



*A Condensed Guide to
LAFCO
and
Application Submittal*

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To provide greater assistance to the general public and to governmental agencies, the Imperial Local Agency Formation Commission (LAFCO) has prepared this “basic” User’s Guide. This document is a step-by-step guide to the LAFCO process. The guide is also an introduction to the Imperial LAFCO Policies, Standards and Procedures Manual (LAFCO Manual). This guide does not supersede the LAFCO Manual, the Cortese-Knox-Hertzberg Reorganization Act of 2000, CEQA or any other law.

With this guide users will be better able to:

- ◆ Learn about the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000
- ◆ Learn what a change in organization means
- ◆ Determine the jurisdiction of LAFCO
- ◆ The role of CEQA in LAFCO review and proceedings
- ◆ Prepare an application to LAFCO
- ◆ Learn about LAFCO proceedings, timing and terminology
- ◆ Learn about the authority of the LAFCO Executive Officer

The guide is not an exhaustive reference on the LAFCO process or proceedings, but, wherever possible, refers to the LAFCO Manual and/or the Guide to Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 commencing with Government Code Section 56000 et. seq. These documents are available at the Imperial LAFCO Office, most public libraries, and on the web.

CONTACT US

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FREQUENTLY ASKED QUESTIONS

1. WHAT IS LAFCO?

LAFCO is an acronym for Local Agency Formation Commission. It is a regulatory agency with county-wide jurisdiction, established by state law to discourage urban sprawl and to encourage orderly and efficient provision of services by local government. LAFCO is an independent agency and is NOT a division of the County or any City government structure.

2. WHAT DOES LAFCO DO?

LAFCO is responsible for reviewing and approving/denying proposed jurisdictional boundary changes, most commonly annexations; however, it could be incorporations, formation of special districts etc. LAFCO also prepares special studies to determine the effectiveness of local government, the provisions of service that are or should be provided by the city/special district.

3. WHAT IS A SPHERE OF INFLUENCE?

A Sphere of Influence is a planning tool adopted and used by LAFCO to designate the future boundary and service area of a city or special district. Each city and special district within the Imperial County have a Sphere of Influence.

4. WHAT IS A SERVICE AREA PLAN/ MUNICIPAL SERVICE REVIEW?

Service Area Plans (SAP), also known as Municipal Service Reviews (MSR), are comprehensive studies designed to better inform LAFCOs, local agencies, and the community about the capacity of services, level of service, efficiency of services and provide for coordination and opportunities between providers. SAPs are required to be updated by all cities and special districts in Imperial County every 5 years.

5. IS LAFCO REQUIRED TO COMPLY WITH CEQA?

Yes, LAFCOs must comply with the California Environmental Quality Act!

6. WHEN DOES THE COMMISSION MEET?

The Commission generally meets once each month unless it calls for a special meeting. Generally, the meeting is on the fourth Thursday of each month starting at 8:30 AM. For the convenience of the community, LAFCO may hold its meetings at various parts of the County, but meetings are usually held at the City of El Centro Chambers located at 1275 W. Main St., El Centro, CA 92243.

7. WHO ARE THE MEMBERS OF LAFCO?

Members of LAFCO consist of:

- a. Two members of the County Board of Supervisors as appointed by the Board.
- b. Two members of the City Council's, as appointed by the City Mayors through the City Select Committee.
- c. One public member appointed by the LAFCO.
- d. In addition, each category has one alternate in the same category.

ABOUT LAFCO

A. PURPOSE OF LAFCO

The procedures for establishing and revising local government boundaries are set in the constitutions and laws of the 50 states. Some alternative processes include judicial approval, special state legislation, or the use of "boundary commissions" such as California's Local Agency Formation Commissions (LAFCO's).

In California, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 followed several years of cooperative effort between Assembly Member, Dominic Cortese, former Chair of the Assembly Local Government Committee, and the California Association of Local Agency Formation Commissions (CALAFCO). The Act, which became operative January 1, 1986, consolidated three major laws that were previously used by California's local governments for boundary changes into a single, unified law. The three laws which previously governed changes in the boundaries and organization of cities and special districts were:

- ◆ The Knox-Nisbet Act of 1963, which established LAFCOs with regulatory authority over local agency boundary changes.
- ◆ The District Reorganization Act of 1965 (DRA), which combined separate laws governing special district boundaries into a single law.
- ◆ The Municipal Organization Act of 1977 (MORGA), which consolidated various laws on city incorporation and annexation into one law.

Since 1963, when State law created LAFCO, commissions in each California County have encouraged the orderly formation of local government agencies, preserved agricultural and open space land, and discouraged urban sprawl. Imperial LAFCO has jurisdiction over changes in local government organization occurring within Imperial County.

The proceedings for changes in organization of special districts or cities are subject to LAFCO review, pursuant to the Cortese/Knox Local Government Reorganization Act of 1985 (Government Code Section 56000, et seq.).

Changes in organization mean any of the following:

- ◆ A city incorporation;
- ◆ A district formation;
- ◆ An annexation to, or detachment from, a city or district;
- ◆ A dis-incorporation of a city;
- ◆ A district dissolution;
- ◆ A consolidation of cities or special districts;
- ◆ A merger or establishment of a subsidiary district;
- ◆ An authorization of a special district to exercise one of its latent powers or to extend the area over which a latent power is exercised; or
- ◆ A reorganization involving two or more of the above-listed changes of organization.

LAFCO's jurisdiction is specifically excluded from the following local government agencies:

- ♦ A school district or community college district;
- ♦ A special assessment district;
- ♦ An improvement district;
- ♦ A community facilities district formed pursuant to the Mello-Roos Community Facilities Act of 1982;
- ♦ A permanent road division formed pursuant to Section 1160 of the Streets and Highways Code;
- ♦ An air pollution control district or an air quality maintenance district;
- ♦ A service zone of a fire protection district.

The following local government agencies are subject to LAFCO jurisdiction but are not subject to the conducting authority proceedings of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. Conducting authority proceedings are held in accordance with the principal act that established the agency:

- ♦ A unified or union high school district;
- ♦ A bridge or highway district;
- ♦ A joint highway district;
- ♦ A transit or rapid transit district;
- ♦ A metropolitan water district; or
- ♦ A separation of grade district.

The following local government agencies are subject to LAFCO jurisdiction. If a determination is made that these agencies are not "districts" or "special districts," conducting authority proceedings are held in accordance with the principal act that established the agency:

- ♦ A flood control district;
- ♦ A flood control district and floodwater conservation district;
- ♦ A flood control district and water conservation district;
- ♦ A conservation district;
- ♦ A water conservation district;
- ♦ A water replenishment district;
- ♦ A California water storage district;
- ♦ A water agency; or
- ♦ A county water authority or a water authority.

B. LAFCO COMPOSITION

The Imperial LAFCO consists of a five-member commission each of whom serves a four (4) year term. The composition of the commission includes two (2) members of the County Board of Supervisors, chosen by the Board of Supervisors; two (2) members representing the seven (7) cities in Imperial County, chosen by the City Select Committee (which is composed of the mayor of each city in the county); and one (1) public member, chosen by the other members of the Commission.

C. LAFCO PROCEDURES

The following is a step-by-step guide to the procedures followed by Imperial LAFCO in considering proposed changes in local government organization.

