



## Agenda Item: 7.A.

**Meeting:** April 20, 2021

**To:** Trinity LAFCo Commissioners

**From:** Colette Santsche, Executive Officer & Kathy Bull, Administrator/Clerk

**Subject:** Trinity County Waterworks #1 Tule Creek Road Annexation – Time Extension

### **BACKGROUND:**

On December 4, 2018, the Commission approved an annexation of approximately 40 acres into the boundaries of Trinity County Waterworks District #1. This annexation consisted of a portion of APN 014-430-75 located in the Tule Creek Rd/Salt Creek area, west of One Wizards Way, Hayfork. The property owner had previously submitted a tentative map application to the County to subdivide a portion of the affected property into two parcels that are within the existing district boundaries and one parcel outside the district that is currently served with water. Due to 100 percent property owner consent, a protest hearing was waived by the Commission. Final steps to record a Certificate of Completion with the County Recorder's Office and file the annexation with the State Board of Equalization is still needed. Therefore, a one-year time extension for completion of LAFCo proceedings is requested.

### **DISCUSSION:**

LAFCo staff has been in contact with former executive officer John Jelichich and District General Manager Craig Hair to obtain a complete record of the annexation proceedings. Once received, a Certificate of Completion will be recorded at the County and a statement of boundary change will be filed with the State Board of Equalization.

### **RECOMMENDATION:**

It is recommended that the Commission authorize a one-year time extension for completion of the annexation, effective December 4, 2020 and extending to December 4, 2021. A draft resolution for the Commission's review and consideration is enclosed (Attachment 1).

Attachments:  
Resolution 2021-05  
Resolution 2018-02



## RESOLUTION NO. 2021-05

### **AUTHORIZING A ONE YEAR TIME EXTENSION FOR THE TRINITY COUNTY WATERWORKS DISTRICT #1 TULE CREEK ROAD ANNEXATION**

**WHEREAS**, on December 4, 2018, the Trinity Local Agency Formation Commission, hereinafter referred to as the "Commission," approved the Trinity County Waterworks District #1 Tule Creek Road Annexation (Resolution No. 18-02); and

**WHEREAS**, Government Code Section 57001 requires that a Certificate of Completion be recorded within one year unless extended by LAFCo; and

**WHEREAS**, the Commission previously approved a one year time extension effective December 4, 2019 through December 4, 2020; and

**WHEREAS**, an additional time extension is necessary to record a Certificate of Completion with the County Recorder's Office and file a Statement of Boundary Change with the State Board of Equalization.

**NOW, THEREFORE, BE IT RESOLVED** by the Commission as follows:

1. The time extension for the above referenced reorganization is hereby approved, effective December 4, 2020.
2. The time frame for completion of terms and conditions and for recording a Certificate of Completion is hereby extended to December 4, 2021.
3. All provisions, terms and conditions of LAFCo Resolution No. 18-02 shall remain in effect.

**PASSED AND ADOPTED** at a regular meeting of the Trinity Local Agency Formation Commission on the 20<sup>th</sup> day of April 2021, by the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Kathy Bull  
Administrator/Clerk

\_\_\_\_\_  
Keith Groves  
Chair

**TRINITY LOCAL AGENCY FORMATION COMMISSION**

**STATE OF CALIFORNIA**

**4<sup>TH</sup> DAY OF DECEMBER, 2018**

**RESOLUTION NO. LAFCO-18-02**

**RESOLUTION APPROVING THE  
“TULE CREEK ROAD” ANNEXATION TO  
TRINITY COUNTY WATERWORKS DISTRICT #1  
(File # LAF-18-01)**

The following Resolution is now offered and read:

**WHEREAS**, a proposal for the annexation of certain territory to the Trinity County Waterworks District #1 in the County of Trinity has been filed with the Executive Officer of this Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

**WHEREAS**, the proposal is for the annexation of approximately 38.58 acres; and

**WHEREAS**, the proposal is for the annexation of an area on Tule Creek Road consisting of a 38.58 portion of one parcel (por. APN: 014-430-75); the result of the annexation is to include all of APN: 014-430-75 (approx. 53.9 acres), currently separated by a tax area boundary along the common line between Sections 10 and 11, T.31.N, R.12 W., MDB&M, into the district; and

**WHEREAS**, the Executive Officer has reviewed the proposal and prepared a report, including his recommendation thereon, the proposal and report having been presented to and considered by this Commission; and

**WHEREAS**, this Commission called for and held a public hearing on the proposal on December 4, 2018 and at the hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this proposal and the report of the Executive Officer; and

**WHEREAS**, the area to be annexed lies within the Sphere of Influence of the Trinity County Waterworks District #1, as amended by LAFCO resolution No. 15-02.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the Trinity Local Agency Formation Commission does hereby determine as follows:

1. The proposal is approved without terms and conditions.
2. The boundaries of the annexation are hereby approved as described in Exhibit A (legal description) and Exhibit B (Map) attached hereto and by this reference incorporated herein.

