2. CEQA PROCESS (three separate steps):**

There are three steps in the CEQA process that incorporate environmental documentation. These three separate steps are taken in deciding which environmental document to prepare for a project subject to CEQA. For private projects, or projects undertaken by other public entities for which discretionary approval by the County is required, the Director of Planning shall specify the minimum level of CEQA review (or exemption) required prior to presentation of the project to the approving body. The Planning Director's determination of the minimum level of CEQA review shall be final, subject to Section 8.D ("Appeal").

- a. Preliminary review of a project to determine whether it is subject to CEQA, or is exempt;
- b. If the project is not exempt an Initial Study shall be prepared to determine whether the project may have any significant environmental effects. Unless otherwise specified by the Director of Planning or approving body, the State CEQA Guidelines Initial Study Checklist (Appendix G of CEQA Guidelines), shall be used as the Tehama County Initial Study Checklist.
- c. Preparation of environmental document:
  - i. If the Initial Study shows that there is no substantial evidence that the project may have a significant impact, the County prepares a Negative Declaration.
  - ii. If the Initial Study shows the project may have a significant impact but the project can be revised to avoid or mitigate the impact, the County prepares a Mitigated Negative Declaration.
  - iii. If the Initial Study shows the project may have a significant impact that cannot be avoided or adequately mitigated, the County requires the preparation of an EIR (Guidelines §15002(k)).

# **SECTION D**

## **FORMS**



TEHAMA LOCAL AGENCY FORMATION COMMISSION

444 Oak Street, Room "I", Courthouse Annex Second Floor  
Red Bluff, California 96080  
Telephone (530) 527-2200 Email: [planning@co.tehama.ca.us](mailto:planning@co.tehama.ca.us)

**LAFCO CHECKLIST & APPLICATION**



**FORM D-1**

1. + LAFCo Application Fee \$2,626.00 (Make Check payable to Tehama LAFCo)
2. + Completed Application (Must be Notarized unless Agency Resolution)
3. + Written Geographic Description(s) of the Project Area(s) (Must be in Meets & Bounds – refer to Instructions attached Page 3). **Provide (8) eight copies.**
4. + Vicinity Map (with district boundary shown and identified)
5. + City Resolutions/Pre-Zone (If required)
6. + Check made payable to State Board of Equalization (amount to be determined at time of filing of the application as the fee is based on acreage. Check will be held until approval of the application and will accompany the "Statement of Boundary Change" to the SBE.
7. + Check made payable to Tehama County Clerk Recorder (amount to be determined at time of filing of the application as fee is based on the number of pages to be recorded with "Certificate of Completion".)
8. + Additional information as deemed if necessary by the Executive Officer, this information shall include, but is not limited to LAFCo Form D-6 Indemnification, and City/District (Agency) CEQA Documents, which are required to accompany the application or petition.

COUNTY OF TEHAMA LAFCo

APPLICATION FOR INITIATION OF PROCEEDINGS AND QUESTIONNAIRE

Application No. \_\_\_\_\_

Date \_\_\_\_\_

TO: Tehama Local Agency Formation Commission  
Courthouse Annex  
444 Oak Street, Room I  
Red Bluff, CA 96080

Application Fee: \$2,626.00

Receipt # \_\_\_\_\_

FROM:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Phone #

\_\_\_\_\_  
Address, City, State, Zip

1. The undersigned hereby applies for the initiation of proceedings before the Tehama Local Agency Formation Commission under the provisions of Division 3 (commencing with Section 56000) of the Cortese-Knox Local Government Reorganization Act of 2000, amended November 2004.

APPLICATION IS MADE FOR A PROPOSAL TO CHANGE OF ORGANIZATION:

- |   |   |
|---|---|
| <input type="checkbox"/> Annex to an existing city        | <input type="checkbox"/> Create a new district          |
| <input type="checkbox"/> Detach from an existing city     | <input type="checkbox"/> Annex to a district            |
| <input type="checkbox"/> Incorporate a new city           | <input type="checkbox"/> Detach from a district         |
| <input type="checkbox"/> Merger of city or district       | <input type="checkbox"/> Consolidation of city/district |
| <input type="checkbox"/> Dissolution of district          | <input type="checkbox"/> Offer New Services             |
| <input type="checkbox"/> Amend/Update Sphere of Influence |   |

NOTE: A Reorganization is two or more change of organizations

APN(s): \_\_\_\_\_

NOTE: Legal Description of All Parcels Required With Application Submittal

2. The name or proposed name of the city or district to which territory is proposed for the Change of Organization, or Reorganization:

\_\_\_\_\_

3. Statutory Provisions Governing Proceedings:

---

4. General Description of Property:

- a. Land Area: Square Miles \_\_\_\_\_ Acres \_\_\_\_\_
- b. Describe property characteristics & uses: \_\_\_\_\_  
\_\_\_\_\_
- c. Number & type of buildings on property: \_\_\_\_\_  
\_\_\_\_\_
- d. Description of general terrain & vegetation: \_\_\_\_\_  
\_\_\_\_\_
- e. Name of access road to property \_\_\_\_\_
- f. Public or Private Road? \_\_\_\_\_
- g. Describe surrounding properties: \_\_\_\_\_  
\_\_\_\_\_

5. Water and Sewage:

- a. Type of sewage disposal: \_\_\_\_\_
- b. Type of water service: \_\_\_\_\_

6. What districts or political subdivisions does this proposal affect?

---

---

7. If this proposal involves districts or political subdivisions, how will the final action on this petition affect any existing tax rates?