1. Preliminary Steps

The proponent(s) *should* review their proposal with the LAFCO Executive Officer first. Although *this is not required*, a brief discussion with the LAFCO Executive Officer or LAFCO staff *before submitting an application* could save the applicant time and needless frustration. The following steps are suggested:

- a. Call for an appointment;
- b. Bring the following information to the appointment:
 - ♦ Assessor's parcel number for individual lots or project map for complex proposals;
 - ♦ General Plan and zoning designations; and
 - ♦ Development plans, if applicable. Imperial LAFCO generally requires approved development plans, such as a tentative map, specific plan, etc., when vacant territory is proposed for annexation to a city or district. Vacant land cannot be annexed without a project approved by the City or County, nor without being pre-zoned by the City. A key consideration in LAFCO's review of annexation requests is the timing of the action. LAFCO discourages the annexation of vacant land until it can be demonstrated that services are needed in the near future. Without approved development plans, it cannot be demonstrated that services are required. Approved development plans also provide the information necessary to evaluate a proposal. They also enable LAFCO to evaluate the impact of a jurisdictional change on adjacent areas.
- c. LAFCO staff will review procedures, information requirements, verify if the project is located within a jurisdiction with an approved **Sphere of Influence** and/or **Service Area Plan** and outline the fees.
- d. The applicant should obtain application forms and ascertain what environmental documentation may be necessary.
- e. Proponent prepares application material for proposal. All proposals must include: application by resolution or petition, indemnification agreement, map, legal description, and environmental document.

2. If the proposal is to be by **RESOLUTION**, then the following applies:

A certified resolution by the affected governmental agency must be obtained and provided to LAFCO. A resolution of application may be filed by a legislative body or local agency. The requirements for a resolution are contained within Government Code 56654 et seq.

- a. The legislative body shall give mailed notice of its intention to adopt a resolution of application to LAFCO and to each interested and subject agency at least 21 days prior to adoption. The notice must describe the proposal and the affected territory.

- b. A resolution of application must contain the same information as a petition, except for signatures (Government Code 56654 & 56700 et seq). An approved Service Area Plan must be on file with Imperial LAFCO (LAFCO Manual Chapter IV.G.)

3. If the proposal is to be by **PETITION**, then the following applies:

A petition application shall be submitted upon the "Petition Form" (see Exhibit 'C' attached) and must be signed by the applicant(s). The petition shall include all of the following (Government Code 56700 et seq):

- a. State that the proposal is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000;
- b. State the nature of the proposal and list all proposed changes of organization;
- c. Set forth a description of the boundaries of the affected territory accompanied by a map showing the boundaries;
- d. Set forth any proposed terms and conditions;
- e. State the reason or reasons for the proposal;
- f. State whether the petition is signed by registered voters or owners of land;
- g. Designate three (3) (maximum) persons as chief petitioners, setting forth their names and mailing addresses;
- h. State whether the proposal is consistent with the spheres of influence for any affected city or district; and
- i. Request that proceedings be taken for the proposal.

4. **Map information required:** *(This applies to both petition and resolution)*

- a. **One copy of a metes-and-bounds legal description** of the perimeter of the subject property. Details of the legal description requirements can be found in Exhibit B of the LAFCO Manual.
- b. **A parcel map** of the subject property and a minimum of ten (10) prints. Maps must be drawn by a California licensed civil engineer or licensed land surveyor. The size of the map shall not exceed **24" x 36"** unless a variation is approved by the Executive Officer prior to submittal. Maps shall be stamped and (wet) signed by the preparer. Maps shall be prepared in a current version of AutoCAD unless a variation is approved in writing by the Executive Officer prior to submittal.
- c. **Two copies of a vicinity map** of the subject property.

- d. **One copy of any environmental documents** (pursuant to CEQA) associated with the project; however, if an Environmental Impact Report (EIR) associated with the subject property was prepared, 8 copies of the certified EIR must be submitted with the application. Only one copy of the EIR appendices is required. Please note that a specific process must be followed for LAFCO to accept the CEQA document prepared by another agency.
- e. If the proposal includes annexation to a city, indication that the annexing city has rezoned the property, such as the city council resolution approving the rezoning as well as any resolutions pertaining to the **annexation**.
- f. **Processing fee.** (See attached fee schedule.)

5. **California environmental quality act (CEQA):**

Similar to other public agencies Imperial LAFCO is required to comply with the California Environmental Quality Act (CEQA) for the purposes of considering the environmental impact of its actions. Each proposal must receive the appropriate environmental review for consideration by the Commission in making its decision. For a detailed discussion of environments please refer to Chapter IV, subsection E, of the LAFCO Manual.

D. LAFCO PROCEEDINGS

1. The proponent delivers to the Executive Officer a completed application (LAFCO Manual Chapter II, Subsection A and Government Code Sections 56652, 56653 and 56700).
2. The Executive Officer determines if:
 - a. The petition is sufficient as required by law and issues a determination on its sufficiency within 30 days of submittal;
 - b. LAFCO is to be the lead agency for the environmental review. If so, then the review is undertaken by LAFCO; and
 - c. A satisfactory exchange of property tax has taken place. A County master property tax agreement may be applicable. If there is not an applicable master property tax agreement then separate property tax exchange resolutions may be required. If negotiations leading to adoption of separate resolutions are required, both the county and any affected city must agree to a tax exchange. If a jurisdictional change affects the service area or service responsibilities of one or more special districts, the board of supervisors negotiates an exchange of property taxes on behalf of the district or districts (Revenue and Taxation Code, Section 99).
3. The Executive Officer reviews the proposal and within 30 days of its receipt either
 - a. Determines that the application is complete; a copy of all City approvals is enclosed; approval CEQA documents are included, that all property tax agreements are on file, and issues a **Certificate of Filing**, setting the commission hearing within 90 days; or

- b. Determines that the application is not complete and notifies the proponent (LAFCO Manual Chapter II, and Government Code Section 56828).

*NOTE: The Executive Officer may **conditionally** accept an application.*

- 4. The Executive Officer requests review of any information for the proposal from affected county departments, affected agencies, and other affected counties' LAFCOs (Government Code Section 56828).
- 5. As an option, proponents and/or LAFCO staff conduct a public meeting with affected residents and/or landowners to give information and receive comments on the proposal.
- 6. At least twenty (21) days prior to the date set for hearing the Executive Officer gives notice by:
 - a. Publication in a newspaper of general circulation;
 - b. Posting near the door of the hearing room; and
 - c. Mailing to each affected agency which contains territory or whose sphere of influence contains territory within the proposal, chief petitioner(s), persons requesting notice, each city within three miles, and the county in the case of incorporation or formation, all owners of parcels directly affected and surrounding landowners
 - d. Web Page

NOTE: Some commission actions can be made without notice and hearing, such as annexations and detachments with written consent of all (100%) landowners. Notice and opportunity to request a public hearing must be given to agencies whose boundaries are affected (Government Code Section 56837).

