

APPENDIX E
Special District Annexation Criteria
Community Service District

Step 1:

Determine the purpose and area of the annexation along with the District.

- What is the proposed land use/service plan, General Plan/Zoning (if applicable) and the types of services proposed to be provide?
- Is the area proposed to be annexed contiguous or non-contiguous to the Districts limits (Principal Act GC 56119), and within the Districts adopted Sphere of Influence as required (GC 56375.5).
- What are the boundaries of the area proposed to be annexed and are 100% of the owners of the land/voters within those boundaries requesting said annexation.
- The District should accept the request of the landowners/voters and prepare a resolution approving/authorizing and requesting said land to be annexed for the LAFCo Application, which would make it a resolution process.

Step 2:

Prepare District Service Plan/Municipal Services Review (MSR)

GC 56653.

(a) If a proposal for a change of organization or reorganization is submitted pursuant to this part, the applicant shall submit a plan for providing services within the affected territory.

(b) The plan for providing services shall include all of the following information and any additional information required by the commission or the executive officer:

(1) An enumeration and description of the services currently provided or to be extended to the affected territory.

(2) The level and range of those services.

(3) An indication of when those services can feasibly be extended to the affected territory, if new services are proposed.

(4) An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.

(5) Information with respect to how those services will be financed.

Note. If area to be annexed is not within the current adopted Sphere of Influence for the subject district a Municipal Servicer Review shall be conducted by the applicant and processed through LAFCo.

- Sphere of Influence Boundary (if needed to be expanded for new annexation territory), which can be the same area as the District Boundary

(coterminous); The District Service Plan should contain most of what is needed for the Municipal Service Review as set out in GC 56425(e); any information that is not contained in the District Service Plan and required pursuant to GC 56425(e) "Municipal Service Review" shall be add to the Formal Document known as the "Municipal Service Review" and included as part of the petition/agency resolution application package to LAFCO.

Step 3(Optional- only required if a Resolution Process has not been initiated by the subject District):

Petition Information

Once the District Service Plan is prepared, the information in the District Service Plan will be used to form the Petition as required in GC 56700:

GC 56650 Commission proceedings for a change of organization or a reorganization may be initiated by petition or by resolution of application in accordance with this chapter.

Petition and signatures prior to submitting an Application for Initiation of Proceedings pursuant to Cortese-Knox-Herzberg Local Government Reorganization Act (Government Code Section's 56859 & 56860 et seq.).

Proposal by petition; petition notice of intention filing with Tehama LAFCO Executive Officer

GC 56700.4. (a) Before circulating any petition for change of organization, the proponent shall file with the executive officer a notice of intention that shall include the name and mailing address of the proponent and a written statement, not to exceed 500 words in length, setting forth the reasons for the proposal. The notice shall be signed by a representative of the proponent, and shall be in substantially the following form:

Notice of Intent to Circulate Petition

Notice is hereby given of the intention to circulate a petition proposing to _____.
The reasons for the proposal are:

(b) After the filing required pursuant to subdivision (a), the petition may be circulated for signatures.

(c) Upon receiving the notice, the executive officer shall notify affected local agencies.

(d) The notice requirements of this section shall apply in addition to any other applicable notice requirements.

(e) This section shall not apply to any petition signed by landowners if all parcels within the affected territory are vested under the same ownership.

(Principal Act Notice of Intent Provisions below)

GC 61012.

(a) Before circulating any petition, the proponents shall publish a notice of intention which shall include a written statement not to exceed 500 words in length, setting forth the reasons for forming the district, the proposed services that the district will provide, and the proposed methods by which the district will be financed. The notice shall be published pursuant to Section 6061 in one or more newspapers of general circulation within the territory proposed to be included in the district. If the territory proposed to be included in

the district is located in more than one county, publication of the notice shall be made in at least one newspaper of general circulation in each of the counties.

(b) The notice shall be signed by one or more of the proponents, and shall be in substantially the following form:

“Notice of Intent to Circulate Petition

“Notice is hereby given of the intention to circulate a petition proposing to form the _____ [name of the district]. The reasons for forming the proposed district are: _____ . The proposed service(s) that the district will provide are: _____ . The proposed method(s) by which the district will finance those services are: _____ .”