---

8. Total Assessed Valuation: \_\_\_\_\_

9. Population and Tax Revenue: \_\_\_\_\_

- a. Subject Area: \_\_\_\_\_
- b. Number of Registered Voters: \_\_\_\_\_
- c. Number of Dwelling Units: \_\_\_\_\_
- d. How many Commercial Enterprises: \_\_\_\_\_
- e. Estimated Local Sales Tax Revenue: \_\_\_\_\_

10. Present Zoning Classification: \_\_\_\_\_

- a. Describe proposed new zoning or changes in zoning, if any:

---

---

11. Do any flood control or soil erosion problems exist? \_\_\_\_\_ If so, what steps will be taken to correct the situation?

---

12. Present Soil Classification: \_\_\_\_\_

13. As part of this application a Meets and Bounds Descriptions (Written Legal Description) and Legal Diagram (Scale and Dimensioned Legal Map) of the project area shall be prepared and shall be wet stamped by a licensed professional such as a surveyor and submitted in the following form and format:

Every written description must stand on its own without the necessity of reference to any extraneous document; a description that relies solely on the use of secondary references will not be accepted. The description defines the lands from the point of beginning (a property corner) around the entirety of the project area, typically in a clockwise fashion, back to the point of beginning. Each line or course is described by two components, the "metes" and the "bounds." The metes is the math of the described property lines that circumscribes the perimeter of the parcel and the bounds are cited to state what each line is bounded by. The written description and Legal Diagram shall be of the project area only. If a complete description of the special district is filed, the project area shall be clearly identified in a separate document.

14. Petition Information Section:

a. Subject Property:

Parcel No.'s (Add additional pages if necessary); \_\_\_\_\_

Parcel Sizes (Total Acreage): \_\_\_\_\_

Address or Location (Nearest corss street and distance there to): \_\_\_\_\_

b. Legal Owner/s or Chief Petitioner/s (Include a Maximum of three petitioners):

Petitioner (Chief) 1). Address/Parcel Apn: \_\_\_\_\_

Petitioner (Chief) 2). Address/Parcel Apn: \_\_\_\_\_

Petitioner (Chief) 3).Address/Parcel Apn: \_\_\_\_\_

c. The undersigned hereby petition the Local Agency Formation Commission of Tehama for approval of a proposed change or organization or reorganization, and stipulate as follows:

i. The proposal is made pursuant to Part 3, Division 3, Title 5 of the California Government Code (commending with Section 56000, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000) and incorporates the Notice of Intent to Petition pursuant to GC 56700.4 and the Petition complies with the content requirement of GC56700; attach petition with signatures in the form as required pursuant to the Principals Act/CKH 2000, the petition shall meet the threshold requirements for signatures as provided in the Principals Act/CKH 2000. Indicate Principal Act if applicable: \_\_\_\_\_

ii. The specific change of organization proposed is (Include the Principal Act Le gal section for said request and petition thresholds; add additional pages if necessary): \_\_\_\_\_

iii. The boundaries of the territory included in the proposal are as describe in Ex hibits(s) attached hereto and by this reference incorporated herein.

iv. The territory included in the proposal is/are \_\_\_\_\_ inhabited (12 or more regis tered voter)\_\_\_ uninhabited (Less than 12 registered voters).

v. Is this proposal consistent with the sphere of influence of the affected city and/or district: \_\_\_ Yes or \_\_\_ No.

vi. Justification for a petition and application for change of organization or Reor ganization (Add addition pages as necessary): \_\_\_\_\_

vii. The persons signing this petition have signed as \_\_\_ Registered Voters and/or \_\_\_ Land Owners.

viii. The Boundaries of the project area are described in the attached Exhibit \_\_\_\_\_ heretofore incorporation herein.

**14. Petition Information Section Continued-LAFCo Packet Filling Instruction:**

Eight (8) copies each of a map and legal description of the specific boundaries of the territory involved in this proposal are to be attached hereto and made a part of this petition, together with all other requirements and forms. The appropriate fee must accompany this application to cover processing costs. Copies of the Executive Officer's report, mailed notice of any public hearing regarding the proposal, and any other communication regarding this proposal, should be directed to:

---

Name	Signature
------	-----------

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Address	Phone #
---------	---------

Authorized Agent to sign LAFCo Application, which does not negate the Petition requirements and signature thresholds pursuant to the Principal Act and/or the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; the official petition and required signatures sheets shall be provide and incorporated into the application as an Exhibit hereto. Wherefore, petitioners or owners request that proceedings be taken in accordance with the provision of section 56000, et seq. of the Government code regarding the proposed change of organization or reorganization:

---

Authorized Agent and Chief Petitioners Name	Signature	Date
---	-----------	------

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of the document.

STATE OF CALIFORNIA )  
  )ss  
COUNTY OF TEHAMA )

On \_\_\_\_\_, before me \_\_\_\_\_, a Notary Public, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)

15. Agency Resolution Information Section:

a. Subject Property:

Parcel No.'s (Add additional pages if necessary); \_\_\_\_\_

Parcel Sizes (Total Acreage): \_\_\_\_\_

Address or Location (Nearest corss street and distance there to): \_\_\_\_\_

b. Legislative Body Resolution

56654. (a) A proposal for a change of organization or a reorganization may be made by the adoption of a resolution of application by the legislative body of an affected local agency, except as provided in subdivision (b).

56654(c) At least 21 days before the adoption of the resolution, the legislative body may give mailed notice of its intention to adopt a resolution of application to the commission and to each interested agency and each subject agency. The notice shall generally describe the proposal and the affected territory.

