

**YUBA
LOCAL AGENCY FORMATION COMMISSION
Application Form for Changes of Organization**

-- LAFCO use only --

AGENCY-PROJECT	SHORT FORM DESIGNATION

-- To be completed by applicant --

Use supplemental pages as necessary, and reference all attachments on the attachment list

1. Subject Property

PROJECT TITLE:		ADDRESS AND OR LOCATION:
ACREAGE:	PARCEL NO.:	

2. Proposal

Are the applicants the owners or an initiating agency? _____

Applicants request the following change of organization: _____

3. Applicants

LAFCO will send copies of the staff report on the proposal to the following (maximum of 3):

NAME:	PHONE:
ADDRESS:	
EMAIL:	

NAME:	PHONE:
ADDRESS:	
EMAIL:	

NAME:	PHONE:
ADDRESS:	
EMAIL:	

4. Authority to File Application

___Petition of landowners or registered voters ___Resolution of Application of an affected agency
Certified copies of the Petition or Resolution of Application are included as Attachment ___.

Petitions and Resolutions of Application must meet certain legal requirements. The Application Instructions include samples for applicant use.

LAFCo policy strongly encourages an application by Resolution. An application by petition will be accepted only when the applicant provides satisfactory evidence that a diligent effort has been made to obtain a Resolution of Application from the affected public agency. Please indicate what effort has been made to obtain such consent and the reasons why the public agency did not act on the applicant's request. Include evidence as Attachment ____ .

5. Statement of Justification

Provide a Statement of Justification for and explain the purpose of each request for change of organization. Include in the statement reasons why the proposal is more effective than the present organization and/or what services to the area are to be enhanced by the project. If any terms or conditions are proposed for this project, include them in the statement.

A Statement of Justification for this proposal is included as Attachment ____.

6. Plan for Services Required

A plan for services including the items enumerated in Government Code Section 56653 is required for ALL applications submitted to LAFCo including those applications initiated by resolution and applications initiated by petition.

7. Boundaries

- a. An 8.5 x 11 map of the subject territory meeting the specifications listed in the Application Instructions is included as Attachment ____.
- b. A geographic description of the boundaries of the subject territory meeting the specifications listed in the Application Instructions is included as Attachment ____.
- c. Describe how the boundaries of this proposal were determined. _____

- d. This proposal _____ is _____ is not (*check one*) consistent with the sphere of influence of all the affected agencies. (*If you are not sure of each agency's sphere boundaries, check with LAFCO staff.*)
- e. Describe access to the area. _____

- f. A map showing the area in which the proposed change of organization is to occur. This map should include adjacent properties and streets and will be used for the purpose of illustrating the area where the change of organization is proposed.
- g. A regional map with the affected area depicted.

8. Neighboring Properties

- a. **A Public Notice List of landowners and registered voters will be prepared by LAFCo.**
- b. Have surrounding property owners been canvassed for participation in the proposal? _____
- c. Has anyone expressed interest in participating in this proposal? _____ Who? _____
- d. Has anyone expressed opposition to this proposal? _____ Who? _____
- e. Results of any survey of surrounding property owners are included as Attachment _____.

9. Land Use

a. Describe and identify existing land use within the subject property. _____

b. Describe and identify the land use surrounding the subject property:
 North _____
 South _____
 East _____
 West _____

c. What is the General Plan designation for the subject property? _____

d. What are the General Plan Designations surrounding the subject property?
 North _____
 South _____
 East _____
 West _____

e. What is the zoning designation (include combining districts, if applicable) for the subject property?

f. What are the Zoning Designations surrounding the subject property?
 North _____
 South _____
 East _____
 West _____

g. Have any zoning changes, General Plan amendments, subdivision maps, lot line adjustments, or conditional use permits been applied for on the subject property?

Copies of any such maps and/or applications or approved entitlements are included as Attachment _____.

h. Will any entitlement applications be made after approval of this proposal? _____
 If yes, please explain. _____

- i. If this proposal is for an annexation to a city, an adopted prezone map and city resolution is included as Attachment _____.
- j. Does the project involve agricultural or open space lands? _____.
- k. Flood Zone Designation? _____.
- l. Is there a development agreement associated with this proposal? _____.

