

LAFCO

Meeting Date: 01/25/2024

Information

SUBJECT

Conducting Authority Protest Hearing adopting **Resolution 2024-02** for the Northeast Industrial Area Reorganization to the City of Woodland (LAFCo No. 23-06)

RECOMMENDED ACTION

1. Open the Public Hearing and hear any oral or written protest.
2. Close the Public Hearing and determine the value of any protest received.
3. Presuming less than 25% protest is received in both the landowner and registered voter categories, adopt Resolution 2024-02 ordering the Reorganization without an election.

FISCAL IMPACT

None. The applicant will reimburse LAFCo for all proposal processing costs.

REASONS FOR RECOMMENDED ACTION

LAFCo approved this proposal on December 7, 2023, initiating the protest process and set January 25, 2024, as the hearing date for Conducting Authority proceedings. Government Code §57000 et. seq. indicates a protest hearing must be conducted after the Commission approves a Change of Organization of a public agency without 100% consent from the landowners and/or registered voters. Yolo LAFCo is the Conducting Authority for the protest process as specified by Government Code Section 57050(b). This hearing allows landowners and registered voters to submit official written or oral protest to the Reorganization if they desire.

LAFCo has no discretion over the outcome of the protest proceedings. Its role is to provide a forum to receive protest, determine the results, and act accordingly.

Government Code Section 57091 states as follows: (a) For purposes of Section 57075, relating to annexations, detachments, and latent powers ... in the case of inhabited territory, the commission shall take one of the following actions:

- (A) Terminate proceedings if a majority protest exists in accordance with Section 57078 (i.e. 50% or more registered voter protest).
- (B) Order the change of organization or reorganization subject to confirmation by the registered voters residing within the affected territory if written protests have been filed and not withdrawn by either of the following:
 - (i) At least 25 percent, but less than 50 percent, of the registered voters residing in the affected territory.
 - (ii) At least 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of land within the affected territory.
- (C) Order the change of organization or reorganization without an election if subparagraphs (A) and (B) of this paragraph do not apply.

Since no opposition has been received to date, staff presumes the proceedings will result in LAFCo, acting as the Conducting Authority, ordering the Reorganization without an election per (C) above. However, if a larger protest is received than anticipated, LAFCo will need to amend Resolution 2024-02 per (A) or (B).

BACKGROUND

The Northeast Industrial Area is already within the City's Sphere of Influence and annexation has been anticipated for some time. The proposal application was initiated via landowner petition to expedite the process and is supported by the City. This Reorganization includes an annexation to the City of Woodland and concurrent detachment from the Springlake Fire Protection District.

This hearing for this petition has been properly mailed, posted, and published as required by the Cortese-Knox-Hertzberg Act. Notices of the Public Hearing were published in the Woodland Democrat on January 3, 2024, and mailed to all registered voters and landowners of record within the affected territory plus a 300-foot radius, and no objections have been received to date.

Attachments

ATT A-Reso2024-02 NE Industrial Reorg to City of Woodland Protest Hearing

Form Review

Inbox

Christine Crawford (Originator)
Form Started By: Christine Crawford
Final Approval Date: 01/11/2024

Reviewed By

Christine Crawford

Date

01/11/2024 04:04 PM
Started On: 01/10/2024 12:54 PM

RESOLUTION No 2024-02

**Conducting Authority Resolution Ordering the
Northeast Industrial Area Reorganization to the City of Woodland
(LAFCo No. 23-06) Without an Election**

WHEREAS, on September 8, 2023, California Compass Logistics Center, LLC submitted an application to the Yolo Local Agency Formation Commission (LAFCo) for a reorganization of a 632 +/- acre area northeast of the City of Woodland; and

WHEREAS, the application includes an annexation of Assessor's Parcel Numbers (APNs) 027-210-007, 027-350-001, 027-350-051, 027-360-042, 027-360-043, 027-360-044, 027-360-045, 027-370-008, 027-370-009, 027-370-019, 027-370-029, 027-370-034, and 027-370-035 ("subject territory") to the City of Woodland and a concurrent detachment of the subject territory from the Springlake Fire Protection District; and