56654(d) Except for the provisions regarding signers and signatures, a resolution of application shall contain all of the matters specified for a petition in Section gc56700 and shall be submitted with a plan for services prepared pursuant to Section gc56653:

Resolution contents GC 56700.

(a) A proposal for a change of organization or a reorganization may be made by petition. The petition shall do all of the following:

- (1) State that the proposal is made pursuant to this part.
- (2) State the nature of the proposal and list all proposed changes of organization.
- (3) Set forth a description of the boundaries of affected territory accompanied by a map showing the boundaries.
- (4) Set forth any proposed terms and conditions.
- (5) State the reason or reasons for the proposal.
- ~~(6) State whether the petition is signed by :NA~~
- ~~(7) Designate up to three persons as chief petitioners, setting forth their names and mailing addresses.~~
- (8) Request that proceedings be taken for the proposal pursuant to this part.
- (9) State whether the proposal is consistent with the sphere of influence of any affected city or affected district.

- c. One conforming copy of the agencies adopted Resolution requesting LAFCo action regarding a change of organization or reorganization with one map and legal description of the specific boundaries of the territory involved in this proposal are to be attached hereto and made a part of this application, together with all other requirements and forms contained herein. The appropriate fee must accompany this application to cover processing costs. Copies of the Executive Officer's report, mailed notice of any public hearing regarding the proposal, and any other communication regarding this proposal, should be directed to:

\_\_\_\_\_  
Authorized Agent Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

LANDOWNER PROTEST

In accordance with Part 3, Division 3, Title 5 of the California Government Code (Section 56000 et seq.), the undersigned hereby protest the following change of organization or reorganization:

LAFCo Proposal or Reference Number \_\_\_\_\_

Only signatures dated and submitted between the date of publication of the hearing notice and the conclusion of the protest hearing will be considered in ascertaining the Value of written protests (Government Code § 57051).

Each of the undersigned states:

- I personally signed this protest as landowner of affected territory.
- I have provided an address or description sufficient to identify the location of the property.
- I personally affixed hereto the date of my signature.

Name of Landowner and Mailing Address	Address and/or Assessor's Parcel Number	Date Signed	Official Use
Signature _____  Printed Name _____			
Signature _____  Printed Name _____			
Signature _____  Printed Name _____			



REGISTERED VOTER PROTEST

In accordance with Part 3, Division 3, Title 5 of the California Government Code (Section 56000 et seq.), the undersigned hereby protest the following change of organization or reorganization:

LAFCo Proposal or Reference Number \_\_\_\_\_

Only signatures dated and submitted between the date of publication of the hearing notice and the conclusion of the protest hearing will be considered in ascertaining the Value of written protests (Government Code § 57051).

Each of the undersigned states:

- I personally signed this protest as registered voter of affected territory.
- I personally affixed hereto the date of my signing this protest and place of residence, or if no street or number exists, then a designation of my place of residence that will enable the location to be readily ascertainable.
- My residence and address are correctly written after my name.

Name of Landowner and Mailing Address	Residence Address	Date Signed	Official Use
Signature _____ Printed Name _____			
Signature _____ Printed Name _____			
Signature _____ Printed Name _____			

**REQUIREMENTS FOR METES AND BOUNDS LEGAL DESCRIPTION**

Descriptions of the territory that are filed with the Board's Tax Area Service Section (TASS) are used to establish geodetic position and are not intended to establish property ownership in a court of law. Subdivision maps, tract maps, recorded survey maps, survey monuments, and deeds are not on file with the Board. Boundary descriptions that merely cite recorded documents or refer to assessor's parcel numbers will not be accepted. Any supporting documents may be used as reference only and cannot be used as a substitution. Written geographic descriptions shall conform to the following specifications:

1. Every written description must stand on its own without the necessity of reference to any extraneous document; a description that relies solely on the use of secondary references will not be accepted. The TASS cartographic staff must be able to plot the boundaries from the written description alone.
2. The written description shall be of the project area only. If a complete description of the special district is filed, the project area shall be clearly identified in a separate document.
3. The geographic description shall:
  - a. State the township and range, section number(s) or rancho(s)
  - b. Have a point of beginning (POB) referenced to a known major geographic position (e.g., section corners, intersection of street centerlines, or the intersection of a street centerline and an existing district boundary at the time of filing). A description will be rejected if the POB refers only to a tract map, a subdivision map or recorded survey map. It is preferable that the POB be the point of departure from an existing district boundary (when applicable).
  - c. Be expressed as a specific parcel description in sectionalized land (e.g., The SW 1/4 of Section 22, T1N, R1W) or by bearings and distances. When the description is by bearings and distances, all courses shall be numbered and listed individually in a consistent clockwise direction. The description shall not be written in a narrative format. All courses required to close the traverse of the project area must be stated. All curves must be described by direction of concavity. Delta, arc length, chord, and radius shall be listed, including radial bearings for all points of non-tangency.

Following are examples of unacceptable and acceptable descriptions:

Unacceptable (*This description refers only to extraneous documents and does not stand alone.*)

“From a point of beginning, northerly to the southwest corner of that certain property recorded in Book 12, Page 15 of Recorded Deeds, thence easterly to the southeast corner of that certain property recorded in Book 12, Page 16 of Recorded Deeds...”

Acceptable (This is the same description with the courses numbered and the bearings and distances added.)

