

# TRINITY LAFCO

www.trinitylafco.org  
670 9<sup>th</sup> Street, Suite 202  
Arcata, California 95521

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## APPLICATION PACKET

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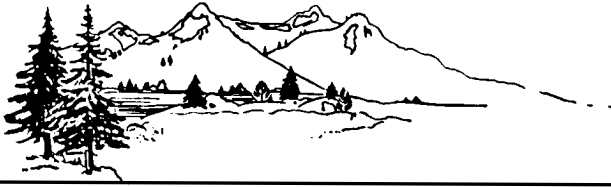
Sample Landowner Consent

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## APPLICATION FORM

Please complete the following information to process an application under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (indicate N/A if Not Applicable).

**TITLE OF PROPOSAL:** \_\_\_\_\_

**TYPE OF PROPOSAL**

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Annexation              | <input type="checkbox"/> Sphere of Influence Amendment                              | <input type="checkbox"/> District Dissolution |
| <input type="checkbox"/> Detachment              | <input type="checkbox"/> Out-of-Agency Service                                      | <input type="checkbox"/> District Formation   |
| <input type="checkbox"/> Consolidation           | <input type="checkbox"/> Incorporation  | <input type="checkbox"/> Other                |
| <input type="checkbox"/> Latent Power Activation | <input type="checkbox"/> Reorganization (involving an Annexation and Detachment(s)) |   |

**AGENCY CHANGES RESULTING FROM THIS PROPOSAL**

Agency or Agencies gaining territory: \_\_\_\_\_

Agency or Agencies losing territory: \_\_\_\_\_

**APPLICANT**

Applicant/Agency	
Mailing Address	
City/State/Zip	
Telephone	

**DESIGNATED CONTACT PERSON**

Name/Title	
Telephone	
E-mail	

## **GENERAL INFORMATION**

Please provide project-related information for the following questions:

1. The principal reasons for the proposal: (Describe in detail - use additional sheets if necessary)
  
2. The proposed action is requested to be made subject to the following terms and conditions:
  
3. The territory included in the proposal is:
  - Inhabited (12 or more registered voters)
  - Uninhabited (less than 12 registered voters)
  
4. What is the current population of the subject territory?
  
5. Does the application contain 100% written consent of each property owner in the subject territory?
  - Yes       No
  
6. Has the proposal been discussed with owners of neighboring properties? Has anyone expressed interest in participating in the proposal? Has anyone raised objections to the proposal?

## **PROPOSAL BOUNDARY**

1. Explain how the boundaries of this proposal were determined:
  
2. Would this proposal create an island of non-agency territory?
  - Yes       No

If YES, please explain.
  
3. Is the proposal consistent with the sphere of influence of all affected agencies?
  - Yes       No
  
4. Total land area:

**LAND USE INFORMATION**

1. List the affected Assessor Parcel Numbers, Owners of Record, and Parcel Sizes (attach separate sheet if necessary):

Assessor's Parcel Number (APN)	Owner of Record	Parcel Size (Acres)

2. Describe existing land uses within the subject territory.

Has an application been filed for an underlying project (such as Development Plan, Conditional Use Permit, or Tentative Subdivision Map)?  Yes  No

If YES, please attach a Project Site Plan or Tentative Subdivision Map.

3. Will the proposal result in development of property now or in the near future? Describe the type of development proposed and the number of units or facilities.
4. If development is proposed, what discretionary approvals are needed? Be specific regarding General Plan amendments, zoning changes, subdivision maps, or conditional use permits.
5. Does the project involve agricultural or open space lands?

**PUBLIC SERVICES**

1. List those public services or facilities which will be provided to the subject territory as a result of the proposed action.
2. What effect will approval of this proposal have on the type or level of services within the subject territory?
3. Indicate which of these services or facilities will require main line extensions or facility upgrades in order to serve the subject territory.
4. Will the future delivery of services by any other public agency or service provider be affected by this proposal? If yes, list the agencies and indicate any comments received from these agencies.

**FINANCIAL INFORMATION**

1. How will public services be financed? List any assessments, taxes, fees or other charges to be extended or levied as part of this proposal. (Note: a fiscal analysis and/or projected budget may be required).
  
2. Will the annexed territory be liable for its share of existing bonded indebtedness?
  - Yes       No
  - If YES, please explain.
  
3. Will the annexed territory be included within any particular Tax Division or Zone of the annexing territory? Please specify.
  
4. A Plan for Services explaining how the affected area will be served and financed by the applicant agency is included as Attachment \_\_\_\_\_.

**PROPERTY TAX EXCHANGE**

An agreement for property tax exchange (if relevant) must be in place prior to LAFCo approval. The Tax and Revenue Code requires negotiation of such an agreement to be completed within 60 days of its initiation or the LAFCo application is considered null and void. To assure satisfaction of this requirement, LAFCo requires applications to be accompanied by documentation that property tax negotiations have been completed. Please contact LAFCo if you have questions about this matter.

**ENVIRONMENTAL COMPLIANCE**

Copies of environmental documentation, pursuant to the California Environmental Quality Act (CEQA), prepared by the lead agency should be submitted with the application. Please include a copy of the Notice of Determination/Notice of Exemption showing the date filed with the County Clerk, and the environmental filing fee receipt from the California Department of Fish and Wildlife if required.

