

January 14, 2004

To: Local Agency Formation Commission

Re: LAFCO #03-03: Conducting Authority (Protest Hearing) proceedings for the South Yuba City Reorganization No. 315 - A reorganization proposing to annex to the City of Yuba City those unincorporated lands lying generally along Highway 99 from Franklin Road south to Bogue Road and between Walton Avenue on the West and Railroad/Bunce Roads on the East and detach the properties from County Service Area "G" and the Consolidated Street Lighting District.

**I. STAFF'S RECOMMENDED ACTION**

Conduct a public hearing, receive written protest, and adopt the attached resolution if:

- A. Less than 25 percent of the registered voters in the territory have filed valid protests; and
- B. If less than 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 have filed valid protests.

**II. APPLICATION**

On September 25, 2003, LAFCO approved the above reorganization for annexation of 823± acres of land to the city of Yuba City, and to detach the property from County Service Area (CSA) "G" and the Consolidated Street Lighting District. CSA G provides fire protection services to unincorporated areas around Yuba City and the Consolidated Street Lighting District provides street lighting services to unincorporated areas around the Yuba City area.

On November 24, 2003, your Commission held a reconsideration public hearing for a request to withdraw 12.7 acres from the proposal; Assessor's parcel 22-072-043. The request for reconsideration was granted by the Commission by a unanimous vote.

### **III. CONDUCTING AUTHORITY PROCEEDINGS**

Government Code section 57000(b) requires your commission to act as the conducting authority for this reorganization. The conducting authority must determine whether sufficient written protests have been filed that would require the proceedings to be terminated or to approve the reorganization subject to an election by the voters. If sufficient written protests are not submitted, then the conducting authority is required to approve the reorganization.

Your commission should conduct a public hearing to receive any protests, written or oral. In order to count as a valid protest, an oral protest must be in writing and filed before the end of the hearing. At the close of the hearing, your commission should render a decision based on the number of written protests received.

If at least 25 percent but less than 50 percent of the registered voters residing in the territory have filed valid protest, or if 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 have filed valid protest, then the reorganization must be approved subject to confirmation by the voters.

If at least 50 percent of the registered voters residing in the territory file written protests to the reorganization, then the reorganization proceedings must be terminated.

Staff has prepared a resolution for your use which assumes a sufficient number of valid protests have not been made by the conclusion of the hearing.

Respectfully submitted,

LARRY T. COMBS  
EXECUTIVE OFFICER

Doug Libby, AICP  
Senior Planner

DL:kla

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Attachments: Exhibit A – Map of the Reorganization Area  
Exhibit B – Proposed Resolution of Approval of the Conducting Authority

**EXHIBIT A**  
**Map of the Reorganization Area**

**EXHIBIT B**  
**Proposed Resolution of Approval of the Conducting Authority**