“From the point of beginning:

Course 1. North 1 18’56” West a distance of 150’ to the southwest corner of that certain property recorded in Book 12, Page 15 of Recorded Deeds, thence,

Course 2. North 85 7’56” West a distance of 75’ to the southeast corner of that certain property recorded in Book 12, Page 16 of Recorded Deeds, thence...”

4. The written description shall state the acreage for each separate single area (see Definitions and Special Fee Provisions for the definition of a single area) and a combined total acreage of the project area.

Example: “Area A containing 2.50 acres, Area B containing 1.75 acres: Total computed acreage containing 4.25 acres more or less.”

5. All information stated on the description must match with the map(s), such as the name of the short title, the point of beginning, the course numbers, all the bearings and distances, and the acreage(s).

Further information can be found here:

<http://www.boe.ca.gov.proptaxes/pdf/jurboundaryreq.pdf>

## REQUIREMENTS FOR MAPS

Maps submitted as part of the jurisdictional boundary change filing shall conform to the following specifications:

1. All maps shall be professionally and accurately drawn or copied. Rough sketches or pictorial drawings will not be accepted. Assessor's parcel maps will not be accepted as a substitute for the project map.
2. Original or copies of the same size project map must be submitted. Reduced maps are not acceptable and will be rejected.
3. A vicinity map shall be included. The vicinity map shall show the location of the project area in relationship to a larger geographic area that includes major streets and highways or other physical features.
4. Any portion of an existing district boundary in close proximity to the project area shall be shown and identified.
5. Every map must clearly show all existing streets, roads and highways with their current names that are within and adjacent to the project area. Additionally, every map shall indicate each township and range, section lines and numbers, or ranchos that are in proximity of the project area.
6. Every map shall bear a scale and a north arrow. The point of beginning shall be clearly shown and match the written description.
7. The boundaries of the project area shall be distinctively delineated on each map without masking any essential geographic or political features. The boundaries of the project area must be the most predominant line on the map. Boundary lines that are delineated by a line that exceeds 1.5 millimeter in width shall be rejected. The use of graphic tape or broad tip marking pens to delineate the boundary is not acceptable.
8. All dimensions needed to plot the boundaries must be given on the map of the project area. Each map shall have numbered courses matching the written geographic description. Index tables may be utilized.
9. All parcels within the project area that touch the new boundary shall be clearly labeled with the assessor's parcel number. Interior parcels that do not touch the boundary need not be identified on the map.
10. If the project area has an interior island(s) of exclusion or the boundary has a peninsula of exclusion (or inclusion), that area(s) should be shown in an enlarged

drawing. This drawing should be of sufficient size and scale to allow TASS to plot the boundary without difficulty.

11. When it is necessary to use more than one map sheet to show the boundaries of the project area, the sheet size should be uniform,. A small key map giving the relationship of the several sheets shall be furnished. Match lines between adjoining sheets must be used. While the geography on adjoining sheets may overlap, the project boundaries must stop at the match lines. TASS has standardized the D size (24" x 36") map sheet, but will accept larger or smaller map sizes depending on the size and complexity of the individual single area(s).

Further information can be found here:

<http://www.boe.ca.gov.proptaxes/pdf/jurboundaryreq.pdf>

Application Indemnification Agreement

Project Title: \_\_\_\_\_

Applicant(s) shall indemnify, defend, and hold harmless the Tehama County Local Agency Formation Commission ("LAFCO" or the "Commission") from and against any claims, actions, or proceedings for damages, losses, attorneys' fees, private attorney general fees and/or costs awarded to any party against LAFCO to attack, set aside, void, or annul any findings, resolutions, entitlements, certifications under the California Environmental Quality Act ("CEQA") or other environmental review, and approvals by LAFCO given in regard to the Project described or identified in this Application and any other related proceedings (hereinafter referred to collectively as "Project" which includes annexations, reorganizations, detachments, dissolutions, formations, mergers, consolidations, sphere of influence amendments and extraterritorial service agreements), or to impose personal liability against such LAFCO commissioners, officers, employees, agents, or attorneys resulting from their official involvement in any Project proceedings, including any claims, actions or proceedings for any damages, losses, attorneys' fees, private attorney general fees and/or costs awarded to any party and against LAFCO.

For the purposes of this Agreement, the term "Applicant" shall include all parties applying for discretionary approval of the Project, including but not limited to the subject agency or agencies (the district(s) and/or city for which a change of organization or reorganization is proposed), the owner or owners of the property or properties upon which the Project is sited, the developer or developers of the property or properties upon which the Project is sited and the Applicant(s)' heir(s), assign(s), and successor(s)-in-interest to which this Agreement applies.

The undersigned Applicant(s) expressly warrant his/her/its/their authority to enter into this Agreement and bind all applicants and parties, including but not limited to the subject agency or agencies, owner or owners of any property or properties upon which the project is sited, the developer or developers of the property or properties upon which the Project is sited and the Applicant(s)'s heir(s), assign(s), and successors-in-interest.

The Applicant(s) having read and considered the above provisions, indicate his/her/its/their agreement by their authorized signatures below.

Date:

Subject Agency, if applicable: \_\_\_\_\_

By: \_\_\_\_\_

Authorized Agent

Printed Name of Authorized Agent: \_\_\_\_\_

This form shall be Notarized-

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of the document.

# **SECTION E**

# **GLOSSARY**

## CHAPTER 2-CKH ACT 2000 DEFINITIONS

### Definitions

"Affected city"

**56010.** Unless the provision or context otherwise requires, the definitions contained in this chapter govern the construction of this division. The definition of a word applies to any of that word's variants.