(c) Within five days after the date of publication, the proponents shall file with the executive officer of the local agency formation commission of the principal county a copy of the notice together with an affidavit made by a representative of the newspaper or newspapers in which the notice was published certifying to the fact of the publication.

(d) After the filing required by subdivision (c), the petition may be circulated for signatures.

Proposal by petition; petition 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 **:Registered voters or Owners of land pursuant to the Principal Act:**

Community Service District 61011(c): The petition shall be signed by not less than 25 percent of the registered voters residing in the area to be included in the district, as determined by the local agency formation commission.

- (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.
- (10) State which of the services listed in Section 61100 it is proposed that the district be authorized to provide upon formation.
- (11) Set forth the methods by which the district will be financed, including, but not limited to, special taxes, benefit assessments, and fees.
- (12) Propose a name for the district.
- (13) Specify the method of selecting the initial board of directors, as provided in Chapter 1 (commencing with Section 61020) of Part 2.

In addition, the petition shall do all of the following (continuation from GC 61011); see items 10 thru 13 above.

GC 61011(b) The petitions, the proponents, and the procedures for certifying the sufficiency of the petitions shall comply with Chapter 2 (commencing with Section 56700) of Part 3 of Division 3 of Title 5 of the Government Code. In the case of any conflict between that chapter and this article, the provisions of this article shall prevail.

(c) The petition shall be signed by not less than 25 percent of the registered voters residing in the area to be included in the district, as determined by the local agency formation commission; see item 6 above.

GC 56703. A petition may consist of a single instrument or separate counterparts. All petitions shall be filed with the executive officer. All counterparts of a petition or of any supplemental petition, shall be filed at the same time.

Step 4:

Legislative Body Resolution

56654. (a) A proposal for a change of organization (**Annexation**) 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.

Step 5:

Submit District Annexation LAFCO Application Step

GC 56652. Each application shall be in the form as the commission may prescribe and shall contain all of the following information:

- (a) A petition or resolution of application initiating the proposal.
- (b) A statement of the nature of each proposal.
- (c) A map and description, acceptable to the executive officer, of the boundaries of the affected territory for each proposed change of organization or reorganization.
- (d) Any data and information as may be required by any regulation of the commission.
- (e) Any additional data and information, as may be required by the executive officer, pertaining to any of the matters or factors which may be considered by the commission; a District Service Plan shall be required as part of the application.
- (f) The names of the officers or persons, not to exceed three in number, who are to be furnished with copies of the report by the executive officer and who are to be given mailed notice of the hearing.

GC 61014 (a) Once the proponents have filed a **sufficient petition** or a legislative body has filed a resolution of application, the local agency formation commission shall proceed pursuant to Part 3 (commencing with Section 56650) of Division 3 of title 5.

GC56651. Commission proceedings shall be deemed initiated on the date a petition or resolution of application is accepted for filing and a certificate of filing is issued by the executive officer of the commission of the county in which the affected territory is located.

Step 6a:

Application Review by Tax Collector, Auditor, Assessor, School District, Tehama County Dept. of Education and Tehama County Public Works Dept.

GC 56658. (a) Any petitioner or legislative body desiring to initiate proceedings shall submit an application to the executive officer of the principal county.

(b)(1) Immediately after receiving an application and before issuing a certificate of filing, the executive officer shall give mailed notice that the application has been received to each affected local agency, the county committee on school district organization, and each school superintendent whose school district overlies the affected territory. The notice shall generally describe the proposal and the affected territory. The executive officer shall not be required to give notice pursuant to this subdivision if a local agency has already given notice pursuant to subdivision (c) of section GC56654 (Resolution process was noticed 21 days before adoption).

Step 6b:

EO Application Review for Complete

Continued from above-(c) Except when a commission is the lead agency pursuant to Section 21067 of the Public Resources Code (LAFCO is CEQA Lead Agency), the executive officer shall determine within 30 days of receiving an application whether the application is complete and acceptable for filing or whether the application is incomplete.

(d) The executive officer shall not accept an application for filing and issue a certificate of filing for at least 20 days after giving the mailed notice required by subdivision (b). The executive officer shall not be required to comply with this subdivision in the case of an application which meets the requirements of Section GC56662 (Not for formations) or in the case of an application for which a local agency has already given notice pursuant to subdivision (c) of Section GC56654.