The following environmental document has been prepared:

- Statutory or Categorical Exemption
- Environmental Impact Report
- Negative Declaration
- Other (please specify):

**NOTIFICATION**

Please indicate the names, addresses and telephone numbers of all Applicants, Applicant’s Agents, and all affected Agencies who are to receive the hearing notice and the Executive Officer’s Report:

Name	Mailing Address	Telephone/Email Address

(Attach a separate sheet if necessary.)

**SUBMITTALS**

In order for this application to be processed, the following information needs to be provided. Electronic copies are preferred.

- Signed copy of this Application Form
- Signed Resolution of Application of the affected agency (preferred); or a petition of landowners or registered voters making application to LAFCo (as appropriate)
- Plan for Services along with a schematic diagram of water, sewer and storm drainage systems (refer to Government Code (GOV) §56653; for Latent Power Activation refer to GOV §56824.12(a))
- Proposal map showing the subject territory and its relationship to the affected jurisdiction (and prepared to State Board of Equalization specifications)
- Vicinity Map (if not included on the proposal map)
- Metes and bounds description of the subject territory
- Project design maps (site plan, development plan, or subdivision map)
- Written permission from each affected property owner or signature form, (in order to be processed as a 100% consent proposal)
- Project environmental documents and Notice of Determination
- Property Tax Exchange Agreement (Revenue & Tax Code §99), if completed
- Agreement to Pay form, which includes an indemnification provision
- Filing and processing fees in accordance with the LAFCo Fee Schedule and the State Board of Equalization Fee Schedule

**DISCLOSURE REQUIREMENTS**

Pursuant to Government Code Sections 56700.1 and 81000 et seq., any person or group of persons acting in concert who directly or indirectly contribute \$1,000 or more in support of or in opposition to a change of organization or reorganization that has been submitted to Trinity LAFCo must comply with the disclosure requirements of the Political Reform Act of 1974 applicable to local initiative measures to be submitted to the electorate. These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals. Additional information about the requirements pertaining to local initiative measures to be presented to the electorate can be obtained by calling the fair Political Practices Commission at (916) 322-5660.

**CERTIFICATION**

The undersigned hereby certifies that all LAFCo filing requirements will be met and that the statements made in this application are complete and accurate to the best of their knowledge.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)

# SAMPLE RESOLUTION OF APPLICATION

Resolution No. \_\_\_\_\_

**RESOLUTION OF APPLICATION BY THE  
\_\_\_\_\_ DISTRICT  
REQUESTING THE TRINITY LOCAL AGENCY FORMATION COMMISSION TAKE PROCEEDINGS  
FOR A CHANGE OF ORGANIZATON/REORGANIZATION CONSISTING OF**

\_\_\_\_\_  
*(short proposal name)*

**WHEREAS**, the \_\_\_\_\_ District desires to initiate proceedings pursuant to Part 3 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (GOV §56000 et seq.) for a change of organization / reorganization consisting of

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(detailed project description, including state the nature of the proposal and list all proposed changes of organization, e.g., annexation, detachment, consolidation, activation of latent powers, etc.); and*

**WHEREAS**, a Notice of Intention to adopt this Resolution of Application has/has not been given to each agency required pursuant to GOV §56654; and

**WHEREAS**, the proposed \_\_\_\_\_ *(short proposal name)* is located

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(detailed project location, including description of the boundaries of affected territory and communities or subdivisions involved)* and a boundary map of the subject territory is set forth in Exhibit \_\_\_\_\_, attached hereto and incorporated herein by reference; and

**WHEREAS**, the subject territory contains approximately \_\_\_\_\_ registered voters and is inhabited/uninhabited *(i.e. 12 or more registered voters is inhabited)*; and

**WHEREAS**, there is/is not 100% affected landowner consent for the proposed change of organization/reorganization; and

**WHEREAS**, the reason(s) for the proposed \_\_\_\_\_ *(short proposal name)* is/are as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ ; and

**WHEREAS**, this proposal is/is not consistent with the Sphere of Influence of the affected district(s), which was adopted by the Commission on \_\_\_\_\_; and

**WHEREAS**, the Board requests that the proposed \_\_\_\_\_ (*short proposal name*) be subject to the following terms and conditions:

- 1.
- 2.
3. \_\_\_\_\_; and

**WHEREAS**, the Board hereby adopts the Plan for Services required pursuant to GOV §56653 (*for Latent Power Activation refer to GOV §56824.12(a)*) set forth in Exhibit \_\_\_\_\_, attached hereto and incorporated herein by reference; and

**WHEREAS**, the Board certifies that: \_\_\_\_\_ (*Findings pursuant to CEQA if any*); and

**WHEREAS**, the Board has/has not agreed to an exchange of property tax revenues as follows: \_\_\_\_\_; and

**WHEREAS**, the Board has considered the oral and/or written testimony made by any affected local agencies or interested persons provided prior to or appearing at the properly noticed public hearing for adoption of this Resolution of Application.

**NOW, THEREFORE, BE IT RESOLVED** that this Resolution of Application is hereby adopted and approved by the Board of Directors of the \_\_\_\_\_ District, and the Trinity Local Agency Formation Commission (LAFCo) is hereby requested to take proceedings for the proposed \_\_\_\_\_ (*short proposal name*) according to the terms and conditions stated above and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

**BE IT FURTHER RESOLVED** that the \_\_\_\_\_ (*staff position*), on behalf of the District, shall file this Resolution of Application, together with all necessary and required documents and supporting information, with Trinity LAFCo and is further authorized to take all necessary and further action required to effectuate the filing and processing of this Resolution of Application.