**56011.** "Affected city" means any city that contains or would contain, or whose sphere of influence contains or would contain territory for which a change of organization is proposed or ordered, either singularly or as part of a reorganization.

"Affected county"

**56012.** "Affected county" means any county that contains, or would contain, any territory for which a change of organization is proposed or ordered either singularly or as part of a reorganization or that contains all or any part of a district for which a change of organization or reorganization is proposed with respect to territory outside that county.

"Affected district"

**56013.** "Affected district" means any special district, as defined by Section 56036, that contains or would contain, or whose sphere of influence contains or would contain, any territory for which a change of organization is proposed or ordered either singularly or as part of a reorganization.

"Affected local agency"

**56014.** "Affected local agency" means any local agency that contains, or would contain, or whose sphere of influence contains or would contain, any territory for which a change of organization is proposed or ordered, either singularly or as part of a reorganization or for which a study is to be reviewed by the commission.

"Affected territory"

**56015.** "Affected territory" means any territory for which a change of organization, reorganization, or sphere of influence change is proposed or ordered, or any territory to which services are proposed to be provided pursuant to sections 56133, 56133.5, or 56134.

"Agricultural lands"

**56016.** "Agricultural lands" means land currently used for the purpose of producing an agricultural commodity for commercial purposes, land left fallow under a crop rotational program, or land enrolled in an agricultural subsidy or set-aside program.

"Annexation"

**56017.** "Annexation" means the inclusion, attachment, or addition of territory to a city or district.

"Applicant"

**56017.1.** "Applicant" means a local agency or person or persons that submits an application, as defined by Section 56017.2.

"Application"

**56017.2.** "Application" means any of the following:



	(a) A resolution of application or petition initiating a change of organization or reorganization with supporting documentation as required by the commission or executive officer.
	(b) A request for a sphere of influence amendment or update pursuant to Section 56425.
	(c) A request by a city or district for commission approval of an extension of services outside the agency's jurisdictional boundaries pursuant to Section 56133.
	(d) A request by a public agency for commission approval of an extension of services outside the agency's jurisdictional boundaries pursuant to Section 56134.
	<b>56018.</b> [Repealed by Stats. 2011, Ch. 300]
<b>"Board of directors"</b>	<b>56019.</b> "Board of directors" means the legislative body or governing board of a district.
<b>"Board of supervisors"</b>	<b>56020.</b> "Board of supervisors" means the legislative body or governing board of a county.
<b>"Certificate of completion"</b>	<b>56020.5.</b> "Certificate of completion" means the document prepared by the executive officer and recorded with the county recorder that confirms the final successful completion of a change of organization or reorganization.
<b>"Certificate of filing"</b>	<b>56020.6.</b> "Certificate of filing" means the document issued by the executive officer that confirms an application for a change of organization or reorganization has met submission requirements and is accepted for filing.
<b>"Certificate of termination of proceedings"</b>	<b>56020.7.</b> "Certificate of termination" or "certificate of termination of proceedings" means the document prepared by the executive officer and retained by the commission that indicates that a proposal for a change of organization or reorganization was terminated because of a majority written protest, rejection by voters in an election, or the expiration of time prior to completion of proceedings pursuant to Section 57001 or a court order.
<b>"Change of organization"</b>	<b>56021.</b> <b>"Change of organization" means any of the following:</b> (a) A city incorporation. (b) A district formation. (c) An annexation to a city. (d) An annexation to a district. (e) A detachment from a city. (f) A detachment from a district. (g) A disincorporation of a city. (h) A district dissolution. (i) A consolidation of cities. (j) A consolidation of special districts. (k) A merger of a city and a district. (l) Establishment of a subsidiary district.

	(m) The exercise of new or different functions or classes of services, or divestiture of the power to provide particular functions or classes of services, within all or part of the jurisdictional boundaries of a special district as provided in Article 1.5 (commencing with Section 56824.10) of Chapter 5 of Part 3 of this division).
<b>"City"</b>	<b>56023.</b> "City" means any incorporated chartered or general law city, including any city the name of which includes the word "town."
<b>"City council"</b>	<b>56024.</b> "City council" means the legislative body or governing board of a city.
<b>"City officer"</b>	<b>56025.</b> "City officer" means the mayor or a member of the city council.
<b>"Clerk"</b>	<b>56026.</b> "Clerk" means the clerk or secretary of a commission, county, city, or district, or the clerk or secretary of the legislative body of a county, city, or district. Where the office of county clerk is separate from the office of the clerk of the board of supervisors, "clerk" means the clerk of the board of supervisors. Where the office of county clerk is separate from the office of the registrar of voters, "clerk" means the registrar of voters with respect to all duties pertaining to the conduct of elections and the county clerk with respect to all other duties.
<b>"Commission"</b>	<b>56027.</b> "Commission" means a local agency formation commission.
<b>"Commission proceedings"</b>	<b>56028.</b> "Commission proceedings" means proceedings which are taken by a commission pursuant to Part 3 (commencing with Section 56650).
<b>"Conducting authority"</b>	<b>56029.</b> "Conducting authority" means the commission of the principal county, or the commission's executive officer when authorized by the commission, when exercising its responsibility to conduct protest proceedings following approval by the commission of a change of organization or reorganization.
<b>"Consolidation"</b>	<b>56030.</b> "Consolidation" means the uniting or joining of two or more cities located in the same county into a single new successor city or two or more districts into a single new successor district.
<b>"Contiguous"</b>	<b>56031.</b> (a) "Contiguous" means territory that abuts or shares a common boundary with territory within a local agency. (b) Territory is not contiguous if the only contiguity is based upon a strip of land more than 300 feet long and less than 200 feet wide at its narrowest width, that width to be exclusive of highways.
<b>"County officer"</b>	<b>56032.</b> "County officer" means a member of the board of supervisors.