(e) If the appropriate fees have been paid, an application shall be deemed accepted for filing if no determination has been made by the executive officer within the 30-day period. An executive officer shall accept for filing, and file, any application submitted in the form prescribed by the commission and containing all of the information and data required pursuant to Section GC56652 (Step 4 Application packet).

GC 56707. If a petition is signed by registered voters, the executive officer shall cause the names of the signers on the petition to be compared with the voters' register in the office of the county clerk or registrar of voters and ascertain both of the following:

- (a) The number of registered voters in the affected territory.
- (b) The number of qualified signers appearing upon the petition.

Step 6c:

EO Prepares Certificate of Filing and Hearing Date

Continued from above-(f) When an application is accepted for filing, the executive officer shall immediately issue a certificate of filing to the applicant. A certificate of filing shall be in the form prescribed by the executive officer and shall specify the date upon which the proposal shall be heard by the commission. From the date of issuance of a certificate of filing, or the date upon which an application is deemed to have been accepted, whichever is earlier, an application shall be deemed filed pursuant to this division.

(h) Following the issuance of the certificate of filing, the executive officer shall proceed to set the proposal for hearing and give published notice thereof as provided in this part. The date of the hearing shall be not more than 90 days after issuance of the certificate of filing or after the application is deemed to have been accepted, whichever is earlier. Notwithstanding Section 56106 9(Not applicable with formations), the date for conducting the hearing, as determined pursuant to this subdivision, is mandatory.

Step 6d:

Posting and Mailing Hearing Notice and Agenda Once Date Set

GC56660. The executive officer shall give notice of any hearing by the commission by publication, as provided in Sections GC56153/56154 (Publish in Local News Paper 21 days before date of PHN), and by posting agenda, as provided in Sections GC56158/56159 (On County Property 21 days before meeting). Also mail to: To each affected local agency by giving notice to the legislative body and the executive officer of the agency. (b) To the proponents, if any. (c) To each person who has filed a written request for special notice with the executive officer.

GC 56661. To the extent that the commission maintains an Internet Web site, notice of all public hearings shall be made available in electronic format on that site. The executive officer shall also give mailed notice of any hearing by the commission, as provided in Sections GC56155 to 56157, inclusive, by mailing notice of the hearing or transmitting by electronic mail, if available to the recipient, to all of the following persons and entities:

- (a) To each affected local agency by giving notice to the legislative body and the executive officer of the agency.
- (b) To the proponents, if any.
- (c) To each person who has filed a written request for special notice with the executive officer.

(d) If the proposal is for any annexation or detachment, or for a reorganization providing for the formation of a new district, to each city within three miles of the exterior boundaries of the territory proposed to be annexed, detached, or formed into a new district.

Step 6e:

EO Report to Commission

GC56665. The executive officer shall review each application which is filed with the executive officer and shall prepare a report, including his or her recommendations, on the application. The report shall be completed not less than five days prior to the date specified in the notice of hearing. Upon completion, the executive officer shall furnish copies of the report to each of the following:

- (a) The officers or persons designated in the application.
- (b) Each local agency whose boundaries or sphere of influence would be changed by the proposal or recommendation.
- (c) Each affected local agency which has filed a request for a report with the executive officer.
- (d) The executive officer of another affected county when a district is or will be located in that other county.
- (e) Each affected city.

Step 6f:

Hearing For Approval, Resolution & Terms/Conditions

GC56666. (a) The hearing shall be held by the commission upon the date and at the time and place specified. The hearing may be continued from time to time but not to exceed 70 days from the date specified in the original notice.

(b) At the hearing, the commission shall hear and receive any oral or written protests, objections, or evidence that shall be made, presented, or filed, and consider the report of the executive officer and the plan for providing services to the territory prepared pursuant to Section GC56653.

56668.3. (a) If the proposed change of organization or reorganization includes a city detachment or district annexation, except a special reorganization, and the proceeding has not been terminated based upon receipt of a resolution requesting termination pursuant to either Section GC56751 or Section GC56857, factors to be considered by the commission shall include all of the following:

- (1) In the case of district annexation, whether the proposed annexation will be for the interest of landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district.
- (2) In the case of a city detachment, whether the proposed detachment will be for the interest of the landowners or present or future inhabitants within the city and within the territory proposed to be detached from the city.
- (3) Any factors which may be considered by the commission as provided in Section 56668, see below.
- (4) Any resolution raising objections to the action that may be filed by an affected agency.
- (5) Any other matters which the commission deems material.

