

LOCAL AGENCY FORMATION COMMISSION
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KATE MCKENNA, AICP
Executive Officer

DATE: January 8, 2015
TO: Kate McKenna, AICP, LAFCO Executive Officer
FROM: Darren McBain, Senior Analyst
SUBJECT: CONDUCTING AUTHORITY (“PROTEST”) PROCEEDINGS FOR AN APPROVED PROPOSAL TO ACTIVATE THE SANTA LUCIA COMMUNITY SERVICES DISTRICT’S LATENT POWER TO PROVIDE BROADBAND COMMUNICATION SERVICES, LAFCO FILE NO. 14-04

SUMMARY OF RECOMMENDATION:

It is recommended that the Executive Office hold Protest Proceedings for this proposal.

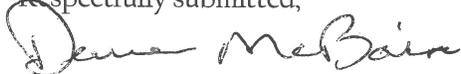
REPORT:

The Local Agency Formation Commission approved this change of organization at its December 1, 2014 regular meeting. State law requires a Conducting Authority (“protest”) hearing for a change of organization unless all property owners provide prior written consent to the proposal. State law requires that this second hearing follow the 30-day reconsideration period of the Commission’s approval of a resolution making determinations.

Registered voters and landowners within the District may file a written protest. Written protests may also be submitted at the protest hearing. Following the close of the protest hearing, according to Government Code section 57075(a), the Commission shall 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by the registered voters residing within the affected territory if written protests have been filed and not withdrawn by either of the following: 1) At least 25 percent, but less than 50 percent, of the registered voters residing in the affected territory, or 2) At least 25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. The proposed change of organization or reorganization shall be abandoned if the Commission finds that written protests filed and not withdrawn prior to the conclusion of the hearing represent 50 percent or more of the voters residing in the territory.

The Commission has delegated the authority to conduct this hearing to the Executive Officer. A Certificate of Completion can be recorded following this Executive Officer-conducted hearing unless the threshold for sufficient protest is met.

Respectfully submitted,



Darren McBain
Senior Analyst

cc: Forrest Arthur, General Manager, Santa Lucia Community Services District