Passed and adopted by the Board of Directors of the \_\_\_\_\_ District at a regular/special meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the following vote:

- Ayes:
- Noes:
- Abstentions:
- Absent:

ATTEST:

APPROVED BY:



# PLAN FOR SERVICES TEMPLATE

EXHIBIT \_\_\_\_\_

## PLAN FOR PROVIDING SERVICES

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*(short proposal name)*

### INTRODUCTION

The intent of the Plan for Service (GOV §56653) is to describe how a proposed application will be implemented if approved. The service provider for the district must document their ability to provide services to the proposed area, taking into account the services, capacity, cost, and services adequacy and how those services would be affected by the proposed LAFCo action. A Plan for Service, accepted by the Executive Officer, is required for the application to be deemed complete.

This plan of service is being presented to Trinity LAFCo in support of the proposed \_\_\_\_\_ *(short proposal name)*.

### DISTRICT PROFILE

*(Provide a brief summary of the agency that includes current services provided, acres served, estimated population, estimated Median Household income, and any other information that may be important to note. Summary information can often be found in the agency's most recent MSR.)*

### PROPOSAL SUMMARY

*(Provide a brief description of the project and why it's needed.)*

### PLAN FOR SERVICES

This plan shall, at a minimum, respond to each of the following and be signed by the proponents of the change.

- 1. An enumeration and description of the services currently provided or to be extended to the affected territory.**

*(Summarize the proposal and what services are being requested or extended.)*

- 2. The level and range of those services.**

*(Include both current and planned services along with a description of the area(s) to be served. Also state whether the services will be provided throughout the entire boundary or within a designated service zone.)*

- 3. An indication of when those services can feasibly be extended to the affected territory, if new services are proposed.**

*(Include whether or not there will be an interruption of current services and when new services are expected to be available.)*

- 4. An indication of any improvement or upgrading of structures, roads, sewer or water**

**facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.**

*(Provide a brief description of any improvements, structures, facilities, or other conditions the agency would need to serve the territory.)*

**5. Information with respect to how those services will be financed.**

*(Provide general cost estimates for construction of improvements and long-term costs for providing service including anticipated maintenance and repair. The later can be represented by an estimated total annual budget.)*

**6. Additional information.**

*(Provide any additional information you think is applicable and will help the commission in its decision-making process.)*

For Latent Powers proposals, the Plan for Services shall also include all of the following information (GOV §56824.12(a)):

- 1. The total estimated cost to provide the new or different function or class of services within the special district's jurisdictional boundaries.**
- 2. The estimated cost of the new or different function or class of services to customers within the special district's jurisdictional boundaries. The estimated costs may be identified by customer class.**
- 3. An identification of existing providers, if any, of the new or different function or class of services proposed to be provided and the potential fiscal impact to the customers of those existing providers.**
- 4. A written summary of whether the new or different function or class of services or divestiture of the power to provide particular functions or classes of services, within all or part of the jurisdictional boundaries of a special district, pursuant to subdivision (b) of Section 56654, will involve the activation or divestiture of the power to provide a particular service or services, service function or functions, or class of service or services.**
- 5. A plan for financing the establishment of the new or different function or class of services within the special district's jurisdictional boundaries.**
- 6. Alternatives for the establishment of the new or different functions or class of services within the special district's jurisdictional boundaries.**

# SAMPLE LANDOWNER CONSENT

Date: \_\_\_\_\_, 20\_\_

To: Trinity LAFCo Executive Officer

Subject: Landowner's Consent to the Proposed \_\_\_\_\_ (*short proposal name*) to the \_\_\_\_\_ District and Consent to a Waiver of Notice and Hearing on the Proposal, and a Waiver of Protest on the Proposal Pursuant to Government Code Section 56662(a)

I am the owner of property located at \_\_\_\_\_ (*Property Address*). The Assessor's Parcel Number(s) for this property is/are \_\_\_\_\_ (*List all Assessor's Parcel Numbers*). This property is within the affected territory for the above referenced proposal.

Pursuant to Government Code Section 56662(a)(3)(B), I hereby give my written consent to the proposal for the purpose of enabling the Trinity Local Agency Formation Commission to make determinations on the proposal without notice and hearing, and to waive protest proceedings on the proposal.

This consent does not preclude the submission of a petition accompanying the proposal that is signed by all of the owners of land within the affected territory in accordance with Government Code Section 56662(a)(3)(A). It also does not preclude the submittal of a valid written consent in another form if the required information is included.

Sincerely,

/s/

(*Name of Landowner*)

# AGREEMENT TO PAY

## CHARGES AND DEPOSITS

LAFCo charges are based upon actual staff time and other expenses incidental 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.

Staff time necessary to process an application cannot be easily predicted in advance. Therefore, applicants should be aware that LAFCo charges may exceed the applicable deposit. (Unexpended deposits in excess of \$25 will be refunded.)

## BILLING PROCEDURE

LAFCo invoices will detail all costs and work performed. Invoices will also reflect the remaining balance of the initial deposit. Staff time and materials will be monitored against the deposit on file with LAFCo; if the cost of processing an application begins to exceed the deposited amount, additional deposits will be required. Any hearing on the application may be continued pending receipt of the additional deposit.

This form 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 [colette@trinitylafco.org](mailto:colette@trinitylafco.org).