- 7. The Executive Officer reviews the application and any comments received and prepares the staff report for the commission. The report provides a staff recommendation and a review of pertinent factors and policies, spheres of influence, and general plan and specific plans.
- 8. The Executive Officer mails the report at least five (5) days prior to the hearing to each commissioner, each person named in the application to receive a report, each affected local agency requesting a report, each agency whose boundaries or sphere of influence will be changed, and the Executive Officer of the LAFCO of any other affected county (Government Code Section 56833).
- 9. The Commission hears the proposal on the noticed date and time. The hearing may be continued for up to 70 days. The Commission must consider a number of factors and policies in compliance with State law. Among the factors considered by Imperial LAFCO in making its determination are: (Government Code Section 56841)
 - a. Population, density, land area and land use, per capita assessed valuation, topography, natural boundaries, drainage basins, proximity to populated areas, likelihood of significant growth during next ten years;

- b. Need for organized community services, present cost and adequacy of government services and controls, probable future needs, probable effect of change of organization and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas;
 - c. The effect of the proposed action or alternative actions on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county;
 - d. Conformity of the proposal to Commission policies on providing planned, orderly, efficient patterns of urban development, and with state policies and priorities on conversion of open-space uses;
 - e. Effect of the proposal on maintaining the physical and economic integrity of lands in an agricultural preserve in open-space uses;
 - f. Definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment and ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries;
 - g. Conformity with appropriate city or county general and specific plans; and
 - h. The sphere of influence of any agency, which may be applicable to the proposal being reviewed (see Section III for more about the adoption of spheres of influence).
10. Within 35 days of the hearing the Commission will adopt a resolution of determination taking the following actions:

NOTE: The Imperial LAFCO generally adopts a resolution at the time of the hearing; however, it reserves the right to adopt within the 35 days following the hearing)

- a. Approve or deny with or without conditions or revisions to the proposal. If denied, no new proposal can be made for one year unless waived by LAFCO. If the proposal included incorporation or consolidation of a city, no new proposal can be made for two years unless waived by LAFCO (Government Code Sections 56851, 56855 & 57090);
 - b. Determine if the territory is inhabited or uninhabited (inhabited territory means territory within which there reside 12 or more registered voters);
11. Under certain conditions and only for specified projects, the Executive Officer, through delegation of authority from the Commission has the authority to consider, approve or deny a project. (Government Code Section 56133)

Specified Project(s):

- a. Extension of new or extended water service by a city or district to an entity other than another city or district within the Sphere of Influence of the city/district limit and provided there are four (4) or fewer connections.

- b. Extension of new or extended sewer service by a city or district to an entity other than another city or district within the Sphere of Influence of the city/district limit and provided there are four (4) or fewer connections.
- c. Extension of solid waste service by a city/district a city or district within the Sphere of Influence of the city/district limit and provided there are four (4) or fewer users.

NOTE: Projects not meeting the above criteria shall only be considered by the full Commission.

Applications are required for the above types of projects. Details for these types of applications can be found in Chapter II. A.4.

GLOSSARY OF COMMON LAFCO & PLANNING TERMS

LAFCO TERMS

Agricultural Lands: Lands that are currently used for the purpose of producing an agricultural commodity for commercial purposes, land left fallow under a crop rotation program, or land enrolled in an agricultural subsidy or set-aside program.

Annexation: The inclusion of territory in a city or special district.

Certificate of Completion: Any change in organization or reorganization is deemed to be complete and in existence upon the date of the execution of the Certificate of Completion.

Certificate Filing: This document is issued after the application has been deemed to be complete by the Executive Officer and a property tax agreement is completed. Commission proceedings begin when a Certificate of Filing has been issued. A hearing before LAFCO occurs within 90 days of the issuance of the Certificate of Filing.

Certificate of Sufficiency: The Executive Officer must issue a Certificate of Sufficiency within 30 days after receiving a petition that indicates the certificate contains the requisite number of signers.

Change of Organization: An alteration of government structure, including: city incorporation; district formation; annexation to, or detachment from a city or district; city dis-incorporation; district dissolution; city or district consolidation; or merger or establishment of a subsidiary district.

Consolidation: The uniting or joining of two or more cities or two or more districts located in the same county into a single new successor city or successor district.

Contiguous: In the case of annexation, territory adjacent to an agency to which annexation is proposed. Territory is not contiguous if the only contiguity is based upon a strip of land more than 300 feet long and less than 200 feet wide.

Dependent Special District: A special district whose board of directors is another legislative body, such as a city council or board of supervisors. Also see special district.

Detachment: The exclusion of territory from a city or district.

Disincorporation: The termination of the existence of a city.

Dissolution: The termination of the existence of a district.

Formation: The creation of a district.

Incorporation: The creation of a city.

Independent Special District: A special district that has a directly elected board of directors. Also see special district.

Inhabited territory: Territory within which 12 or more registered voters reside.

Initiating petition: A document signed either by registered voters or landowners that requests LAFCO to consider a change of organization or reorganization.

Island: Unincorporated territory substantially surrounded by a city, or territory surrounded by a city on one or more sides and the Pacific Ocean on the remaining sides.

Merger: The termination of the existence of a district, and the assumption of the district's responsibilities by a city.

Prime agricultural land: An area of land that has not been developed for a use other than agriculture and meets certain criteria related to soil classification or crop and livestock carrying capacity.

Reorganization: Two or more changes of organization initiated in a single proposal.

Service Area Plan/Municipal Service Review: Comprehensive study designed to better inform LAFCOs, local agencies, and the community about the capacity of services, level of service, efficiency of services and provide for coordination and opportunities between providers. SAPs are required to be updated every 5 years.

Special District: A local governmental agency formed pursuant to general law of the state or special act.

Sphere of Influence: A plan for the probable physical boundaries and service areas of a city or district.

Sphere of Influence Amendment: The changing or updating of an adopted sphere of influence.

Sphere of Influence Definitions: Imperial LAFCO has six types of sphere of influence designations:

- ♦ **Coterminous:** A sphere may be designated for a city or special district that is the same as its existing boundaries if there is no anticipated need for services outside the boundaries of the agency, or if there is insufficient information to support inclusion of additional territory within the sphere.
- ♦ **Larger than:** A sphere may be designated for a city or special district that is larger than its existing boundaries if there is a need for services beyond its boundaries.
- ♦ **Smaller than:** An agency may be designated a sphere that encompasses less territory than its existing boundaries if there is no need for services from the agency in the affected territory, or if the territory is included in the sphere of another agency.
- ♦ **Zero:** A zero sphere, which includes no territory, may be designated for an agency, usually a special district. A zero sphere assumes that the public service responsibility and function of the agency should ultimately be reassigned to another agency.
- ♦ **Service Specific:** An agency may be assigned a sphere of influence that only encompasses a specific service if the service is not needed throughout the agency.

- ♦ **Special study area:** A special study area may be designated if insufficient information exists to make a sphere determination.

Sphere of Influence Determinations: In establishing a sphere of influence, the Commission must consider and prepare written determinations related to present and planned land uses, need and capacity of public facilities, and existence of social and economic communities of interest.

Sphere of Influence Time Frame: In establishing a sphere of influence, particular emphasis is placed on projected service demands for the next 10-15 years. This is consistent with the time frames of the land use and public service plans of the affected agencies (e.g., general plans, capital improvement plans, district service plans, etc.).

Subsidiary District: A district of limited powers for which a city council is designated as the ex officio board of directors of the district. At least 70% of the district's land area and number of registered voters must be within the city limits for a district to become a subsidiary district.

Uninhabited territory: Territory within which less than 12 registered voters reside.

PLANNING TERMS

Easement: A less-than-fee interest that includes selected rights or grants the holder the right to prevent certain land uses. A property owner retains ownership and the rights other than those expressly limited by the easement. Easements may be granted for a number of reasons, including access, public utilities, conservation, open-space, and scenic purposes.

General plan: A document containing a statement of development policies including a diagram and text setting forth the objectives of the plan. The general plan must include certain state mandated elements related to land use, circulation, housing, conservation, open-space, noise, and safety.

Prezoning: The primary instrument for implementing the general plan. Prezoning divides a community into districts or "zones" which specify the permitted/prohibited land uses for territory outside a city's corporate limits. Prezoning has no regulatory effect until the property is annexed. Also see zoning.

Specific plan: A policy statement and implementation tool that is used to address a single project or planning problem. Specific plans contain concrete standards and development criteria that supplement those of the general plan.

