

RESOLUTION NO. 2004-_____

RESOLUTION OF THE SUTTER COUNTY LOCAL AGENCY,
FORMATION COMMISSION, ACTING AS THE CONDUCTING
AUTHORITY, MAKING DETERMINATIONS ON THE VALUE OF
WRITTEN PROTEST FOR THE TERRITORY DESIGNATED AS THE
TIERRA BUENA REORGANIZATION NO. 318.

RECITALS

1. On January 22, 2004, the Sutter County Local Agency Formation Commission (LAFCO) held a public hearing to consider a reorganization of territory to annex 518± acres to the city of Yuba City, and detachment of the property from County Service Area “G” and the Consolidated Street Lighting District.
2. As part of the reorganization proposal LAFCO also approved of the dissolution of the Tierra Buena Community Service District (TBCSD) that provides sewer service for approximately 105 properties within the reorganization area.
3. On February 19, 2004, the City of Yuba City filed a request for reconsideration of LAFCO Resolution No. 2004-03 and requested that in lieu of dissolving the TBCSD that LAFCO establish the district as a subsidiary district of the City where the City Council would act as the district’s ex officio Board of Directors.
4. On March 25, 2004, LAFCO conducted a public hearing on the City’s request for reconsideration and after considering all evidence, both written and oral, adopted Resolution No. 2004-08; making determinations approving the request for reconsideration and rescinding Resolution No. 2004-03.
5. On March 31, 2004, the Executive Officer of the commission provided notice of the conducting authority proceedings public hearing in accordance with Government Code Section 57025(a).
6. On April 22, 2004, LAFCO, acting as the conducting authority, held a protest hearing and received and considered any written protests filed in opposition to the annexation to the City of Yuba City and detachments from County Service Area G and the Consolidated Street Lighting District and the establishment of the TBCSD as a subsidiary district of Yuba City.

THE SUTTER COUNTY LOCAL AGENCY FORMATION COMMISSION RESOLVES THAT:

1. Valid written protests to the reorganization annexing the land to the city of Yuba City and detachment from County Service Area G and the Consolidated Street Lighting District and the establishment of the TBCSD as a subsidiary district of Yuba City in accordance with

Government Code Section 57075(a)(2)(A) and (B) were not filed. Therefore, an election is not required for the reorganization.

2. A majority written protest against annexing the land to the city of Yuba City and detachment of the territory from County Service Area G and the Consolidated Street Lighting District and the establishment of the TBCSD as a subsidiary district of Yuba City in accordance with Government Code Section 57078 was not filed.

3. The reorganization, which annexes 518± acres to the city of Yuba City and detaches the property from County Service Area “G” and the Consolidated Street Lighting District and establishes the TBCSD as a subsidiary district of Yuba City, is approved.

4. The boundaries of the reorganization area are shown on Exhibit “A” which is attached.

5. This action is taken pursuant to division 3, title 5 (commencing with section 56000) of the Government Code, known as the Cotese-Knox-Hertzberg Local Government Reorganization Act of 2000.

6. The terms and conditions of the reorganization are set forth in LAFCO Resolution No. 2004-08, and incorporated by reference.

7. The reasons for the reorganization are those set forth in the statement of reasons included in the LAFCO Executive Officer’s staff report for the meeting of January 22, 2004, hereby incorporated by reference.

8. The regular Sutter County assessment roll will be utilized in connection with this reorganization.

9. The affected territory will not be taxed for existing general bonded indebtedness of any agency whose boundaries are changed by this reorganization.

PASSED AND ADOPTED this 22nd day of April 2004, by the following vote:

AYE:

NO:

ABSTAIN:

CHAIRPERSON

ATTEST:

LARRY T. COMBS
EXECUTIVE OFFICER