

SANTA CRUZ LOCAL AGENCY FORMATION COMMISSION  
RESOLUTION NO. 2001-6

On the motion of Commissioner Gualtieri  
Duly seconded by Commissioner Rapoza  
The following resolution is adopted:

DELEGATING TO THE EXECUTIVE OFFICER THE RESPONSIBILITY TO ACT  
ON BEHALF OF THE COMMISSION DURING PROTEST PROCEEDINGS

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WHEREAS, Assembly Bill 2838 of the 2000 Legislative Session; made significant amendments to the Local Government Reorganization Act, effective January 1, 2001; and

WHEREAS, the new version of the act shifts the responsibility for conducting the protest proceedings for reorganizations and changes of organization to the Local Agency Formation Commission in each county; and

WHEREAS, protest proceedings only occur after a public hearing and a resolution of approval by the Local Agency Formation Commission; and

WHEREAS, protest proceedings are ministerial duties including noticing property owners and registered voters, tabulating property owner and registered voter protests, and holding public hearings to make findings on the value of the protests; and

WHEREAS, Government Code Section 57000(c) allows a Local Agency Formation Commission to delegate any functions of the protest proceedings to its Executive Officer;

NOW, THEREFORE, BE IT RESOLVED that the Santa Cruz Local Agency Formation Commission hereby delegates its functions during the protest proceedings (Government Code Sections 57000-57179) for any reorganization or change of organization to its Executive Officer.

BE IT FURTHER RESOLVED that the Commission may withhold this delegation of authority for any reorganization or change of organization by stating so in its resolution approving the reorganization or change of organization.

BE IT FURTHER RESOLVED that any interested person may appeal the Executive Officer's final findings valuing protests for a reorganization or change of organization. The appeal must be filed in writing no later than seven (7) calendar days after execution of the findings. The appeal must include a reason for the appeal and must propose alternate findings that the appellant is petitioning the Commission to enact. The Commission shall consider any appeal on the next agenda and in no case later than 70 days after the appeal is filed.

PASSED AND ADOPTED by the Local Agency Formation Commission in the County of Santa Cruz this seventh day of March, 2001 by the following vote:

AYES: Commissioners Rapoza, Levy, Ebey, Gualtieri, Ainsworth, and Wormhoudt

NOES: None

ABSENT: None

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MARDI WORMHOUDT, CHAIRPERSON  
Santa Cruz Local Agency Formation Commission

Attest:

Approved as to form:

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Patrick M. McCormick, Executive Officer

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Jane M. Scott, LAFCO Counsel