Zoning: The primary instrument for implementing the general plan. Zoning divides a community into districts or "zones" which specify the permitted/prohibited land uses.

Exhibit A

Fee Schedule



FILING & PROCESSING FEES

I. LAFCO PROCESSING FEES		
PROCESSING FEE FOR ANNEXATIONS OF UNINHABITED TERRITORY TO A CITY OR DISTRICT	LESS THAN 1 ACRE	\$2,000
PROCESSING FEE FOR ANNEXATIONS OF UNINHABITED TERRITORY TO A CITY OR DISTRICT	1-10 ACRES	T/M
PROCESSING FEE FOR ANNEXATIONS OF UNINHABITED TERRITORY TO A CITY OR DISTRICT	MORE THAN 10 ACRES	T/M
PROCESSING FEE FOR ANNEXATIONS OF INHABITED TERRITORY TO A CITY OR DISTRICT	LESS THAN 1 ACRE	\$2,000
PROCESSING FEE FOR ANNEXATIONS OF INHABITED TERRITORY TO A CITY OR DISTRICT	1-10 ACRES	T/M
PROCESSING FEE FOR ANNEXATIONS OF INHABITED TERRITORY TO A CITY OR DISTRICT	MORE THAN 10 ACRES	T/M
DISTRICT REORGANIZATION		T/M
FORMATION OF A DISTRICT		T/M
INCORPORATION OF A NEW CITY		T/M
SPHERE OF INFLUENCE CHANGE		T/M
EXTENSION OF SERVICES		\$2,000
ADDITIONAL COST INCURRED FEE		T/M
PUBLIC WORKS DEPARTMENT FEE: MAP REVIEW FEE		\$500
RECORDER'S OFFICE FEES		\$2

***FEES EFFECTIVE MARCH 2012*

II. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FEES		
INITIAL STUDY/NOP REVIEW (ONLY IF NOT LEAD OR CO-LEAD)		\$5,000
EIR REVIEW AS RESPONSIBLE AGENCY		T/M
PREPARE CONTRACT ADMINISTERED EIR		ACTUAL COST PLUS 5% CONTRACT ADMIN.

III. STATE BOARD OF EQUALIZATION FEES (FILING PURSUANT TO SECTION 54900 – 54902 OF THE GOVERNMENT CODE)			
SINGLE AREA TRANSACTIONS			
ACREAGE	FEE	DISSOLUTIONS OR CONSOLIDATIONS	\$300
LESS THAN 1 ACRE	\$300		
1 - 5	\$350	ENTIRE DISTRICT TRANSACTION	\$300
6 - 10	\$500		
11 - 20	\$800	DISSOLUTION OR NAME CHANGE	\$ 0
21 - 50	\$1,200		
51 - 100	\$1,500		
101 - 500	\$2,000		
501 - 1,000	\$2,500		
1,001 - 2,000	\$3,000		
2,001 AND ABOVE	\$3,500		

**THESE FEES REQUIRE A *SEPARATE* CHECK PAYABLE TO THE STATE BOARD OF EQUALIZATION

***FEES EFFECTIVE AUGUST 1, 2005. FEES SET BY STATE LAW.*

IV. NOTES	
FEES ARE PAYABLE UPON FILING THE LAFCO APPLICATION. CHECKS ARE THE ONLY FORM OF PAYMENT ACCEPTED.	
MAKE SEPARATE CHECKS PAYABLE TO: LAFCO OF IMPERIAL COUNTY AND STATE BOARD OF EQUALIZATION .	
ADD 10% FILING FEE TO THE STATE BOARD OF EQUALIZATION IF FILED IN DECEMBER	
T/M PROJECTS SHALL BE COMPUTED AT FULLY BURDENED RATE AS CALCULATED FOR EQUIVALENT COUNTY POSITION WITH A MINIMUM \$5,000 DEPOSIT	
CURRENT T/M BILLING RATES AS FOLLOWS: EXECUTIVE OFFICER \$191 P/H ANALYST/ACCOUNTANT \$75 P/H CLERK \$50 P/H COPIES AND OTHER CHARGES: ANNEXATION MAP 24"X36" \$10 COPIES ON CD \$10 COPIES (PAPER) \$2 FIRST PAGE \$0.20 EACH PAGE AFTER PUBLIC NOTICE AND POSTAGE - ACTUAL COSTS ***RATES/CHARGES MAY BE ADJUSTED ANNUALLY	
UNDER "ADDITIONAL COSTS" THE EXECUTIVE OFFICERS SHALL HAVE THE ABILITY TO CHARGE T/M AGAINST A PROJECT WHERE THE PROCESSING COST HAS EXCEEDED 150% OF THE APPLICATION FEE, FOR FIXED FEE PROJECTS.	

Exhibit B

Project Application Instructions & Mapping Requirements



INSTRUCTIONS FOR FILING AN ANNEXATION APPLICATION AND MAPPING REQUIREMENTS

CONTENTS OF AN APPLICATION

A formal application **must** include a minimum the following documents. Applications that do not meet minimum requirements **will not** be accepted for filing by the LAFCO Executive Officer:

1. RESOLUTION OR PETITION

An application to LAFCO must be either in the form of a RESOLUTION or a PETITION and must meet all requirements thereto.

- (a) PETITION: A petition is an application submitted upon the "Petition Application", and must be signed by the applicant(s). Petitions must comply with the provisions of Section 56700 et seq.
- (b) RESOLUTION: A resolution of application may be filed by the legislative body of a local agency. The requirements for a resolution are contained in Government Code Section 56654 et seq.

The application for more than one parcel shall clearly identify each parcel by Assessor's Parcel Number and shall list the current owner(s) of record.

2. MAPS AND LEGAL DESCRIPTIONS (10 COPIES)

Prior to being accepted by LAFCO, maps and legal descriptions must have been approved by the Imperial County Surveyor. Please see attached mapping requirements. **The LAFCO application will not be considered complete until the maps are accepted.**

3. FILING FEE

LAFCO fees must be submitted concurrently with the application and maps. Checks are the only form of payment accepted. Please make checks payable to **IC LAFCO**. Once an application is approved by the Commission, a **separate** check will be required and made payable to the State Board of Equalization. See our Fee Schedule for a complete list of all fees.

4. CONSULTATION

It is **highly recommended** that a consultation meeting with the Executive Officer be held prior to the filing of an application (Petition/Resolution). Please contact the Clerk/Analyst, Lori Zinn, at (760) 353-4115 or by e-mail at loriz@iclafco.com to schedule an appointment with the Executive Officer.

MAPPING REQUIREMENTS

(MINIMUM REQUIREMENTS)

Maps and legal descriptions filed as a part of an application made to LAFCO must meet certain specifications in order to be acceptable to the Commission and the State Board of Equalization. The State Board of Equalization will not file a finalized proposal unless the standards specified below are met. The following general specifications are enumerated for aid in preparing maps and legal descriptions.

Maps and legal descriptions are not acceptable until they have been approved as accurate and correct by the Imperial County Surveyor and the LAFCO Executive Officer.