(b) The commission shall give great weight to any resolution raising objections to the action that is filed by a city or a district. The commission's consideration shall be based only on financial or service related concerns expressed in the protest. Except for findings regarding the value of written protests, the commission is not required to make any express findings concerning any of the other factors considered by the commission.

Application Factors and Findings

GC56668. Factors to be considered in the review of a proposal shall include, but not be limited to, all of the following:

(a) Population and population density; land area and land use; assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; and the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

(b)(1) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; and probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

(2) "Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

(c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

(d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section GC56377.

(e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section GC56016.

(f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

(g) A regional transportation plan adopted pursuant to Section GC65080

(h) The proposal's consistency with city or county general and specific plans.

(i) The sphere of influence of any local agency that may be applicable to the proposal being reviewed.

(j) The comments of any affected local agency or other public agency.

(k) The ability of the newly formed or receiving entity to provide the services that are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

(l) Timely availability of water supplies adequate for projected needs as specified in Section GC65352.5.

(m) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.

(n) Any information or comments from the landowner or landowners, voters, or residents of the affected territory.

(o) Any information relating to existing land use designations.

(p) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the location of public facilities and the provision of public services, to ensure a healthy environment for all people such that the effects of pollution are not disproportionately borne by any particular populations or communities.

(q) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.

Step 7:

Commission Determination

GC56880. At any time not later than 35 days after the conclusion of the hearing, the commission shall adopt a resolution making determinations approving or disapproving the proposal, with or without conditions, the plan of reorganization, or any alternative plan of reorganization as set forth in the report and recommendation of a reorganization committee. If the commission disapproves the proposal, plan of reorganization, or any alternative plan of reorganization, no further proceedings shall be taken on those proposals or plans.

GC56881. The resolution making determinations shall also do all of the following:

(a) Make any of the findings or determinations authorized or required pursuant to Section GC56375. District Formation shall also find with GC56668. Factors to be considered in the review of a proposal GC 56375.5. Every determination made by a commission regarding the matters provided for by subdivisions (a), (m), and (n) of Section GC56375 and by subdivision (a) of Section GC56375.3 shall be consistent with the spheres of influence of the local agencies affected by those determinations.

(b) For any proposal initiated by the commission pursuant to subdivision (a) of Section GC56375, make both of the following determinations:

- (1) Public service costs of a proposal that the commission is authorizing are likely to be less than or substantially similar to the costs of alternative means of providing the service.
- (2) A change of organization or reorganization that is authorized by the commission promotes public access and accountability for community services needs and financial resources.

(c) If applicable, assign a distinctive short-term designation to the affected territory and a description of the territory.

Protest proceedings

(d) Initiate protest proceedings pursuant to Part 4 (commencing with Section 57000) in compliance with the resolution, if applicable pursuant to GC56662 and/or 56663 along with 57002(c).

GC56882. The executive officer shall mail a copy of the resolution adopted by the commission making determinations addressed to each of the following persons or entities:

(a) The proponents, if any, where the proceedings for change of organization were initiated by petition.

(b) Each affected local agency whose boundaries would be changed by the proposal.

Step 8:

Notice Protest Hearing if required

GC57000. (a) After adoption of a resolution making determinations by the commission pursuant to Part 3 (commencing with Section 56650), protest proceedings for a change of organization or reorganization not described in Section 57077 shall be taken pursuant to this part.

GC56662(a) If a proposal for an annexation, a detachment, or a reorganization consisting solely of annexations or detachments, or both, or formation of a county service area meets all of the following criteria, the commission may make determinations upon the proposal and waive protest proceedings entirely pursuant to Part 4 (commencing with Section 57000):

(1) The territory is uninhabited.

(2) An affected local agency has not submitted a written demand for notice and hearing during the 10-day period as described in subdivision (c).

(3) The proposal meets either of the following criteria:

(A) The petition accompanying the proposal is signed by all of the owners of land within the affected territory.

(B) The proposal is accompanied by proof, satisfactory to the commission, that all the owners of land within the affected territory have given their written consent to the proposal.