**"Dependent special district" or "dependent district"**

**56032.5.** "Dependent special district" or "dependent district" includes any special district that has a legislative body that consists, in whole or part, of ex officio members who are officers of a county or another local agency, or who are appointees of those officers, and who are not appointed to fixed terms. "Dependent special district" or "dependent district" does not include any district excluded from the definition of district contained in Section 56036 and 56036.6.

**"Detachment"**

**56033.** "Detachment" means the exclusion, deletion, or removal from a city or district of any portion of the territory of that city or district.

**"Disadvantaged unincorporated community"**

**56033.5.** "Disadvantaged unincorporated community" means inhabited territory, as defined by Section 56046, or as determined by commission policy, that constitutes all or a portion of a "disadvantaged community" as defined by Section 79505.5 of the Water Code.

**"Disincorporation"**

**56034.** "Disincorporation" means the dissolution, extinguishment, or termination of the existence of a city and the cessation of its corporate powers, except for the purpose of winding up the affairs of the city.

**"Dissolution"**

**56035.** "Dissolution" means the disincorporation, extinguishment, or termination of the existence of a district and the cessation of all its corporate powers, except as the commission may otherwise provide pursuant to Section 56886 or for the purpose of winding up the affairs of the district.

**"District" or "special district"**

**56036.** (a) "District" or "special district" are synonymous and mean an agency of the state, formed pursuant to general law or special act, for the local performance of governmental or proprietary functions within limited boundaries and in areas outside district boundaries when authorized by the commission pursuant to Section 56133.

(b) "District" or "special district" includes a county service area, but excludes all of the following:

(1) The state.

(2) A county.

(3) A city.

(4) A school district or a community college district.

(5) An assessment district or special assessment district.

(6) An improvement district.

(7) A community facilities district formed pursuant to the Mello-Roos Community Facilities Act of 1982, (Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5).

(8) A permanent road division formed pursuant to Article 3 (commencing with Section 1160) of

Chapter 4 of Division 2 of the Streets and Highways Code.

(9) An air pollution control district or an air quality maintenance district.

(10) A zone of any special district.

#### **Change of organization; principal act**

**56036.5.** (a) For the purposes of Chapter 1 (commencing with Section 57000) to Chapter 7 (commencing with Section 57176), inclusive, of Part 4 or Part 5 (commencing with Section 57300), for each of the following entities proceedings for a change of organization shall be conducted pursuant to the principal act authorizing the establishment of that district:

(1) A unified or union high school library district.

(2) A bridge and highway district.

(3) A joint highway district.

(4) A transit or rapid transit district.

(5) A metropolitan water district.

(6) A separation of grade district.

(7) For other districts, where the principal act provides, the procedures in the principal act shall supersede the procedures set forth in this division.

**56036.6.** (a) For the purposes of Chapter 1 (commencing with Section 57000) to Chapter 7 (commencing with Section 57176), inclusive, of Part 4 or Part 5 (commencing with Section 57300), none of the following entities is a "district" or "special district" if the commission of the principal county determines, in accordance with Section 56127 and 56128, that the entity is not a "district" or "special district":

(1) A flood control district.

(2) A flood control and floodwater conservation district.

(3) A flood control and water conservation district.

(4) A conservation district.

(5) A water conservation district.

(6) A water replenishment district.

(7) The Orange County Water District.

(8) A California water storage district.

(9) A water agency.

(10) A county water authority or a water authority.

(b) If the commission determines that an entity described in this section is not a "district" or "special district," any proceedings pursuant to Part 4 (commencing with Section 57000) for a change of organization involving the entity shall be conducted pursuant to the principal act authorizing the establishment of that entity.

#### **Non-districts**

<b>"Divestiture of power"</b>	<b>56037.2.</b> "Divestiture of power" means the termination of the power and authority to provide particular functions or classes of services within all or part of the jurisdictional boundaries of a special district.
<b>"Elections official"</b>	<b>56037.5.</b> "Elections official" shall have the same meaning as in Section 320 of the Elections Code.
<b>"Executive officer"</b>	<b>56038.</b> "Executive officer" means the person appointed by a commission pursuant to Section 56384.
<b>"Feasible"</b>	<b>56038.5.</b> "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, legal, social, and technological factors.
<b>"Formation"</b>	<b>56039.</b> "Formation" means the creation of a district.
<b>"Function"</b>	<b>56040.</b> "Function" means any power granted by law to a local agency to provide designated governmental or proprietary services or facilities for the use, benefit, or protection of persons or property.
<b>"Improvement district"</b>	<b>56041.</b> "Improvement district" means an area or zone formed for the sole purpose of designating an area which is to bear a special tax or assessment for an improvement benefiting that area.
<b>56042. [Repealed by Stats. 2011, Ch. 300]</b>	
<b>"Inactive district"</b>	<b>56042.</b> "Inactive district" means a special district that meets all of the following: (a) The special district is as defined in Section 56036. (b) The special district has had no financial transactions in the previous fiscal year. (c) The special district has no assets and liabilities. (d) The special district has no outstanding debts, judgements, litigation, contracts, liens, or claims.
<b>"Incorporation"</b>	<b>56043.</b> "Incorporation" means the creation or establishment of a city. Any area proposed for incorporation as a city shall have at least 500 registered voters residing within the affected territory at the time the proposal is initiated.
<b>"Independent district" or "independent special district"</b>	<b>56044.</b> "Independent district" or "independent special district" includes any special district having a legislative body all of whose members are elected by registered voters or landowners within the district, or whose members are appointed to fixed terms, and excludes any special district having a legislative body consisting, in whole or in part, of ex officio members who are officers of a county or another local agency or who are appointees of those officers other than those who are appointed to fixed terms. "Independent special district" does not include any district excluded from the definition of district contained in Sections 56036 and 56036.6.