MAPS

1. *Maps must be professionally drawn by a Licensed Engineer, licensed in California, and shall not exceed 24" x 36" in size. Maps shall be stamped and (wet) signed by preparer.*
2. *Maps shall bear a north point, scale, date, title, and short-term designation, the name of the affected agency or agencies, area in square feet or acres, and point of beginning of the legal description.*
3. *The full width of rights-of-way for existing streets, roads, and highways within and adjacent to the subject territory shall be included. Each street, road and highway shall be labeled by name at each point the boundaries of the subject territory crosses a thoroughfare.*
4. *The boundaries of the existing district or city (if applicable) and the proposed boundary must be distinctively shown without obliterating any essential geographic or political features.*
5. *Include a location map showing the affected territory in relationship to major highway or street access and surrounding areas.*
6. *Bearings and distances must be shown on all lines. If the scale of the map is such that it is impractical to letter adjacent to or near the line, then a table may be used, and the course designated by a number or if a series by inclusive numbers. The table should appear on the same sheet as the map.*
7. *Legal description, deed, lot, or subdivision references should be noted on the map by recorded book and range number to clarify a point, line, or direction.*
8. *The final map must include the assigned annexation number. This number will be assigned by LAFCO. No other numbers will be accepted.*
9. *The map should show tract or section information where applicable.*
10. *A minimum of ten (10) copies of the map(s) and legal description(s) must be submitted. Additional copies may be required at the determination of the Executive Officer.*
11. *After the project is approved by the Commission, the final map shall be submitted as a "mylar", meeting the standard by the Imperial County Public Works Survey Department and the Imperial County Recorder's Office.*
12. *The map title must be referenced as "Exhibit A", followed by the project name and project number.*

LEGAL DESCRIPTIONS

A typed “metes-and-bounds” legal description of the affected territory must accompany the map(s) being submitted.

1. *The legal description shall be prepared by the preparer of the map, which by State law must be a California Licensed Engineer or Surveyor.*
2. *The description must be headed with the date, title or short-term designation of the proposal, the name of the affected agency or agencies, and shall include the correct annexation number (contact LAFCO for the assigned project number).*
3. *Every description must be self-sufficient within itself and without the necessity or reference to any extraneous document.*
4. *A description making reference only to a subdivision or a lot within a subdivision or similar references without actually describing the perimeter boundary of the subject area is **not acceptable**.*
5. *The description must describe **only the subject area**. Descriptions of larger areas with exceptions are **not acceptable**.*
6. *Each Assessor’s Parcel Number shall be listed on a separate page attached to the map.*
7. *Legal descriptions shall not divide an existing “legal” parcel unless such division can be justified. Justification of such a division shall be the burden of the proponent and shall be considered on a case-by-case basis.*

SAMPLE LEGAL DESCRIPTION

ANNEX NO. (____-____)
TO
THE (CITY/DISTRICT) OF (CITY/DISTRICT NAME)

“Beginning at a point on the existing boundary of the City of Bracelito, said point of being in the NW corner of Lot 17 as said lot is shown on sheet 2 of that certain map entitled, “Bracelito Subdivision No. 25” recorded October 1, 1943 in Block 9 of Maps at Page 356, Imperial County Records; thence along city limits boundary 200 00’00”W 00 feet; thence N00 00’00”W 00 feet; thence N00 0’E 00 feet; thence S00 0’ E feet to the point of beginning.”

Containing approximately _____ acres.

Updated 12/21/2023

Exhibit C

Petition Application



APPLICATION

PETITION FOR PROCEEDINGS PURSUANT TO THE CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000

The undersigned hereby petition(s) the Local Agency Formation Commission of Imperial County for approval of a proposed change of organization, and stipulate(s) as follows:

OWNER INFORMATION	
NAME	COMPANY
MAILING ADDRESS	TELEPHONE NUMBER
CITY, STATE, ZIP	EMAIL ADDRESS
APPLICANT INFORMATION (IF DIFFERENT FROM THE OWNER)	
NAME	COMPANY
MAILING ADDRESS	TELEPHONE NUMBER
CITY, STATE, ZIP	EMAIL ADDRESS
PROJECT INFORMATION	
NAME OF PROPOSAL	DATE
PROJECT ADDRESS	APN(S)
CITY, STATE, ZIP	TOTAL LAND AREA (ACRES)
THIS PROPOSAL IS MADE PURSUANT TO CALIFORNIA GOVERNMENT CODE (COMMENCING WITH SECTION 56000, CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000).	
1	PROPOSED CHANGE(S) OF ORGANIZATION: <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 30%;"> <input type="checkbox"/> ANNEXATION <input type="checkbox"/> DETACHMENT <input type="checkbox"/> INCORPORATION </div> <div style="width: 30%;"> <input type="checkbox"/> SPHERE OF INFLUENCE <input type="checkbox"/> CONSOLIDATION <input type="checkbox"/> FORMATION OF _____ </div> <div style="width: 30%;"> <input type="checkbox"/> OTHER <input type="checkbox"/> EXTENSION OF SERVICES </div> </div>
2	NAME OF THE CITY/SPECIAL DISTRICT BEING AFFECTED

3	<p>THE PROPOSED BOUNDARIES OF THE TERRITORY(IES) INCLUDED IN THE PROPOSAL ARE AS DESCRIBED IN THE EXHIBIT(S) ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN.</p> <p><input type="checkbox"/> YES, BOUNDARY EXHIBITS ARE ATTACHED</p>
4	<p>PLEASE LIST ANY OTHER DOCUMENTS BEING SUBMITTED WITH THE APPLICATION (<i>EXCEPT THOSE ALREADY REQUIRED BY LAFCO</i>).</p> <hr/> <hr/>
5	<p>THE TERRITORY(IES) INCLUDED IN THE PROPOSAL IS/ARE: <input type="checkbox"/> UNINHABITED <input type="checkbox"/> INHABITED (12 OR MORE REGISTERED VOTERS)</p>
6	<p>CURRENTLY, THE TERRITORY(IES) INCLUDED IN THE PROPOSAL IS/ARE: <input type="checkbox"/> DEVELOPED <input type="checkbox"/> UNDEVELOPED</p>
7	<p>IS THIS PROPOSAL CONSISTENT WITH THE SPHERE OF INFLUENCE OF THE AFFECTED CITY AND/OR DISTRICT? <input type="checkbox"/> YES <input type="checkbox"/> NO</p>
8	<p>PLEASE DESCRIBE IN DETAIL THE REASONS FOR THE PROPOSED CHANGE OF ORGANIZATION (ANNEXATION, DETACHMENT, ETC.). USE ATTACHED SHEET IF NECESSARY.</p> <hr/> <hr/>

<p>9</p>	<p>THE PROPOSED CHANGE OF ORGANIZATION IS REQUESTED, SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:</p> <hr/> <hr/>
<p>10</p>	<p>WOULD THIS PROPOSAL CREATE AN ISLAND OF UNINCORPORATED TERRITORY? <input type="checkbox"/> YES</p> <p>IF YES, PLEASE EXPLAIN. <input type="checkbox"/> NO</p> <hr/> <hr/>