WHEREAS, the proposal is subject to a negotiated property tax exchange per Revenue and Taxation Code Section 99 which was approved by the Yolo County Board of Supervisors (Agreement No. 18-44) and the City of Woodland (Agreement No. 18-01), filed on March 14, 2018; and

WHEREAS, the Executive Officer reviewed the proposal and prepared and filed a report with recommendations with this Commission at least five (5) days prior to LAFCo's December 7, 2023, meeting during which the project was set to be considered; and

WHEREAS, an opportunity was given to all interested persons, organizations, and agencies to present oral or written testimony, protests, objections, and any other information concerning the proposal and all related matters; and

WHEREAS, at said meeting, the Commission reviewed and considered the California Environmental Quality Act (CEQA) documentation and the Executive Officer's Report including all the information, recommendations, findings, and conditions contained therein; and

WHEREAS, on December 7, 2023, the Commission adopted Resolution 2023-06 approving the Northeast Industrial Area Reorganization to the City of Woodland (LAFCo No. 23-06), initiating conducting authority proceedings and set January 25, 2024, as the hearing date to conduct protest proceedings; and

WHEREAS, notices of the Public Hearing were published in the Woodland Democrat on January 3, 2024, and mailed to all registered voters and landowners of record within the affected territory plus a 300-foot radius, and no objections have been received; and

WHEREAS, Government Code §57000 et seq. designates the Commission as the Conducting Authority for protest proceedings; and

WHEREAS, on January 25, 2024, the Commission opened the Public Hearing, LAFCo Resolution 2023-06 was summarized, and an opportunity was given to all interested persons, organizations, and agencies to present oral or written protests, objections, and any other information concerning the proposal and all related matters; and

WHEREAS, following the close of the Public Hearing, the Commission determined the value of all valid written protests filed and not withdrawn.

NOW, THEREFORE, BE IT RESOLVED that the Yolo Local Agency Formation Commission, acting as the Conducting Authority for these proceedings, orders the Northeast Industrial Area Reorganization to the City of Woodland (LAFCo No. 23-06), without an election, subject to the following findings and conditions of approval:

Finding

1. Finding: The number of the written protests filed and not withdrawn is less than: (1) 25 percent of the registered voters residing in the affected territory; or (2) 25 percent of the number of landowners who own at least 25 percent of the assessed value of land within the affected territory. Therefore, confirmation via an election is not required.

Evidence: Notices of the Public Hearing were published in the Woodland Democrat on January 3, 2024, and mailed to all registered voters and landowners of record within the affected territory plus a 300-foot radius. No objections from any registered voters or landowners in the affected territory or the public have been received. LAFCo has not received any objections filed by an affected or interested agency regarding the proposed project.

Conditions of Approval

1. The applicant and the real party of interest, if different, agree to defend, indemnify, hold harmless and release the Yolo Local Agency Formation Commission, its agents, officers, attorney and employees from any claim, action or proceeding brought against any of them, the purpose of which to attack, set aside, void, or annul the approval of this application or adoption of the environmental review which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent passive negligence of the part of the Yolo Local Agency Formation Commission its agents, officers, attorney or employees.
2. The project will be subject to all appropriate LAFCo, State Board of Equalization, and County Clerk-Recorder fees prior to recording the Certificate of Completion for the Northeast Industrial Area Reorganization to the City of Woodland (LAFCo № 23-06).
3. Provided the thresholds for a protest are not met, the Executive Officer shall record a Certificate of Completion with the County Recorder.
4. The effective date of the approval of this annexation is the date the Certificate of Completion is recorded by the County Recorder.

PASSED AND ADOPTED by the Local Agency Formation Commission, County of Yolo, State of California, this 25th day of January 2024, by the following vote.

AYES:

NOES:

ABSENT:

Olin Woods, Chair
Yolo Local Agency Formation Commission

ATTEST:



Christine Crawford, Executive Officer
Yolo Local Agency Formation Commission

APPROVED AS TO FORM:



Eric May, Commission Counsel