<b>"Independent special district officer"</b>	<b>56045.</b> "Independent special district officer" means the presiding officer or a member of the legislative body of an independent special district.
<b>"Indirect cost"</b>	<b>56045.5.</b> "Indirect cost" has the same meaning as used in paragraph (2) of subdivision (b) of Section 33338 of the Education Code.
<b>"Inhabited territory"</b>	<b>56046.</b> "Inhabited territory" means territory within which there reside 12 or more registered voters. The number of registered voters as determined by the elections officer, shall be established as of the date a certificate of filing is issued by the executive officer.
<b>"Initiate" or "initiation"</b>	<b>56047.</b> "Initiate" or "initiation" means the issuance of a certificate of filing by the executive officer.
<b>"Interested agency"</b>	<b>56047.5.</b> "Interested agency" means each local agency which provides facilities or services in the affected territory.
<b>"Joint powers agency" or "joint powers authority"</b>	<b>56047.7.</b> "Joint powers agency" or "joint powers authority" means an agency or entity formed pursuant to the Joint Exercise of Powers Act (Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1) that is formed for the local performance of governmental functions that includes the provision of municipal services.
<b>"Landowner" or "owner of land"</b>	<b>56048.</b> "Landowner" or "owner of land" means any of the following: (a) A person or persons shown as the owner of land on the last equalized assessment roll prepared by the county at the time the determination is required to be made pursuant to the requirements of this division. Where that person or persons are no longer the owner, the landowner or owner of land is any person or persons entitled to be shown as the owner of land on the next equalized assessment roll. (b) Where land is subject to a recorded written agreement of sale, any person shown in the agreement as the purchaser. (c) Any public agency owning land other than highways, rights-of-way, easements, waterways, or canals.
<b>"Landowner-voter"</b>	<b>56049.</b> "Landowner-voter" means any person entitled to vote in a landowner-voter district, or the legal representative of that person or, in the case of an election, the proxy of that person if authorized by the principal act.
<b>"Landowner-voter district"</b>	<b>56050.</b> "Landowner-voter district" means a district whose principal act provides that owners of land within the district are entitled to vote upon the election of district officers, the incurring of bonded indebtedness, or any other district matter.

<b>"Latent service or power"</b>	<b>56050.5</b> "Latent service or power" means those services, facilities, functions, or powers authorized by the principal act under which the district is formed, but that are not being exercised, as determined by the commission pursuant to subdivision (i) of Section 56425.
<b>"Last equalized assessment roll"</b>	<b>56051.</b> "Last equalized assessment roll" means the listing in use by a county, city, or district for the purpose of the annual levy and collection of any taxes or assessments. This section does not require the use of the supplemental roll prepared pursuant to Chapter 3.5 (commencing with Section 75) of Part 0.5 of Division 1 of the Revenue and Taxation Code.
<b>"Legal representative"</b>	<b>56052.</b> "Legal representative" means an officer of a corporation, partnership, or limited liability company duly authorized to sign for, and on behalf of, the entity. Legal representative also includes a guardian, conservator, executor, administrator, trustee or other person holding property in a trust capacity under appointment of a court, when authorized by an order of the court.
<b>"Legislative body"</b>	<b>56053.</b> "Legislative body" means the governing board of a city, county, or district.
<b>"Local agency"</b>	<b>56054.</b> "Local agency" means a city, county, or district.
<b>"Member district"</b>	<b>56055.</b> "Member district" means any district which is included, in whole or in part, within another district, a metropolitan water district, or any of the entities enumerated in Section 56036.6, all or any part of the first-mentioned district being entitled, under the provisions of the principal act of the second-mentioned district or entity, to receive or be furnished with any governmental or proprietary service or commodity by the second-mentioned district or entity.
<b>"Merger"</b>	<b>56056.</b> "Merger" means the termination of the existence of a district when the responsibility for the functions, services, assets, and liabilities of that district are assumed by a city as a result of proceedings taken pursuant to this division.
<b>"Next equalized assessment roll"</b>	<b>56057.</b> "Next equalized assessment roll" means the listing to be equalized and used by a city, county, or district for the purpose of the annual levy and collection of any taxes or assessments imposed by the city, county, or district.
<b>56058. [Repealed by Stats. 2011, Ch. 300]</b>	
<b>"Open space"</b>	<b>56059.</b> "Open space" means any parcel or area of land or water which is substantially unimproved and devoted to an open-space use, as defined in Section 65560.
<b>"Open-space use"</b>	<b>56060.</b> "Open-space use" means any use as defined in Section 65560.

**"Overlap" or "overlapping territory"**

**56061.** "Overlap" or "overlapping territory" means territory which is included within the boundaries of two or more districts or within one or more districts and a city or cities.