18	WILL THE ANNEXED TERRITORY BE LIABLE FOR ITS SHARE OF EXISTING BONDED INDEBTEDNESS? <input type="checkbox"/> YES <input type="checkbox"/> NO
19	WILL THE ANNEXED TERRITORY BE INCLUDED WITHIN ANY PARTICULAR TAX DIVISION OR ZONE OF THE ANNEXING TERRITORY? PLEASE SPECIFY. _____ _____
20	IF THE PROPOSAL INCLUDES THE CONSOLIDATION OF SPECIAL DISTRICTS, THE PROPOSED NAME OF THE CONSOLIDATED DISTRICT IS: _____ _____
21	IF AN INCORPORATION IS INCLUDED IN THE PROPOSAL: (A) THE NAME PROPOSED FOR THE NEW CITY IS: _____ (B) PROVISIONS ARE REQUESTED FOR APPOINTMENT OF: (I) CITY MANAGER <input type="checkbox"/> YES <input type="checkbox"/> NO (II) THE CITY CLERK AND CITY TREASURER <input type="checkbox"/> YES <input type="checkbox"/> NO
22	IF THE FORMATION OF A NEW DISTRICT(S) IS INCLUDED IN THE PROPOSAL: (A) THE PRINCIPAL ACT(S) UNDER WHICH SAID DISTRICT(S) IS/ARE PROPOSED TO BE FORMED IS/ARE: _____ _____ (B) THE PROPOSED NAME(S) OF THE NEW DISTRICT(S) IS/ARE: _____ _____ (C) THE BOUNDARIES OF THE PROPOSED NEW DISTRICT(S) ARE AS DESCRIBED IN EXHIBITS _____ INCORPORATED HEREIN.
23	THE PERSON(S) SIGNING THIS PETITION HAVE SIGNED AS: <i>(CHECK ONLY ONE)</i> <input type="checkbox"/> REGISTERED VOTERS <input type="checkbox"/> OWNERS OF LAND
24	AS REQUIRED, THE FOLLOWING ITEMS ARE ENCLOSED WITH THIS APPLICATION: <input type="checkbox"/> DEPOSIT <input type="checkbox"/> LEGAL DESCRIPTION <input type="checkbox"/> INDEMNIFICATION AGREEMENT <input type="checkbox"/> ANNEXATION MAP (10 COPIES)

APPLICANT SIGNATURE

DATE

NOTICE:

*Prior to the effective date of any jurisdictional change (i.e., annexation, detachment, etc.) the governing bodies of all agencies whose service areas or service responsibilities would be altered by such change shall meet to determine the amount of property tax revenues to be exchanged between and among such affected agencies. Notwithstanding any other provisions of law, no such jurisdictional change shall become effective until each county and city included in such negotiation agrees, **BY RESOLUTION**, to accept the negotiated exchange of property tax revenues.*

NOTE:

The resolutions referred to above shall be attached to this application prior to filing with the Local Agency Formation Commission. The Executive Officer of the Local Agency Formation Commission shall not issue a Certificate of Completion (COC) until such resolution is filed with LAFCO.

Wherefore, petitioner(s) request(s) that proceedings be taken in accordance with the provisions of Section 56000, et seq. of the Government Code and herewith affix signature(s) as follows:

Chief Petitioners (not to exceed three):

PRINT NAME

DATE

SIGNATURE

RESIDENCE ADDRESS

PRINT NAME

DATE

SIGNATURE

RESIDENCE ADDRESS

PRINT NAME

DATE

SIGNATURE

RESIDENCE ADDRESS

FOR LAFCO USE ONLY

APPLICATION RECEIVED BY

DATE RECEIVED

CHECK THE DOCUMENTS SUBMITTED WITH THE APPLICATION:

- | | |
|--|---|
| <input type="checkbox"/> DEPOSIT | <input type="checkbox"/> LEGAL DESCRIPTION |
| <input type="checkbox"/> INDEMNIFICATION AGREEMENT | <input type="checkbox"/> ANNEXATION MAP (10 COPIES) |

PROJECT NO. ASSIGNED

DATE ACCEPTED

Exhibit E

Sphere of Influence Guidelines



SPHERE OF INFLUENCE GUIDELINES

SPHERES OF INFLUENCE (SOIs) MAY ONLY BE UPDATED SIMULTANEOUSLY WITH SERVICE AREA PLANS (SAPs)

A request for the amendment or change of a "Sphere of Influence" (GOV. CODE SECTION 56076) to a City or District requires specific general information and applicable technical information. These guidelines are intended to provide a basic outline of the minimum requirements. These guidelines are intended to serve as a basic road map and are not to limit additional information that may be required by the Executive Officer during the review of an actual application.

I. APPLICATION FILING

A request for a change in the Sphere of Influence may be filed in one of three ways:

- a) A RESOLUTION by the governing board of the City or District. Two certified copies of the resolution containing all of the information as shown under Section II: RESOLUTION must be shown.
- b) A PETITION signed by all of the landowners whose property would be affected for applications with three or fewer parcels. Where the number of parcels exceeds four, a minimum of three signatures is required.
- c) A PETITION concurrent with an ANNEXATION with all property owners' signatures. Where the parcels to be affected exceed four or more, only three signatures are required.

II. RESOLUTION

If the application is made by resolution, (City/District) the resolution shall be made by the public agency in the form of a public hearing and shall contain all of the information shown under PETITION in section III.

III. PETITION

If an application is filed in the form of a PETITION, the petition shall include all of the following information: (reference also GOV. CODE SECTIONS 56425 - 56428)

- 1) State the full name of the person(s) filing the application.
- 2) State the address and phone number of the person(s) filing the application.
- 3) State the nature of the proposal.
- 4) State the reason for the proposal.
- 5) State that the proposal is made pursuant to the applicable government code section.
- 6) State proposed terms or conditions.
- 7) State whether the petition is signed by registered voters or landowners.
- 8) Enclose all of the information requested under the CORTESE/KNOX REORGANIZATION ACT, the Policies, Standards and Procedures Manual for the Imperial LAFCO, and as outlines within these guidelines.
- 9) State name and address for all parties to whom notice is to be provided.

IV. PROJECT DESCRIPTION

The proposed modification shall clearly be described in the form of a "project description", which at a minimum shall detail the reasons for the request, by whom the request is made, why the configuration of the request, explain why the current sphere is not adequate, explain why the proposed should be the size and configuration requested. The description should provide substantive reasoning or needs. It must also contain sufficient background on necessity versus desirability.

V. BOUNDARY DESCRIPTION (PROPOSED)

The boundary may be described in two ways:

- a) In the form of a legal description. If this is the case, the legal description must be done by a licensed Engineer, properly licensed in the State of California.
- b) A "geographic features" description, in which case, the description must use center line of existing roads plus Row, center line of canals plus Row, RR right of ways, and other similar geographic features which are not susceptible to ready change. In this form, legal parcel boundaries may not be divided.

The boundary shall use recognized geographic features and there shall **not** be a mix of geographic and legal descriptions.

VI. BOUNDARY DESCRIPTION (EXISTING)

The existing boundary shall be described in the same format as the proposed boundary. If the existing is in the form of a legal description then the proposed must likewise be in the form of a legal description.

Please verify the existing boundary configuration with the Executive Officer prior to preparing the proposed boundary.

VII. BOUNDARY ANALYSIS

The existing versus the proposed boundary is to be analyzed in terms of existing versus proposed size, area, configuration, and relationship to the actual City/District limits. Alternatives must also be included in this analysis. If a proposal is to one side, or two sides of an existing City/District only, or if the configuration is unusual in shape or size, clearly describe why this version is desired.

VIII. AREA ANALYSIS

A clear description of the area is to be provided. This should include existing land uses, private versus public land areas, public transportation corridors and systems, protected land, agricultural land, agricultural land classification, etc.

IX. LAND USE PLANNING

Provide an analysis of the existing planned land uses versus the proposed planned land uses. Describe how land uses will be considered for development purposes if land is not immediately annexed. Explain the process the City intends to use to coordinate land uses within the sphere with the County. Describe how adjacent land uses will be affected.

X. ALTERNATIVES

Explain in detail the alternatives available or considered. Provide the same level of detail for the alternatives as for the proposed in terms of information.