10. Public Services

- a. Please indicate which agencies presently provide public services to the subject territory, and which are proposed to provide service. If you are uncertain, you may leave spaces blank.

<i>Service</i>	<i>Present Provider</i>	<i>Proposed Provider</i>
Fire Protection		
Police Protection		
Domestic Water Service		
Agricultural Water Service		
Sewer Service		
Solid Waste		
Road/Street/Levee Maintenance		
Snow Removal		
Power (electric)		
Street Lighting		
Planning & Zoning Authority		
Schools		

- b. What effect will approval of this proposal have on the type or level of services *within* the subject property? _____

- c. What effect will approval of this proposal have on public services *outside* the subject property?

- d. Will approval of this proposal place additional burdens on a public service provider? If so, what revenue will the change in organization generate to compensate the provider for the additional services? _____

- e. Have the affected agencies been notified of this proposal (per G.C. 56654 (b))? _____

A list of agencies who have received notification is included as Attachment _____.

11. Population

Estimate whether the subject territory contains:

____ 12 or more registered voters. ____ Less than 12 registered voters.

12. Property Tax Exchange

An agreement for property tax exchange (if relevant) must be in place prior to LAFCO considering this change of organization. The Tax and Revenue Code requires negotiation of such an agreement to be completed within up to 90 days of initiation or in compliance 99b of the Revenue and Taxation Code, or the LAFCO application proceeding will be considered terminated. To assure satisfaction of this requirement, LAFCO requires applications to be accompanied by documentation that property tax negotiations have been completed.

a. If this application includes a Resolution of Application, does the Resolution include or reference documentation that the agencies are in agreement with regards to a Tax Exchange Agreement?
_____.

b. If this application includes a petition, documentation of applicants' request that the affected agencies initiate tax exchange negotiations is included as Attachment _____.

13. Feasibility of Proposal

a. What revenue will this proposal require for the accomplishment of its goals and what are the prospective sources of such revenues? _____

If the proposal involves a granting of an additional service, consolidation, incorporation, or formation, a 5 - year projected budget is included as Attachment _____.

b. Is a new tax or assessment being proposed as a part of this project? _____.

If so, a thorough discussion of how the service will utilize the tax or assessment, as well as the legal authority for the agency to utilize the tax or assessment is included as Attachment _____.

c. Have agreements to mitigate the financial effects of this proposal been established with present service providers? _____

If so, signed copies of these agreements are included as Attachment _____.

14. Environmental Compliance

a. Is the applicant agency acting as Lead Agency or Responsible Agency (*check one*) for purposes of California Environmental Quality Act (CEQA) compliance?

i. Indicate what the Lead Agency has done to comply with the requirements of CEQA.

____ Categorical Exemption from CEQA ____ Negative Declaration
____ Environmental Impact Report ____ Other (*please specify*): _____

ii. Copies (preferably electronic copies) of the final and complete environmental documentation prepared by the Lead Agency (including the initial study, any technical reports, and any written comments or recorded public testimony relative to the environmental documents), and a copy (preferably electronic) of the filed Notice of Determination or filed Notice of Exemption, showing the date filed with the County Clerk, are included as Attachment _____.

If you are not sure what constitutes the final and complete environmental documentation,

consult with the appropriate staff at the Lead Agency.

- iii. Was the environmental documentation circulated to the Yuba Local Agency Formation Commission prior to adoption by the Lead Agency? _____ Yes _____ No

If yes, copies preferably electronic) of any comments made by LAFCO relative to the project, and any Lead Agency responses are included as Attachment ____.

Note for Sphere of Influence Proposals and Updates: Should an agency desire to include more territory within its Sphere of Influence all additional CEQA costs must be paid by that agency prior to the Commission approving the Sphere of Influence Update.

- b. In limited circumstances, LAFCO will act as Lead Agency for CEQA purposes. These circumstances are listed in LAFCO's CEQA Guidelines and include situations where the applicant agency is unable or unwilling to act as Lead Agency.

If the applicant agency has declined to act as Lead Agency, and the applicant wishes LAFCO to assume this responsibility, applicant must **Request for LAFCO to Act as Lead Agency**.