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## 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 Trinity 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, 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.*

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

# VOLUNTARY INDEMNIFICATION AGREEMENT

LAFCo may not condition acceptance of an application upon requiring the Applicant to indemnify LAFCo. However, LAFCo has complete discretion whether to defend any lawsuit that is filed to challenge its decisions. With its limited budget, LAFCo will usually be reluctant to allocate resources to defend challenged decisions. If the Applicant desires to assure that LAFCo will consult with the Applicant before determining how to proceed on a legal challenge and increase the likelihood that LAFCo will defend its decision on the Applicant's proposal, the Applicant may enter into the following voluntary contractual agreement to indemnify LAFCo in the event of legal challenge:

1. For valuable consideration, receipt of which is hereby acknowledged, the Applicant shall defend, indemnify and hold harmless, LAFCo, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought by a third party, the purpose of which is to attack, set aside, void, or annul LAFCo's decision with respect to Applicant's proposal or any required findings or determinations under CEQA made as part of that decision. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney's fees, or expert witness fees that may be asserted by any person or entity other than the applicant, arising out of or in connection with LAFCo's approval of the Applicant's proposal, whether or not there is concurrent, passive, or active negligence on the part of LAFCo, its agents, officers, attorneys, employees and contractors/consultants.
2. 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 subject to the provisions of this agreement, and that such actions shall not relieve or limit Applicant's obligations to indemnify and reimburse defense costs.
3. In exchange for such indemnity, LAFCo agrees to the following:
  - a. To immediately notify the Applicant of any litigation or administrative proceeding with respect to the Applicant's application in which LAFCo is named as a party.
  - b. In the event that the Applicant is not joined in the action or proceeding, LAFCo agrees to support a motion by the Applicant to intervene in the action or proceeding.
  - c. To consult with Applicant before making any decision whether to defend the legal challenge. If Applicant desires to defend the case and confirms in writing its commitment to reimburse LAFCo for its defense costs and provides a deposit for such costs as LAFCo shall reasonably determine, LAFCo will proceed to defend unless it has reasonable cause not to do so. If a determination is made to defend the action, LAFCo counsel will consult and reasonably cooperate with Applicant's counsel in the defense of the action. LAFCo shall not enter into any settlement of all or a part of the action without consulting with Applicant.

## APPLICANT:

- I/We have reviewed the Voluntary Indemnification Agreement and choose not to sign.  
 I/We have reviewed and agree to the Voluntary Indemnification Agreement as presented above.

Date: \_\_\_\_\_ By: \_\_\_\_\_  
Authorized Signer

## TRINITY LAFCo:

Date: \_\_\_\_\_ By: \_\_\_\_\_  
LAFCo Executive Officer



## SCHEDULE OF DEPOSITS

### Annexations & Detachments

Single Parcel (for reasons of public health or safety)	\$ 1,000.00
With 100% Landowner Consent	\$ 2,000.00
Without 100% Landowner Consent	\$ 3,000.00
Complex Proposal*	\$ 5,000.00

\* Complex proposal, as determined by the Executive Officer, including but not limited to, the potential for substantial development (25 or more residential units or 10,000 square feet of non-residential development), significant effect on the community, and/or sphere of influence amendment.

<b><u>Spheres of Influence Amendment/Update</u></b>	\$ 3,000.00
(If done separately from MSR/SOI update schedule)	

<b>Activation of Latent Powers</b>	\$ 2,000.00
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<b>Formation</b>	\$ 3,000.00
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<b>Dissolution</b>	\$ 1,500.00
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<b>Consolidation</b>	\$ 750.00 per agency
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<b>Incorporation:</b>	\$ 15,000
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<b>Reconsideration of Commission Action:</b>	\$ 500.00
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### Out of Agency Services (OAS) by Contract or Extension

Non-Development Related OAS	\$ 750.00
Development Related OAS	\$ 1,500.00
Fire Protection Contracts pursuant to G.G. Section 56134	\$ 1,500.00
Request for Exemption from G.C. Section 56133 or 56134	\$ 500.00

**Note: All deposit amounts are subject to increase, if the Executive Officer determines that the magnitude of the project justifies the increase.**

- A. All deposits are initial payments toward the total cost of processing ("project cost"). Project cost is defined as staff time plus materials. Hourly staff charge out rate sheet

available upon request. Materials include, but are not limited to, charges for advertisement of hearings, mapping, petition reviews, as well as fees charged for project reviews by affected agencies.

- B. Applicants are also responsible for payment of appropriate State Board of Equalization fees, County Surveyor, County Election, CEQA preparation fees, California Department Fish and Wildlife fees, and County Recording Fees, as applicable.
- C. Staff time and materials will be monitored against the deposit on file with LAFCo; if the cost of processing an application begins to exceed the deposited amount, additional deposits will be required. Any hearing on the application may be continued pending receipt of the additional deposit.
- D. If extensive staff assistance is required prior to receipt of an application, a pre-application deposit will be required at the time the work is requested.
- E. Absent compelling circumstances, the Commission will not normally adjust or waive deposits and/or fees. Staff will not waive fees for any reason.
- F. All final invoices must be paid by the applicant prior to filing of the Certificate of Completion or during other times during the LAFCo process as deemed appropriate by the Executive Officer.
- G. Charges for Reconsideration of a LAFCo determination are the responsibility of the requesting party.
- H. Deposits on file with LAFCo which exceed the cost of processing the application by \$25 or more will be refunded after LAFCo completes its final filings.
- I. Pre-Application Expenses: LAFCo will also charge its pre-application staff time spent reviewing environmental and other documents and participating in the process as the lead agency, as part of the processing costs.
- J. If LAFCo is required to act as lead agency and an Initial Study is required as part of environmental review, the applicant is also responsible for an additional \$1,000 deposit plus actual costs. An additional deposit will be necessary if it is determined that an Environmental Impact Report is necessary.
- K. If a LAFCo application is withdrawn any time prior to the completion of proceedings, the unused portion of the initial deposit received by LAFCo (deposit less any expended staff time and project expenses) will be returned to the persons paying the initial fee deposit upon receipt of a letter of withdrawal.