XI. SERVICE AREA PLAN

Provide a comprehensive analysis of the services to be provided to this area and how they would be provided. This plan must include the capacity of existing systems, proposed systems, cost projections, financing methods. If applicable, show phasing for proposed improvements. Show all services provided by the City/District, and how they will be provided. If you intend to form a financing system please provide details. Provide the necessary technical studies to show the methodology, engineering solutions, design alternatives, etc., to show how and where services may be provided.

XII. LAND USE INVENTORY

Provide a comprehensive land use inventory of all land uses currently within the City/District, versus the amount of same to be provided within the new sphere of influence. Provide this data in terms of acres and percentages. Provide a detailed accounting of existing vacant land within the City/District and areas that could be increased in density by rehabilitation etc.

XIII. FISCAL IMPACT STATEMENT

Provide a fiscal impact statement to show how you, the applicant, perceive the financial affects of the proposal; would this affect the distribution of current or future taxes and how so? Describe why this proposal should be financially beneficial to affected agencies.

XIV. GROWTH PROJECTIONS

Provide supporting documentation to show anticipated growth projections for the area(s) requested. Utilize standard accepted figures and methodologies. Also include an analysis of growth inducement this may cause.

XV. UNIQUE FEATURES

If there are unusual geographic or topographic features within the area, such as hazardous or sensitive features, please describe. Are there any unique social or economic communities of interest within the area? If so, describe.

XVI. OTHER CITIES/DISTRICTS AFFECTED

List and describe how this proposal could affect other agencies, particularly adjoining districts, cities, and the County.

XVII. MAP

The mapping to be provided should be prepared in AUTOCAED format and a copy of the map must be provided in AUTOCAED rel 13 formats along with ten (10) "hard" copies. At a minimum the maps must contain the following information:

- a) show existing City/District boundary
- b) show existing City/District Sphere
- c) show proposed City/District Sphere
- d) show amount & location of prime farmland
- e) show amount & location of Statewide significant farmland
- f) show all geologic hazard areas
- g) show all flood zone areas
- h) show location of other City/District within 5 miles
- i) show location of major utility corridors
- j) show location of primary waterways
- k) show location of unusual scenic or topographic features
- l) show location of existing and proposed police stations
- m) show location of existing and proposed fire stations
- n) show location of existing and proposed hospitals
- o) show location of existing and proposed schools/colleges

XVIII. NO ACTION ALTERNATIVE

Describe clearly the affects if no action is taken by LAFCO to approve either the requested or any alternate sphere.

XIX. LAND USE COMPATIBILITY

Describe how this proposed boundary would affect adjoining lands not within other adjoining City/District. Describe methods to mitigate adverse impacts.

XX. CEQA

For purposes of any sphere amendment LAFCO is the "lead agency" to prepare the necessary CEQA analysis. LAFCO will determine if the project proceeds with a Negative Declaration, a Mitigated Negative Declaration, or a full Environmental Impact Report (EIR).

XXI. COSTS

Sphere of Influence applications are considered to be a Time and Materials (T/M) cost, and as such applicant will be billed on a monthly basis for actual costs incurred. LAFCO does utilize the services of outside third-party consultants to assist in the review and processing of applications. Generally, these costs are equal to or less than if done by the Executive Officer. Costs are carefully monitored by the Executive Officer.

XXII. CONSULTATION

Prior to a formal submittal being delivered to the LAFCO, the proponent should consult with the Executive Officer and, if necessary, be prepared to present the proposal in the form of a "pre-application meeting".

NOTE: FOR QUESTIONS, PLEASE CONTACT THE EXECUTIVE OFFICER AT (760) 353-4115 OR BY E-MAIL AT pg@iclafco.com.

Exhibit D

Indemnification

Agreement



INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the Imperial County Local Agency Formation Commission, its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the Imperial County Local Agency Formation Commission, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against Imperial County Local Agency Formation Commission, its agents, officers, attorneys, or employees, to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Executive Officer shall promptly notify the Commission of any claim, action or proceeding brought by an applicant challenging the Commission's action. The Commission, its agents, attorneys, and employees (including consultants) shall fully cooperate in the defense of that action.

2. The Commission shall have final determination on how to best defend the case and may defend it with in-house counsel, or by retaining outside counsel. In either case the applicant shall be fully responsible for all costs incurred. The applicant may request to provide his or her own counsel to defend the case, however prior written approval of the Commission shall be obtained. Said independent counsel shall work with LAFCO counsel to provide a joint defense and shall include a complete defense of LAFCO to the satisfaction of the Commission.

EXECUTED IN _____, CALIFORNIA ON _____, 20____

(CITY) (MONTH) (DAY) (YEAR)

APPLICANT

NAME (PRINT): _____

TITLE: _____

SIGNATURE: _____

MAILING ADDRESS: _____

REAL PARTY IN INTEREST / PROPERTY OWNER
(IF DIFFERENT FROM APPLICANT)

NAME (PRINT): _____

TITLE: _____

SIGNATURE: _____

MAILING ADDRESS: _____

FOR LAFCO USE ONLY

RECEIVED BY: _____

DATE RECEIVED: _____

PROJECT NO. _____

Exhibit F

Sphere of Influence

Application



SPHERE OF INFLUENCE APPLICATION

Please print and provide all the information requested.

1	CITY / DISTRICT TO BE AMENDED	
2	IF APPLICATION IS BY RESOLUTION	RESOLUTION NO. _____ DATE (____/____/____)
	IF APPLICATION IS BY PETITION	CHIEF PETITIONER
3	CURRENT SPHERE AREA (SIZE)	PROPOSED INCREASE TO SPHERE AREA (SIZE)
4	CURRENT UNDEVELOPED LAND AREA WITHIN SPHERE	
5	OTHER DISTRICT(S)/CITY(IES) AFFECTED	
6	REASON FOR REQUEST _____ _____	
7	GENERAL DESCRIPTION OF NEW BOUNDARY _____ _____	
8	DESCRIBE THE LAND USES WITHIN PROPOSED AREA _____ _____	
9	APPLICANT CONTACT INFORMATION	
	APPLICANT NAME	COMPANY
	APPLICANT ADDRESS	CITY, STATE, ZIP
	APPLICANT EMAIL	APPLICANT PHONE

10	CITY/DISTRICT REPRESENTATIVE CONTACT INFORMATION	
	CITY/DISTRICT REPRESENTATIVE	CITY/DISTRICT NAME
	MAILING ADDRESS	CITY, STATE, ZIP
	EMAIL	PHONE

APPLICANT SIGNATURE

DATE

CITY/DISTRICT SIGNATURE

DATE

FOR LAFCO USE ONLY

APPLICATION RECEIVED BY

DATE RECEIVED

DEPOSIT AMOUNT SUBMITTED

RECEIPT NO.

PROJECT ID NO.

PREVIOUS AMENDMENT DATE

CERTIFICATE OF FILING DATE

HEARING DATE

DATE OF APPROVAL/DENIAL

Exhibit G

Service Area Plan

Guidelines



Service Area Plan Guidelines

Service Area Plans (SAPS) are also commonly referred to as Municipal Service Reviews (MSRS)

Through the Cortese-Knox-Hertzberg Reorganization Act of 2000 and The LAFCO Policy & Procedure Manual, LAFCO requires a Service Area Plan to be approved prior to approval of a Sphere of Influence amendment and/or annexation. The plan shall provide enough detail for LAFCO to ascertain that there will be sufficient public facilities within the requested Sphere of Influence or annexation.

An acceptable Service Area Plan provides a detailed description and analysis of how facilities will be provided in the proposed Sphere of Influence. The plan should be divided into six parts. The following sections should be included in a service area plan.