**"Parent district"**

**56062.** "Parent district" means any district, a metropolitan water district, or any of the entities enumerated in Section 56036.6, which includes all or any part of another district, the first-mentioned district or entity being obligated, under the provisions of the principal act of the first-mentioned district or entity, to provide and furnish any governmental or proprietary service or commodity to the second-mentioned district.

**56063. [Repealed by Stats. 2011, Ch. 300]**

**"Prime agricultural land"**

**56064.** "Prime agricultural land" means an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the following qualifications:

- (a) Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.
- (b) Land that qualifies for rating 80 through 100 Storie Index Rating.
- (c) Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Range and Pasture Handbook, Revision 1, December 2003.
- (d) Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars (\$400) per acre.
- (e) Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars (\$400) per acre for three of the previous five calendar years.

**"Principal act"**

**56065.** "Principal act" means, in the case of a district, the law under which the district was formed and, in the case of a city, the general laws or the city charter.



**"Principal county"**

**56066.** "Principal county" means the county having the greater portion of the entire assessed value, as shown on the last equalized assessment roll of the county or counties, of all taxable property within a district or districts for which a change of **organization or reorganization organization, reorganization, or determination of a sphere of influence** is proposed. (Amended by Stats. 2021, Ch. 31)

**"Proceeding" or "proceeding for a change of organization" or "proceeding for a reorganization"**

**56067.** "Proceeding," "proceeding for a change of organization," or "proceeding for a reorganization" means proceedings taken by the commission for a proposed change of organization or reorganization pursuant to Part 4 (commencing with Section 57000).

**56068. [Repealed by Stats. 2011, Ch. 300]  
"Proposal"**

**56069.** "Proposal" means a desired change of organization or reorganization initiated by a petition or by resolution of application of a legislative body or school district for which a certificate of filing has been issued.

**"Protest proceedings"**

**56069.5** "Protest proceedings" means proceedings taken by a commission, or its executive officer when authorized by the commission, as the conducting authority pursuant to Chapter 1 (commencing with Section 57000), Chapter 2 (commencing with Section 57025), Chapter 3 (commencing with Section 57050), or Chapter 4 (commencing with Section 57075) of Part 4 of this division.

**"Public agency"**

**56070.** "Public agency" means the state or any state agency, board, or commission, any city, county, city and county, special district, or any agency, board, or commission of the city, county, city and county, special district, joint powers authority, or other political subdivision.

**"Registered voter"**

**56071.** "Registered voter" means any elector registered under, and pursuant to, the Elections Code.

**"Registered-voter district"**

**56072.** "Registered-voter district" means a district whose principal act provides that registered voters residing within the district are entitled to vote for the election of district officers, incurring of bonded indebtedness, or any other district matter.

**"Reorganization"**

**56073.** "Reorganization" means two or more changes of organization contained within a single proposal.

**"Resolution of application"**

**56073.1.** "Resolution of application" means the document adopted by a local agency or school district initiating a change of organization or reorganization pursuant to Section 56654 or the document adopted by a commission pursuant to paragraph (2) of subdivision (a) of Section 56375 or by subdivision (c) of Section 56879.

<b>"Service"</b>	<b>56074.</b> "Service" means a specific governmental activity established within, and as a part of, a function of a local agency.
<b>"Service Review"</b>	<b>56074.5.</b> "Service review" means an analysis conducted by the commission documenting and analyzing the services in a particular geographic region or jurisdictional area pursuant to the requirements of Section 56430.
<b>"Special assessment district" or "assessment district"</b>	<b>56075.</b> "Special assessment district" or "assessment district" means an area fixed, established, and formed by a city, county, district, or the state, pursuant to general law, special act, or charter, that is specially benefited by, and assessed, or to be assessed, to pay the costs and expenses of, acquiring any lands or rights-of-way, acquiring or constructing any public improvements, maintaining or operating any public improvement, or lighting any public street, highway, or place.
<b>"Special reorganization"</b>	<b>56075.5.</b> "Special reorganization" means a reorganization that includes the detachment of territory from a city or city and county and the incorporation of that entire detached territory as a city.
<b>"Sphere of influence"</b>	<b>56076.</b> "Sphere of influence" means a plan for the probable physical boundaries and service area of a local agency, as determined by the commission.
<b>"Subject agency"</b>	<b>56077.</b> "Subject agency" means each district or city for which a change of organization or reorganization is proposed or provided in a plan of reorganization.
<b>"Subsidiary district"</b>	<b>56078.</b> "Subsidiary district" means a district in which a city council is designated as, and empowered to act as, the ex officio board of directors of the district.
<b>56079. [Repealed by Stats. 2011, Ch. 300] "Uninhabited Territory"</b>	<b>56079.5.</b> "Uninhabited territory" means territory within which there reside fewer than 12 registered voters. The number of registered voters, as determined by the elections officer, shall be established as of the date a certificate of filing is issued by the executive officer.
<b>"Urban service area"</b>	<b>56080.</b> "Urban service area" means developed, undeveloped, or agricultural land, either incorporated or unincorporated, within the sphere of influence of a city, which is served by urban facilities, utilities, and services or which are proposed to be served by urban facilities, utilities, and services during the first five years of an adopted capital improvement program of the city if the city adopts that type of program for those facilities, utilities, and services. The boundary around an urban area shall be called the "urban service area boundary" and shall be developed in cooperation with a city and adopted by a commission pursuant

**"Voter"**

to policies adopted by the commission in accordance with Sections 56300, 56301, and 56425.  
**56081.** "Voter" means a landowner-voter or a registered voter.

## **APPENDIX (A-K)**