15. Disclosure Requirements and Certification Pursuant to Government Code Sections 56700.1 and 57009 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, and 82015 and 82025 of the Political Reform Act applicants for LAFCO approvals and those opposing such proposals are required to report to LAFCO all political contributions and expenditures with respect to the proposal that exceed \$1,000. LAFCO has adopted policies to implement the law, which are attached to this application (attachment #8 to application instructions). By your signature to this application, you are binding the applicant to abide by these disclosure requirements. You are further agreeing that should LAFCO be required to enforce these requirements against you (or if the agency is the formal applicant, the real party in interest) that you will reimburse LAFCO for all staff cost and legal fees, and litigation expenses incurred in that enforcement process. Applicants request that proceedings as described in this application be taken in accordance with the provisions of Government Code sections 56000 *et seq.* and hereto affix their signatures below.

16. Agreement to Pay LAFCo processing costs and Indemnification

Charges and Deposits

LAFCo charges are based upon actual staff time and other expenses attributable to processing applications, reviewing project proposals and researching matters as requested. Such charges may be incurred prior to or without the filing of an application with LAFCo. Individuals and agencies who request services, research, or review must provide a deposit toward project expenses, as listed on the attached current fee schedule, along with a signed copy of this agreement. All deposits are subject to increase, should the Executive Officer determine that the magnitude of the project justifies the increase. The amount of staff time necessary to process any individual application cannot be easily predicted in advance. Therefore, applicants should be aware that LAFCo charges may exceed the applicable deposit. (Unexpended deposits will be refunded.)

Staff Assignments

The Executive Officer shall assign LAFCo staff members to projects as appropriate. Should the scope of a project require that outside consulting or other needed services be obtained, applicants will be responsible for the entire cost of recruitment, source selection, and payment for such outside services. Applicants are responsible for paying actual costs for any services obtained through contract, even if such costs exceed the charge-out rate of a regular staff member providing similar services.

Billing Procedure

LAFCo invoices will detail tasks, hours, staff charge-out rates, staff members responsible for work, and/or costs of contracted services. Invoices will also reflect the remaining balance of the initial deposit. Should the deposit be depleted, all staff work will cease until the deposit on file has been replenished.

Projects with delinquent balances will not be scheduled for hearing, and the Commission will consider applicants to have waived any and all statutory deadlines.

This application must be signed by the person responsible for payment and must be filed with LAFCo along with the applicable deposit when an application is filed or a request for staff services is submitted.

Questions regarding specific billing procedures should be directed to the LAFCo Executive Officer at (530) 218-0886.

Agreement

I certify that I have reviewed the above information, the attached LAFCo fee schedule, and the attached State Board of Equalization fee schedule. I agree, as project applicant or authorized representative, to pay Yuba LAFCo for all staff services, materials, and other charges attributable to my application or request for services. I understand that services may be required before LAFCo receives a formal application if extensive staff assistance is required prior to receipt of an application, and I agree to pay for such services whenever incurred and regardless of whether a formal application is submitted to LAFCo. I also understand and agree that LAFCo's charges are payable regardless of whether the application is withdrawn, denied, or otherwise terminated prior to completion.

I understand that if the cost of services exceeds the deposit on file, staff work on my project will cease, and my project will not be scheduled for hearing until additional funds are provided. I agree to remit the applicable State Board of Equalization filing fee when required. I agree to pay all charges within 30 days of receipt of invoice or in any case prior to the filing of the Certificate of Completion for the project.

Indemnity

Applicant agrees to indemnify, save harmless, defend, and reimburse LAFCo for all reasonable expenses and attorney fees in connection with the defense of LAFCo and for any damages, penalties, fines or other costs imposed upon or incurred by LAFCo should LAFCo be named as a party in any litigation or administrative proceeding in connection with his/her/its application. Applicant agrees that LAFCo shall have the right to appoint its own counsel to defend it and conduct its own defense in the manner it deems in its best interest, and that LAFCo's taking such actions shall not limit Applicant's obligations to indemnify and reimburse defense costs or relieve Applicant of such obligations.

Applicant may request modification of the terms of this agreement in writing, with supporting reasons. Such modification may be approved only by the full Commission.

Date	Signature	Printed Name	Title

NOTE:

*Applications will not be accepted without the signature of one or more of the following: 1) the legal owner(s) or official agents with Power of Attorney or written authorization to **sign (a copy of which must be attached)**; 2) Chief Petitioners; 3) Chair of the Legislative Body submitting a Resolution of Application.*