Posting and Mailing Hearing Notice and Agenda Once Date Set

GC56660. The executive officer shall give notice of any hearing by the commission by publication, as provided in Sections GC56153/56154 (Publish in Local News Paper 21 days before date of PHN), and by posting agenda, as provided in Sections GC56158/56159 (On County Property 21 days before meeting). Also mail to: To each affected local agency by giving notice to the legislative body and the executive officer of the agency. (b) To the proponents, if any. (c) To each person who has filed a written request for special notice with the executive officer. GC57025 (b) The executive officer shall give mailed notice to all landowners owning land within any affected territory, (c) If the affected territory is inhabited, the executive officer shall also give mailed notice to all registered voters residing within any affected territory, consistent with Sections GC56155 to 56157, inclusive.

GC56661. To the extent that the commission maintains an Internet Web site, notice of all public hearings shall be made available in electronic format on that site. The executive officer shall also give mailed notice of any hearing by the commission, as provided in Sections GC56155 to 56157, inclusive, by mailing notice of the hearing or transmitting by electronic mail, if available to the recipient, to all of the following persons and entities:

(a) To each affected local agency by giving notice to the legislative body and the executive officer of the agency.

(b) To the proponents, if any.

(c) To each person who has filed a written request for special notice with the executive officer.

(d) If the proposal is for any annexation or detachment, or for a reorganization providing for the formation of a new district, to each city within three miles of the exterior boundaries of the territory proposed to be annexed, detached, or formed into a new district.

Step 9:

Protest Hearing Make Determination Ordering Territory Designated as Annexation to subject District

GC57000. (a) After adoption of a resolution making determinations by the commission pursuant to Part 3 (commencing with Section 56650) LAFCO Approval of Annexation, protest proceedings for a change of organization or reorganization not described in Section 57077 shall be taken pursuant to this part.

(b) If a proposal is approved by the commission, with or without amendment, wholly, partially, or conditionally, the commission shall conduct proceedings in accordance with this part. The proceedings shall be conducted and completed pursuant to those provisions that are applicable to the proposal and the territory contained in the proposal as it is approved by the commission. If the commission approves the proposal with modifications or conditions, proceedings shall be conducted and completed in compliance with those modifications or conditions.

Step 10a:

Protest Proceedings

GC57050. (a) The protest hearing on the proposal shall be held by the commission on the date and at the time specified in the notice given by the executive officer. The hearing may be continued from time to time but not to exceed 60 days from the date specified for the hearing in the notice.

(b) At the protest hearing, prior to consideration of protests, the commission's resolution making determinations shall be summarized. At that hearing, the commission shall hear and receive any oral or written protests, objections, or evidence that is made, presented, or filed. Any person who has filed a written protest may withdraw that protest at any time prior to the conclusion of the hearing.

GC57051. At any time prior to the conclusion of the protest hearing in the notice given by the executive officer, but not thereafter, any owner of land or any registered voter within inhabited territory that is the subject of a proposed change of organization or reorganization, or any owner of land within uninhabited territory that is the subject of a proposed change of organization or reorganization, may file a written protest against the change of organization or reorganization. Each written protest shall state whether it is made by a landowner or registered voter and shall include the same information that is required in a petition for a change of organization or reorganization, as specified in Section 56704. Protests may be made on behalf of an owner of land by an agent authorized in writing by the owner to act as agent with respect to that land. Protests may be made on behalf of a private corporation which is an owner of land by any officer or employee of the corporation without written authorization by the corporation to act as agent in making that protest.

Each written protest shall show the date that each signature was affixed to the protest. All signatures without a date or bearing a date prior to the date of publication of the notice shall be disregarded for purposes of ascertaining the value of any written protests.

GC57052. Upon conclusion of the protest hearing, the commission shall determine the value of written protests filed and not withdrawn. The value of written protests shall be determined in the same manner prescribed in Sections 56704, 56707, 56708, and 56710 for determining the sufficiency of petitions filed with the commission.

Step 10b:

Protest Standards and Thresholds

GC57075. In the case of registered voter districts or cities, where a change of organization or reorganization consists solely of annexations, detachments, the exercise of new or different functions or class of services or the divestiture of the power to provide particular functions or class of services within all or part of the jurisdictional boundaries of a special district, or any combination of those proposals, the commission, not more

than 30 days after the conclusion of the hearing, shall make a finding regarding the value of written protests filed and not withdrawn, and take one of the following actions, except as provided in subdivision (b) of Section GC57002.