1. Summary

This section should focus on how the facilities will be financed. The conditions proposed by the plan should also be highlighted. A table shall be included in this section that will summarize the various facilities, their costs, and anticipated methods of financing.

2. Introduction

This section could be called the “how to use this plan” section. It also provides an introduction to the format and the content of the plan.

3. Build Out Projections

The potential development within the City’s/District’s existing limits along with itemizing existing, developing, and future land uses. Anticipated development within the proposed sphere limits along with itemizing future land uses.

4. Phasing Projections

This section attempts to project the how and when development will be phased. The intent of this section is to provide an additional tool that will allow a City/District to anticipate future public facility needs and to budget money for their improvement.

5. Requirements for Public Services

A complete description and analysis is provided of when and how each facility will be provided and financed based upon build-out projections and phasing assumptions. These services include but are not limited to: Administration, Drainage, Fire, Law Enforcement, Library, Parks & Recreation, Schools, Transportation, Wastewater Treatment, Sewer, and Water.

In some instances (i.e., schools) the City may not have any jurisdiction over a particular service provider. In these instances, LAFCO needs to be assured that the affected service provider will be able to accommodate the projected growth within an amended Sphere of Influence. The proposed Service Area Plan should include an agreement between the City/District and the affected service provider on when and how facilities and or services will be provided. (*See outline section on the next page.*)

6. Financing

This section provides a summary of the financial alternatives available to fund each facility and a discussion of the potential sphere development impact on City finances.

7. Appendices

Technical materials shall be provided that were used in the preparation of this plan.

The most detailed part of the plan is SECTION 5: REQUIREMENTS FOR PUBLIC SERVICES. Each section shall describe an individual public service and related facilities. If a service or facility does not conform with the adopted performance standard, there shall be a discussion describing the situation, a description of mitigation measures or alternatives, and a financing discussion. In addition, each section will conclude with a "Finding of Adequacy" that will summarize whether the public service and related facility conforms with the adopted performance standard.

The following is an outline of SECTION 5: REQUIREMENTS FOR PUBLIC SERVICES

The plan shall address at a minimum each of the following:

- ◆ The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
- ◆ Infrastructure needs or deficiencies
- ◆ Growth and population projections for the affected area
- ◆ Financial ability of the agency to provide the services including financing constraints and opportunities
- ◆ Cost avoidance opportunities
- ◆ Opportunities for rate restructuring
- ◆ Status of and opportunities for shared facilities
- ◆ Accountability for community service needs, including governmental structure and operational efficiencies, including advantages and disadvantages of consolidation or reorganization of service providers
- ◆ Evaluation of management efficiencies
- ◆ Present and planned land uses in the area
- ◆ Present and probable need for public facilities in the area
- ◆ Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence
- ◆ Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency

❖ Administrative Facilities

- ◆ Performance Standard (Demand for Square Feet)
- ◆ Facility Planning and Adequacy Analysis
- ◆ Inventory of existing facilities
- ◆ Inventory of approved facilities
- ◆ Build out demand for facilities
- ◆ Phasing of facilities
- ◆ Mitigation
- ◆ Financing

❖ Drainage Facilities

- ◆ Performance Standards
- ◆ Drainage Planning and Adequacy Analysis
- ◆ Facility Inventory
- ◆ Inventory of approved Facilities
- ◆ Build out demand for Drainage Facilities
- ◆ Phasing
- ◆ Mitigation
- ◆ Financing

❖ Fire Facilities

- ◆ Performance Standards
- ◆ Facility Planning and Adequacy Analysis
- ◆ Facility Inventory
- ◆ Inventory of approved Facilities

- ◆ Build out demand for Facilities
- ◆ Phasing
- ◆ Mitigation
- ◆ Financing

❖ **Law Enforcement**

- ◆ Performance Standards
- ◆ Facility Planning and Adequacy Analysis
- ◆ Facility and Service Inventory
- ◆ Inventory of approved Facilities
- ◆ Build out demand for Facilities and Services
- ◆ Phasing
- ◆ Mitigation
- ◆ Financing

❖ **Library Facilities**

- ◆ Performance Standard (Demand for Square Feet)
- ◆ Library Planning and Adequacy Analysis
- ◆ Inventory of Library facilities
- ◆ Inventory of approved Libraries
- ◆ Build out demand for Library facilities and services
- ◆ Phasing of facilities
- ◆ Mitigation
- ◆ Financing

❖ **Park & Recreational Facilities**

- ◆ Performance Standards
- ◆ Park Planning and Adequacy Analysis
- ◆ Park Inventory
- ◆ Inventory of approved Parks
- ◆ Build out demand for Parks & Recreational Facilities
- ◆ Phasing
- ◆ Mitigation
- ◆ Financing

❖ **Transportation Facilities**

- ◆ Performance Standards
- ◆ Transportation Planning and Adequacy Analysis
- ◆ Facility Inventory
- ◆ Inventory of approved Facilities
- ◆ Build out demand for Facilities
- ◆ Phasing
- ◆ Mitigation
- ◆ Financing

❖ **Wastewater Treatment and Sewer Facility Capacity**

- ◆ Performance Standard
- ◆ Facility Planning and Adequacy Analysis
- ◆ Inventory of facilities
- ◆ Inventory of approved facilities
- ◆ Build out demand for facilities and services
- ◆ Phasing of facilities
- ◆ Mitigation
- ◆ Financing

❖ **Water Facilities**

- ◆ Performance Standards

- ◆ Facility Planning and Adequacy Analysis
- ◆ Facility Inventory
- ◆ Inventory of approved Facilities
- ◆ Build out demand for Facilities
- ◆ Phasing
- ◆ Mitigation
- ◆ Financing

❖ Other Services

Availability of Services Not Provided (by this City/District)

NOTE: For questions, please call the Executive Officer at (760) 353-4115 or by e-mail at pg@iclafco.com.



Service Area Plan - Submittal summary

*Please print and provide all the information requested.
****This form must be submitted in unison with the updated SAP document hard copy & disc.***

APPLICANT INFORMATION		
AGENCY NAME	CONTACT NAME	
MAILING ADDRESS	TELEPHONE NUMBER	
CITY, STATE, ZIP	EMAIL ADDRESS	
CITY / DISTRICT INFORMATION		
CITY / DISTRICT NAME	CONTACT NAME	
MAILING ADDRESS	TELEPHONE NUMBER	
CITY, STATE, ZIP	EMAIL ADDRESS	
SAP SUBMITTAL INFORMATION		
CITY / DISTRICT NAME		
DATE OF SUBMITTAL	DATE OF PREVIOUS SAP UPDATE	WAS THE SOI UPDATED AT THAT TIME? <input type="checkbox"/> YES <input type="checkbox"/> NO
CURRENT TOTAL LAND AREA (ACRES)	PROPOSED TOTAL LAND AREA	DOES THE CURRENT SAP PROPOSE A SOI CHANGE? <input type="checkbox"/> YES <input type="checkbox"/> NO
GENERAL DESCRIPTION OF CURRENT BOUNDARIES		
PLEASE LIST ANY DOCUMENTS / ITEMS BEING SUBMITTED IN ADDITION TO THIS FORM		

APPLICANT SIGNATURE

DATE

CITY/DISTRICT SIGNATURE

DATE

for LAFCO use only

APPLICATION RECEIVED BY

DATE RECEIVED

PROJECT NO. ASSIGNED

DATE ACCEPTED

HEARING DATE

DATE OF APPROVAL/DENIAL

RESOLUTION NO.

S:\LAFCO\FORMS\2023 FORMS\SAP Submittal Summary

Updated 12/21/2023