

CHAPTER II

DESCRIPTION OF LAFCO'S DECISION-MAKING

## **II. DESCRIPTION OF LAFCO'S DECISION-MAKING**

This chapter contains a brief description of the LAFCo hearing and evaluation process and describes post-approval steps taken by the LAFCo and by the conducting authority.

A more complete description is continued in Appendix L to this document.

### **A. APPLICATION AND EVALUATION AND HEARING PROCESS**

The filing of an application includes any of the following:

- (a) A resolution of application or petition initiating a change of organization or reorganization with supporting documentation as required by the commission or executive officer.
- (b) A request for a sphere of influence amendment or update pursuant to Section 56425.
- (c) A request by a city or district for commission approval of an extension of services outside the agency's jurisdictional boundaries pursuant to Section 56133.
- (d) A request by a public agency for commission approval of an extension of fire protection services outside the agency's jurisdictional boundaries pursuant to Section 56134.

The Executive Officer either accepts the application as complete or informs the applicant of additional necessary material. Environmental documents may be required pursuant to the California Environmental Quality Act (CEQA). After the application is accepted as complete, and the fee determined and paid (see Appendix D), notice is given to affected individuals and agencies.

The Executive Officer reviews the application, prepares a staff report, and furnishes copies to affected local agencies and persons designated in the application. Additional material may be requested of the applicant by the Executive Officer during this process. The Executive Officer prepares a staff report that evaluates the application based on the Cortese-Knox-Hertzberg Act and these LAFCo policies and standards. The Executive Officer will provide public notice as required by CKH and post such notice of public hearings and Commission meetings on the Commission website.

### **B. LAFCo HEARING AND DECISION**

The Commission may amend an application to affect proposed boundaries or conditions, or both. LAFCo hears the application. The applicant, affected agencies and the public may testify. LAFCo then approves, conditions or denies the applications for change of organization or reorganization.

After LAFCo Commission action, any person may file within thirty days a request for reconsideration, which the Commission may approve or deny with or without conditions

after appropriate notice and hearing. Decisions by the Commission are final, and no person can make a further request for a substantially similar change for a period of at least one year.

### **C. PROCEEDINGS BEFORE THE CONDUCTING AUTHORITY**

After an approval of an application of a change of organization or reorganization, to LAFCo, as defined in Government Code 56029 and consistent with Government Section 57000 et seq., the Sacramento Local Agency Formation Commission, when Sacramento LAFCo is the commission of the principal county, or Sacramento LAFCo's Executive Officer, when authorized by the Sacramento LAFCo, will hold the conducting authority protest hearing at which public testimony, or written protests, if applicable, are received. The Conducting Authority hearing is subject to the same noticing requirements as the application's approval hearing. The Commission may wave the Conducting Authority hearing, as allowed by the Cortese-Knox-Hertzberg Act.

### **D. LAFCo COMPLETION OF ACTIONS**

After action by the Conducting Authority, the LAFCo Executive Officer prepares and records a Certificate of Completion, and the action is then deemed completed.