3. The territory to be annexed includes approximately 38.58 acres, is found to be uninhabited, and is assigned the following distinctive short-term designation: "Tule Creek Road" Annexation to the Trinity County Waterworks District #1.
4. Conducting Authority proceedings (protest hearing) is waived pursuant to California Government Code, Section 56662(d) based on the following: 1) the territory is uninhabited; 2) the land owner contacted the district to initiate proceedings for annexation and consents to the annexation; 3) the Board of Directors of the Trinity County Waterworks District #1 adopted Resolution No. 04182017 to initiate the annexation application and has since expressed no opposition to the annexation.
5. The effective date of the annexation shall be the date that the Certificate of Completion is recorded with the Trinity County Recorder.
6. All subsequent proceedings in connection with this reorganization shall be conducted only in compliance with the approved boundaries set forth in the attachments and any terms and conditions specified in this resolution.
7. To the extent that there are disputes regarding the meaning or implementation of these terms and conditions, Trinity LAFCO shall resolve such disputes.
8. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as provided in Section 56853 of the Government Code.

Upon motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and on the following vote, to-wit:

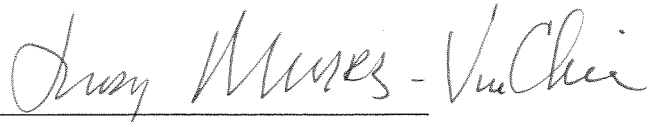
**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINING:**

The foregoing resolution is hereby adopted:



Clarence Rose, Chair of the  
Trinity Local Agency Formation Commission,  
County of Trinity, State of California

**ATTEST:**

\_\_\_\_\_  
John Alan Jelicich,  
Trinity LAFCO Executive Officer,  
County of Trinity, State of California

ANNEX No. \_\_\_\_\_

TO  
Trinity County Waterworks District No. 1

Salt Creek Annexation

DATE: March 1, 2017

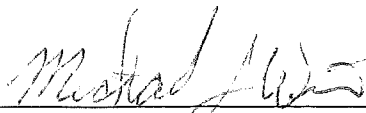
Being a portion of the Southeast  $\frac{1}{4}$  of Section 10 and a portion of the Northwest  $\frac{1}{4}$  of Section 15, T.31N., R.12W., M.D.B.&M. and more particularly described as follows:

Beginning at the Northeast Corner of said Section 10 and shown on that certain Parcel Map for A.A. Emmerson, Ida Emmerson and Sierra Pacific Industries and recorded in the Trinity County Recorders Office in Book 18 of Maps and Surveys, at page 183 and being the true point of beginning of the herein described parcel:

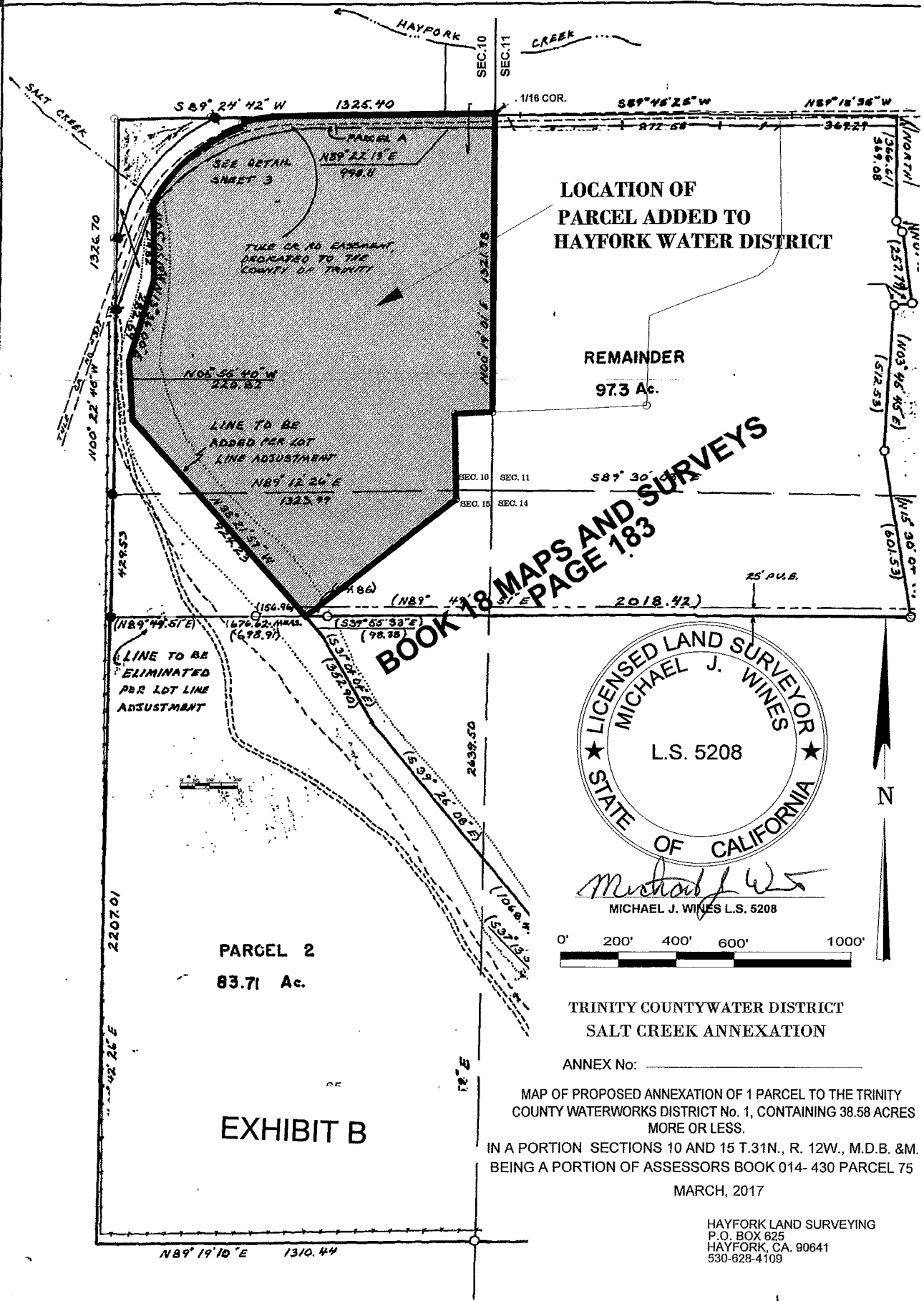
1. Thence S 0° 19' 01" W along the east line of said Section 10 for a distance of 1051.03 feet to a point on the south line that certain lot line adjustment, certificate NO. P-07-51 recorded November, 20, 2007, as instrument NO. 200704716 Official Records.
2. Thence S 87° 36' 39" W along said south line for a distance of 126.46 feet;
3. Thence continuing along said south line S 1° 12' 04" E for a distance of 300.14 feet;
4. Thence continuing along said south line S 51° 38' 03" W for a distance of 662.41 feet to the end of said south line, said point also being the Southwest corner of the remainder parcel shown on said Emmerson Parcel Map;
5. Thence N 38° 21' 57" W for a distance of 924.23 feet;
6. Thence N 6° 55' 40" W for a distance of 220.82 feet;
7. Thence N 13° 36' 00" E for a distance of 282.69 feet;
8. Thence N 5° 05' 21" W for a distance of 219.82 feet to the beginning of a curve to the right and having a radius of 560 feet, the radial line at this point being S 63° 47' 13" E;
9. Thence along the arc of said curve through a central angle of 45° 07' 04" for an arc length of 440.97 feet;
10. Thence N 18° 40' 09" W for a distance of 15 feet to the beginning of a curve to the right and having a radius of 575 feet;
11. Thence along the arc of said curve through a central angle of 10° 48' 38" for an arc length of 108.33 feet to a point on the north line of said Southeast  $\frac{1}{4}$  of Section 10;
12. Thence N 89° 24' 42" E for a distance of 774.80 feet to the point of beginning and containing approximately acres 38.58 more or less.

License expires 6-30-2017

EXHIBIT A



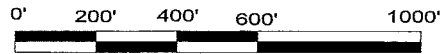
Michael J. Wines L.S. 5208



**BOOK 18 MAPS AND SURVEYS  
PAGE 183**



*Michael J. Wines*  
MICHAEL J. WINES L.S. 5208



TRINITY COUNTY WATER DISTRICT  
SALT CREEK ANNEXATION

ANNEX No: \_\_\_\_\_

MAP OF PROPOSED ANNEXATION OF 1 PARCEL TO THE TRINITY COUNTY WATERWORKS DISTRICT No. 1, CONTAINING 38.58 ACRES MORE OR LESS.

IN A PORTION SECTIONS 10 AND 15 T.31N., R. 12W., M.D.B. & M. BEING A PORTION OF ASSESSORS BOOK 014- 430 PARCEL 75

MARCH, 2017

HAYFORK LAND SURVEYING  
P.O. BOX 625  
HAYFORK, CA. 90641  
530-628-4109

**EXHIBIT B**