STATE BOARD OF EQUALIZATION

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CHANGE OF JURISDICTIONAL BOUNDARY

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**REQUIREMENTS FOR STATEMENTS, GEOGRAPHIC DESCRIPTIONS, MAPS AND FEES**  
**SECTIONS 54900 THROUGH 54903, GOVERNMENT CODE**  
**AUGUST 1, 2005**

GENERAL REQUIREMENTS

The Tax-Rate Area System is administered by the State Board of Equalization (Board) and used by counties for the proper allocation of property tax revenues between counties, cities, and special tax districts. The requirements and fees described herein apply to all statements filed pursuant to sections 54900 through 54903 of the Government Code.<sup>1</sup> This document is provided as a guideline for the proper submission of geographic descriptions, maps and fees. Copies of this document, the *Statement of Boundary Change* (Form BOE-400-TA), sample map, sample geographic description, and other information are available on the Board's website at [www.boe.ca.gov](http://www.boe.ca.gov) and can be accessed by selecting the Taxes & Fees tab, clicking on Property Tax, and then choosing Special Revenue District Boundaries.

In regard to a jurisdictional boundary change filing, please note the following:

1. The final date to file with the Board for a change of jurisdictional boundary for all special revenue districts is **on or before December 1** of the year immediately preceding the year in which the assessments or taxes are to be levied (*GC § 54902*).
2. **All fees shall accompany the filing.** Make checks payable to the "Board of Equalization." Please reference: Tax Area Services Section, MIC: 59.
3. Mail the completed filing to:

*US Postal Delivery*

State Board of Equalization  
Tax Area Services Section  
P.O. Box 942879  
Sacramento, CA 94279-0059

*FedEx or UPS Delivery*

State Board of Equalization  
Tax Area Services Section  
450 N Street, MIC: 59  
Sacramento, CA 95814

Inquiries concerning these requirements should be directed to the Tax Area Services Section at 916-322-7189, or by fax at 916-327-4251.

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<sup>1</sup> All references are to the Government Code unless otherwise specified.



## DOCUMENTS REQUIRED TO FILE A CHANGE OF JURISDICTIONAL BOUNDARY

*Please submit Items 1 through 9 as a single package:*

1. Statement of Boundary Change (Form BOE-400-TA)
2. Certified copy of election results
3. Certificate of Completion (if applicable)
4. Resolution(s)
5. Written geographic description of the project area
6. Maps and supporting documents
7. List of assessor's parcel numbers of the project area
8. Letter of tax-rate area assignment (if applicable)
9. Fees

**INCOMPLETE FILING PACKAGES** will delay processing and may result in the boundary change being held until the following assessment roll year.

The following information is provided to assist you in filing your jurisdictional boundary change. Fees charged for processing jurisdictional boundary changes are listed on Page 6, and definitions and special fee provisions are provided on Page 7.

### Statement of Boundary Change

Filings must be submitted on Form BOE-400-TA, *Statement of Boundary Change*. This form is available on the Board's website at <http://www.boe.ca.gov/proptaxes/pdf/400ta.pdf>.

### Certified Copy of Election Results

A certified copy of the election results authorizing the change and the resulting assessment must be submitted, pursuant to Article XIII C, Section 2 of the State Constitution (commonly referred to as Proposition 218).

### Certificate of Completion

A certificate of completion must be included for all filings submitted through the Local Agency Formation Commission. All documents must be recorded before submittal. (Conformed documents are acceptable.)

### Resolution(s)

The resolution(s) with signatures from the tax levying authority shall be submitted with the filing. Resolution(s) shall have a resolution number, the title of the project, and a detailed description of the content of the boundary change.

### Written Geographic Description(s) of the Project Area(s)

Descriptions of the territory that are filed with the Board's Tax Area Services Section (TASS) are used to establish geodetic position and are not intended to establish property ownership in a court of law.<sup>2</sup> Subdivision maps, tract maps, recorded survey maps, survey monuments, and deeds are not on file with the Board. Boundary descriptions that merely cite recorded documents or refer to assessor's parcel numbers will not be accepted. Any supporting documents may be used as reference only and cannot be used as a substitution. Written geographic descriptions shall conform to the following specifications:

1. Every written geographic description (a document separate from the maps) must stand on its own without the necessity of reference to any extraneous document; a description that relies solely on the use of secondary references will not be accepted. The TASS cartographic staff must be able to plot the boundaries from the written description alone.
2. The written description shall be of the project area only. If a complete description of the special district is filed, the project area shall be clearly identified in a separate document.
3. The geographic description shall:
  - a. State the township and range, section number(s) or rancho(s)
  - b. Have a **point of beginning** (POB) referenced to a known major geographic position (e.g., section corners, intersection of street centerlines, or the intersection of street centerline and an existing district boundary at the time of filing). A description will be rejected if the POB refers only to a tract map, a subdivision map or a recorded survey map. It is preferable that the POB be the point of departure from an existing district boundary (when applicable).
  - c. Be expressed as a specific parcel description in sectionalized land (e.g., "The SW 1/4 of Section 22, T1N, R1W") or by bearings and distances. When the description is by bearings and distances, **all courses shall be numbered and listed individually** in a consistent clockwise direction. The description shall not be written in a narrative format. All courses required to close the traverse of the project area must be stated. All curves must be described by direction of concavity. Delta, arc length, chord, and radius shall be listed, including radial bearings for all points of non-tangency.

