



STAFF REPORT

Meeting Date: October 19, 2005

TO: LAFCO Commissioners
FROM: Everett Millais, Executive Officer
SUBJECT: Authorization for the Chair or Vice-Chair to Call a Special Meeting as May Be Necessary.

RECOMMENDATION:

- A. Authorize the Chair or the Vice Chair, in conjunction with the Executive Officer, to call a Special Meeting for Wednesday, December 7 or Wednesday, December 14, 2005, as may be necessary to complete protest proceedings for LAFCO 05-19 Formation of Ventura County Service Area No. 34.
- B. Authorize the Chair or the Vice Chair, in conjunction with the Executive Officer, to cancel the Special Meeting.

DISCUSSION:

It is recommended that a Special Meeting be scheduled in the event that it is needed for action relating to the amount or number of written protests received concerning LAFCO 05-19 Formation of Ventura County Service Area No. 34 Formation – (Parcels A & B)

The Commission may need to meet on December 7 or December 14. The Commission has delegated authority to the Executive Officer to hold conducting authority protest proceedings (Commissioner’s Handbook Section 2.6.2, page 39). This delegation of authority, however, only authorizes the Executive Officer to order a change of organization or reorganization if the written protests filed are less than the threshold amounts set forth in the law. If the written protests filed exceed the threshold amounts specified in the law, the Commission must meet within 30 days of the protest hearing and take subsequent action.

COMMISSIONERS AND STAFF

COUNTY: Linda Parks, Vice Chair Kathy Long <i>Alternate:</i> Steve Bennett	CITY: Don Waunch John Zaragoza <i>Alternate:</i> Janice Parvin	SPECIAL DISTRICT: Dick Richardson, Chair Ted Grandsen <i>Alternate:</i> George Lange	PUBLIC: Kenneth M. Hess <i>Alternate:</i> Louis Cunningham
EXECUTIVE OFFICER: Everett Millais	LAFCO ANALYST: Kim Uhlich	OFFICE MANAGER/CLERK: Debbie Schubert	LEGAL COUNSEL: Leroy Smith

LAFCO 05-19 Ventura County Service Area No. 34 Formation (Parcels A & B) is to be considered at the October 19 meeting and is subject to subsequent protest proceedings being conducted. The protest proceeding hearing, if the formation of the new district is approved, will be noticed and will be conducted by the Executive Officer, pursuant to the Commission's delegated authority, at 10 A. M. on Wednesday, November 23, 2005. If, prior to the conclusion of that hearing, written protests are filed by at least 25%, but less than 50% of the registered voters in the affected territory, or by at least 25% of the number property owners who also own at least 25% of the assessed land value within the affected territory, the Commission will need to meet to call for an election. If over 50% of the registered voters within the affected territory file written protests before the conclusion of the November 23 protest hearing, the Commission will need to meet to terminate proceedings.

If less than 25% of registered voters and/or less than 25% of property owners file written protest prior to the conclusion of the Protest Hearing, there will be no need for a December meeting. The November 19 meeting will then be the last meeting in 2005, and the next LAFCO meeting will be the regular meeting of January 19, 2005.