

Resolution No. 17-18-02
of the Local Agency Formation Commission of Mendocino County

**Making Amendments to Chapter 10, Section 4 of the
Policies and Procedures Manual – Application Materials**

WHEREAS, The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.) requires each Local Agency Formation Commission to adopt written policies and procedures; and

WHEREAS, the Mendocino Local Agency Formation Commission adopted a new and revised Policies and Procedures Manual on January 4, 2016; and

WHEREAS, the Commission periodically adopts revisions to the Policies and Procedures Manual, as necessary; and

WHEREAS, the Commission desires to amend its policies related to the processing of applications for reorganizations that require tax share agreements between local agencies under Revenue and Taxation Code Section 99 as set forth in the Staff Report; and

WHEREAS, the Commission has no authority over the Revenue and Taxation Code Section 99 proceedings but requires proof of tax share agreements before scheduling a reorganization application for public hearing; and

WHEREAS, it is the Commission's desire to improve communication and notification of the Revenue and Taxation Code Section 99 requirements to affected parties upon application submittal; and

WHEREAS, on October 2, 2017 and November 6, 2017, the Commission heard and considered the Staff Report and the public had an opportunity to comment on the recommended amendment to the Commission's policies;

NOW, THEREFORE, the Mendocino Local Agency Formation Commission does hereby RESOLVE, DETERMINE, and ORDER as follows:

1. Amend Chapter 10, Section 4, *Application Requirements* of the Policies and Procedures Manual to include clarification and procedures addressing tax share agreement processes, as shown on Exhibit A.
2. Direct the Executive Officer to compile the amendment to the Policies and Procedures Manual and distribute to interested parties.

The foregoing Resolution was passed and duly adopted at a regular meeting of the Mendocino Local Agency Formation Commission held on this 6th day of November 2017, by the following vote:

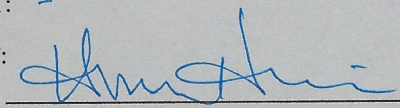
(7) AYES: *Commissioners Brown, Doble, Gonzalez, Hamburg, McNerlin, Orth, and Ward*

(0) NOES: -

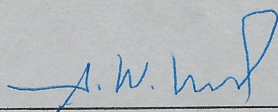
(0) ABSTAIN: -

(0) ABSENT: -

ATTEST:



UMA HINMAN, Executive Officer



GERALD WARD, Chair

EXHIBIT A

Policies and Procedures Manual, Chapter 10, Section 4 *Application Requirements*

Application Materials. Applications to the Commission must contain all the information and materials required by the CKH Act (G.C. §56652 and 56653), including a plan for services, as well as the applicable fees or deposit toward fees as specified by the LAFCo Fee Schedule. Except when the Commission is the Lead Agency pursuant to the CEQA (as defined in Public Resources Code §21067), an application must also contain complete documentation of the Lead Agency's environmental determination. No application for a change of organization or reorganization will be deemed complete and scheduled for public hearing until proof of a property tax exchange agreement, in the form of adopted resolutions, is provided by the local agencies whose service area or service responsibility will be altered by the proposed jurisdictional change pursuant to Revenue and Taxation Code Section 99(b)(6). To facilitate the tax exchange process, upon receipt of applications requiring the tax exchange agreement, LAFCo staff will provide notification of the application to the County CEO, Auditor and Assessor, the Board of Supervisors, and all affected agencies with a copy also provided to the Supervisor in whose district the change of organization is proposed.