Following are examples of unacceptable and acceptable descriptions:

Unacceptable (*This description refers only to extraneous documents and does not stand alone.*)

"From the point of beginning, northerly to the southwest corner of that certain property recorded in Book 12, Page 15 of Recorded Deeds, thence easterly to the southeast corner of that certain property recorded in Book 12, Page 16 of Recorded Deeds...."

Acceptable (*This is the same description with the courses numbered and the bearings and distances added.*)

"From the point of beginning:

Course 1. North 1° 18'56" West a distance of 150' to the southwest corner of that certain property recorded in Book 12, Page 15 of Recorded Deeds, thence,

Course 2. North 85° 7'56" West a distance of 75' to the southeast corner of that certain property recorded in Book 12, Page 16 of Recorded Deeds, thence...."

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<sup>2</sup> The Board's Tax Area Service Section is not involved in issues relating to property ownership.

4. The written description shall state the acreage for each separate single area (see Definitions and Special Fee Provisions for the definition of a single area) and a combined total acreage of the project area.

Example: "Area A containing 2.50 acres, Area B containing 1.75 acres: Total computed acreage containing 4.25 acres more or less."

5. All information stated on the description must match with the map(s), such as the name of the short title, the point of beginning, the course numbers, all the bearings and distances, and the acreage(s).

#### Map(s)

**It is strongly recommended that all maps submitted to the Board be filed in electronic/digital form. Digital information will not be shared without the permission of the applicant.**

Maps submitted as part of the jurisdictional boundary change filing shall conform to the following specifications:

#### **Map Documents:**

1. All maps shall be professionally and accurately drawn or copied. Rough sketches or pictorial drawings will not be accepted. Assessor's parcel maps will not be accepted as a substitute for the project map.
2. Original or copies of the same size project map must be submitted. Reduced maps are not acceptable and will be rejected.
3. A vicinity map shall be included. The vicinity map shall show the location of the project area in relationship to a larger geographic area that includes major streets and highways or other physical features.
4. Any portion of an existing district boundary in close proximity to the project area shall be shown and identified.
5. Every map must clearly show all existing streets, roads and highways with their current names that are within and adjacent to the project area. Additionally, every map shall indicate each township and range, section lines and numbers, or ranchos that are in proximity of the project area.
6. Every map shall bear a scale and a north arrow. The **point of beginning** shall be clearly shown and match the written geographic description.
7. The boundaries of the project area shall be distinctively delineated on each map without masking any essential geographic or political features. The boundaries of the project area must be the most predominant line on the map. Boundary lines that are delineated by a line that exceeds 1.5 millimeter in width shall be rejected. The use of graphic tape or broad tip marking pens to delineate the boundary is not acceptable.
8. All dimensions needed to plot the boundaries must be given on the map of the project area. Each map shall have **numbered courses matching the written geographic description**. Index tables may be utilized.
9. All parcels within the project area that touch the new boundary shall be clearly labeled with the assessor's parcel number. Interior parcels that do not touch the boundary need not be identified on the map.

10. If the project area has an interior island(s) of exclusion or the boundary has a peninsula of exclusion (or inclusion), that area(s) should be shown in an enlarged drawing. This drawing should be of sufficient size and scale to allow TASS to plot the boundary without difficulty.
11. When it is necessary to use more than one map sheet to show the boundaries of the project area, the sheet size should be uniform. A small key map giving the relationship of the several sheets shall be furnished. Match lines between adjoining sheets must be used. While the geography on adjoining sheets may overlap, the project boundaries must stop at the match lines. TASS has standardized the D size (24" x 36") map sheet, but will accept larger or smaller map sizes depending on the size and complexity of the individual single area(s).

### **Digital Maps:**

*Maps that are filed electronically shall conform to the same requirements as described in this section under map documents (Items 1 through 11 above). Additional items for digital maps are as follows:*

Required files -- The disk or CD shall contain only the following files:

- a. Map/drawing file(s) using AutoCAD.dwg format in vector format:
  - Plotting: The map drawing file shall have the same appropriate borders, legends, title blocks, signature block and any necessary information that is required for a manually drawn map.
  - Scale: The drawing shall be at real-world scale.
  - Layers: A listing of the layers and their definitions shall be included in the "read\_me" file.
  - File Format: File shall be in vector format only. Raster files, raster-vector hybrid, .pdf, .tiff, .pcx, .eps, .gif, .jpeg or any other image formats will not be accepted.
  - Compressed Files: Files shall be uncompressed; compressed files will not be accepted.
- b. A text file labeled "read\_me" listing:
  - The name, address, and phone number of the agency/special district
  - County name and city or district name
  - Project/short title of the action
  - Name, address and phone number of office that prepared the map file
  - List of files on the disk or CD
  - Map projection and datum
  - Layer definitions
  - Sheet size
  - Plotting scale
  - Date of creation
- c. Labels: The disk or CD must have a label that identifies:
  - The agency and/or special district submitting the map
  - Name of the project/short title
  - County name(s)
  - Date of creation

List of Assessor's Parcel Numbers for the Project Area

A list of all affected assessor's parcel numbers must be submitted as part of the jurisdictional boundary change filing.