(a) In the case of inhabited territory, take one of the following actions:

(1) Terminate proceedings if a majority protest exists in accordance with Section GC57078.

(2) Order the change of organization or reorganization subject to confirmation by the registered voters residing within the affected territory if written protests have been filed and not withdrawn by either of the following:

(A) At least 25 percent, but less than 50 percent, of the registered voters residing in the affected territory.

(B) At least 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of land within the affected territory.

(3) Order the change of organization or reorganization without an election if paragraphs (1) and (2) of this subdivision do not apply.

(b) In the case of uninhabited territory, take either of the following actions:

(1) Terminate proceedings if a majority protest exists in accordance with Section 57078.

(2) Order the change of organization or reorganization if written protests have been filed and not withdrawn by owners of land who own less than 50 percent of the total assessed value of land within the affected territory.

GC57078. In the case of any reorganization or change of organization, a majority protest shall be deemed to exist and the proposed change of organization or reorganization shall be terminated if the commission finds that written protests filed and not withdrawn prior to the conclusion of the hearing represent any of the following:

(a) In the case of uninhabited territory, landowners owning 50 percent or more of the assessed value of the land within the territory.

(b) In the case of inhabited territory, 50 percent or more of the voters residing in the territory.

(c) In the case of a landowner-voter district, 50 percent or more of the voting power of the voters entitled to vote as a result of owning land within the district.

Step 11:

Certificate of completion; filings; notice

GC57200. (a) The executive officer shall prepare and execute a certificate of completion and shall make the filing required by this division upon all of the following:

(1) The completion of all commission actions pursuant to Part 3 (commencing with Section 56650), including the time period allowed to file and act upon requests for reconsideration pursuant to Section 56895.

(2) The satisfaction of any conditions contained in the commission resolution making determinations that are required to be completed prior to filing a certificate of completion.

(3) The completion of all proceedings pursuant to Part 4 (commencing with Section 57000).

(b) Whenever the commission approves the inclusion of any territory of a landscape and lighting assessment district within a city, the executive officer shall notify the clerk of the landscape and lighting assessment district or other person designated by the district to receive notification.

Certificate of completion; contents

GC57201. The certificate of completion prepared and executed by the executive officer shall contain all of the following information:

(a) The name of each newly incorporated city, each new district, and the name of each existing local agency for which a change of organization or reorganization was ordered and the name of the county within which any new or existing local agencies are located.

(b) A statement of each type of change of organization or reorganization ordered.

(c) A description of the boundaries of the new city ordered incorporated, the new district ordered formed or of any territory affected by the change of organization or reorganization, which description may be made by reference to a map and legal description showing the boundaries attached to the certificate.

(d) Any terms and conditions of the change of organization or reorganization.

Step 12:

Board of Equalization, the county assessor, and the county auditor Notice

GC57204. (a) The executive officer shall file the statement of boundary change or creation with the Board of Equalization, the county assessor, and the county auditor as may be provided for by Chapter 8 (commencing with Section 54900) of Part 1 of Division 2 of Title 5.

(b) The Board of Equalization shall distribute relevant information from the statements of boundary changes or creations to the Department of Finance, the Controller, and to the Secretary of State, as appropriate.

Step 13:

Inform County Board of Supervisors to order election

If GC57075 a(2) in step 7b triggers confirmation by registered voters i.e. election. When the commission makes a determination pursuant to this division that will require an election to be conducted, it shall inform the board of supervisors and the elections official of the affected county, or the city council and the elections official of the affected city of that determination and request the board or the city council to direct the elections official to conduct the necessary election (GC 57000(d)).

If an Election will be required to be conducted by the subject District. The election will need to be paid for by the District, as indicated by the Tehama County Board of Supervisors, the County will not fund or pay for the Districts Elections. Therefore, the applicant and/or District will need to retain sufficient funds for the District confirmation vote process by the registered voters within the affected territory, Election Costs:

The District may be required to hold elections pursuant to Proposition 218, regarding District revenue that will include special taxes, property assessments and fees etc.

For an estimate on the elections cost please contact the Tehama County Elections Departments at: (530) 527-8190