Letter of Tax-Rate Area Assignment

The jurisdictional boundary change filing must include a letter of the tax-rate area (TRA) assignment on consolidated counties only. This TRA assignment letter is provided by the county auditor's office. The current list of consolidated counties can be found on the Board's website.

Fees

**All fees are required to be submitted at the time of filing.** Please use the following schedule to calculate the fees. Make checks payable to the "Board of Equalization." Please reference: Tax Area Services Section, MIC: 59.

<b>Single Area Transactions</b>		<b>Special Fee Provisions</b>	
<u>Acres per Single Area</u>	<u>Mapping Fee</u>	The following transactions may supersede or combine with the fees for single area transactions:	
Less than 1 acre	\$300	Additional county, per transaction	\$300
1.00 – 5.99	\$350	Consolidation per resolution or ordinance	\$300
6.00 – 10.99	\$500	Entire district transaction	\$300
11.00 – 20.99	\$800	Coterminous transaction	\$300
21.00 – 50.99	\$1,200	District dissolution or name change	\$0
51.00 – 100.99	\$1,500		
101.00 – 500.99	\$2,000		
501.00 – 1,000.99	\$2,500		
1,001.00 – 2,000.99	\$3,000		
2,001.00 and above	\$3,500		

**Example:** A district is formed coterminous with a city boundary and contains 2 areas of exclusion of 4 and 7 acres.

Coterminous transaction	\$300	(Entire city)
Single Area #1	\$350	(4 acres)
Single Area #2	\$500	(7 acres)
<b>Total Fee</b>	<b>\$1,150</b>	

**IMPORTANT NOTE:** If you have questions regarding filing requirements and fees, please contact the Tax Area Services Section at 916-322-7189, or by fax at 916-327-4251.

Definitions and Special Fee Provisions

1. A *single area* means any separate geographical area regardless of ownership. A lot, subdivision or section could each be a single area. A geographical area that is divided into two or more parcels by a roadway, railroad right-of-way, river or stream is considered a single area. Geographic areas that are non-contiguous are not considered a single area.
2. Two areas are *contiguous* when the two polygons that define the areas share a common line segment.

3. A *concurrent transaction* is defined as:

- a) Any combination of formation, annexation or detachment of a single area under one resolution or ordinance, each independent action must be dependent on the other action(s) in order to complete concurrent transaction, e.g., a reorganization.
- b) When there are more than one resolution or ordinance that is required to complete the action, each single area must have identical boundaries, identical actions, and the multiple resolutions or ordinances shall be inter-dependent for completion.

The fee shall be according to the fee schedule provided on Page 6. There is no additional cost for the number of transactions involved.

Multiple formations, annexations, or detachments of a single area under one resolution or ordinance that are not inter-dependent, must be filed separately and fees paid accordingly.

4. *Coterminous transaction*: If an annexed or detached territory comprises an entire city, district, or zone without affecting the existence of that city, district or zone, the total processing fee is \$300. Such a transaction is completely coterminous. However, if a coterminous transaction involves areas of exclusion, each area of exclusion shall constitute a single area transaction and all fees and requirements pertaining to single area transactions apply.
5. The fee schedule assumes that an action is confined to a single county. If more than one county is involved, add \$300 for each additional county.
6. *Multiple area filings* for special revenue districts shall be calculated as a separate fee for each single area. A separate fee must be computed for each ordinance or resolution.
7. Payment of the fee for the formation of a city or district may be deferred until that city or district receives its first revenue (section 54902.5).
8. *Entire District transaction*: When the action involves the whole district and the district's boundary is not altered by the action, it is considered an entire district transaction, e.g., annexation of a county service area countywide, annexation of a zone of improvement to the entire district.
9. *Zones* include temporary zones in highway lighting districts, zones of improvement, zones of benefit, improvement districts, or any other sub-units of a county, city or parent district.

CHECKLIST (This checklist is for your convenience only. Please, do not submit it with your filing.)

Did you include the following items?

- Statement of Boundary Change (*Form BOE-400-TA*)
- Certified copy of election results (*Proposition 218*)
- Certificate of Completion (*if applicable*)
- Copy of the Resolution(s)
  
- Written geographic description:
  - Can the geographic description stand alone?
  - Is the description of the project area only?
  - Does it include the township & range, section number(s) or rancho?
  - Is there a point of beginning?
  - Are the courses numbered to follow a clockwise direction from the point of beginning?
  - Is the total acreage included?
  - Does the information on the description match with the map(s)?
  
- Map(s):
  - Is the map accurately drawn to professional standards?
  - Is it the original size copy?
  - Is a vicinity map included?
  - Are existing boundaries shown and identified?
  - Are existing streets, roads, and highways referenced with their current names?
  - Does it include the township & range, section number(s), or rancho?
  - Does it have a north arrow and scale bar?
  - Is the Point of Beginning clearly shown?
  - Is the boundary made apparent without masking adjacent background features?
  - Are all courses numbered to follow the written description?
  - Is each parcel that touches the new boundary and is within the project area labeled with an APN?
  - Is an enlarge drawing included to show smaller areas of exclusion or inclusion, if applicable?
  - Is there a key map for multiple sheets?
  - Does the electronic filing conform to TASS standards?
  
- List of assessor's parcel numbers
- Letter of tax-rate area assignment from the county auditor (*consolidated counties only*)
- Fee. *Make checks payable to the "Board of Equalization" with reference to Tax Area Services Section, MIC:59.*

Mail completed package to:

US Postal Delivery

State Board of Equalization  
Tax Area Services Section  
P.O. Box 942879  
Sacramento, CA 94279-0059

FedEx or UPS Delivery

State Board of Equalization  
Tax Area Services Section  
450 N Street, MIC: 59  
Sacramento, CA 95814

# **“E X A M P L E”**

## **ANNEXATION NO. 2001-03**

### **ANNEXATION TO CLEARWATER SANITATION DISTRICT**

#### **GEOGRAPHIC DESCRIPTION**

All that certain real property, situate in portion of Section 7, Township 2 South, Range 11 East, Mount Diablo Base and Meridian, in the County of George, State of California, described as follows:

**Beginning** at the centerline of Magnolia Street and Essey Circle, 50 feet wide, also being the existing Clearwater Sanitation District boundary;

Thence, (1) South 00°05'00" West 25.00 feet along the existing boundary;

Thence, (2) South 89°15'00" East 145.00 feet;

Thence, (3) South 05°25'09" West 260.00 feet;

Thence, leaving the existing district boundary, (4) North 88°45'20" West 390.00 feet;

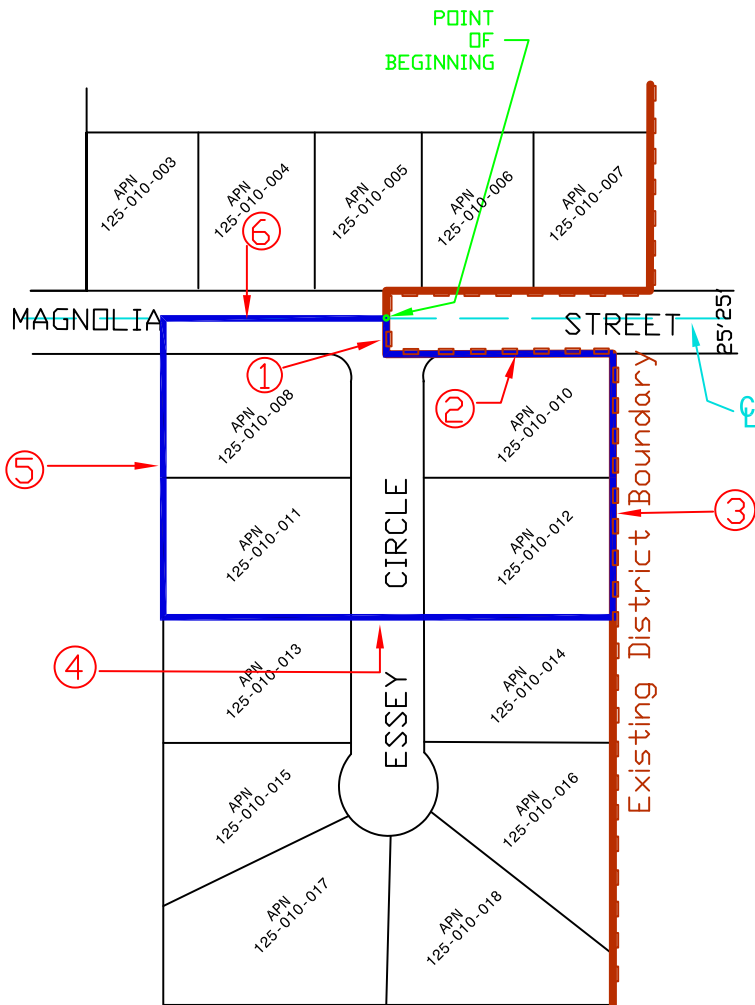
Thence, (5) North 03°20'00" West 210.00 feet to a point on the center line of said Magnolia Street;

Thence, (6) North 89°15'00" East 150.00 feet to the **Point of beginning** and containing **2.75** acres of land more or less.

*For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.*



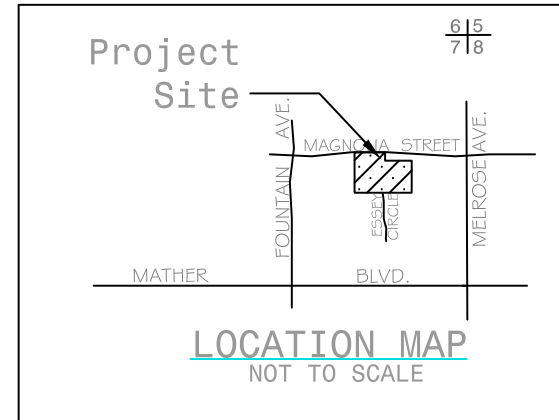
# EXAMPLE



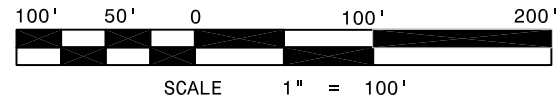
### COURSES:

1. S00°05'00"W 25.00'
2. S89°15'00"E 145.00'
3. S05°25'09"W 260.00'
4. N88°45'20"W 390.00'
5. N03°20'00"W 210.00'
6. N89°15'00"E 150.00'

2.75 ACRES



*Disclaimer:*  
 "For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described."



ASSESSOR'S PARCEL NUMBERS: 125-010-008,009,010,011	LAFCO RESOLUTION NO. 98-04	ACREAGE: 2.75	DATE: 03/30/04	SCALE: 1"=100'
CLEARWATER ANNEXATION NO.2001-03 BEING A PORTION OF SECTION 7, T. 2S, R. 11E, M.D.M. GEORGE COUNTY		<b>SMART ENGINEERING INC.</b> 1001 DALMATIAN BLVD. SANTA CLAU, CA 94999 (910) 222-5757		