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**BUTTE LOCAL AGENCY FORMATION COMMISSION (LAFCO)**

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**TO:** Local Agency Formation Commission  
**FROM:** Stephen Lucas, Executive Officer  
**SUBJECT:** **LAFCo File No. 21-06 – Affirmation of Election Results – Formation of Tuscan Water District**  
**DATE:** January 8, 2024, for the February 1, 2024, LAFCo Meeting

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Background

- At its March 2, 2023, meeting, the Commission adopted Resolution No. 18 2022/23 approving the annexation of LAFCO file 21-06 Formation of Tuscan Water District subject to conditions of approval, and the completion of the Conducting Authority Proceedings (Protest Proceedings).
- The Protest Proceedings were concluded on May 5, 2023, and there was insufficient protest to terminate the formation application and therefore, an election was required pursuant to Government Code Sections 57000(d) and 57091. On June 1, 2023, the Commission adopted Resolution No.26 2022/23 requesting the Board of Supervisors to call for the election (GC57000(d)).
- The Landowner Voter Election was conducted by the Butte County Elections Official (Clerk-Recorder- Registrar of Voters) via a mailed ballot and concluded on December 5, 2023. Pursuant to Government Code Section 57149, the Elections Official provided the “Certification of County Clerk-Recorder/Registrar of Voters to the Results of the Canvass of the December 5, 2023 Tuscan Water District Formation Election”. (**Attachment 1**) The landowner voters approved the formation of the Tuscan Water District by a margin of 77.95% in favor and 22.05% opposed. The following nine (9) candidates were selected as the initial Tuscan Water District Board of Directors:

|                  |                 |                    |
|------------------|-----------------|--------------------|
| Steven Koehnen   | Richard McGowan | Ed McLaughlin      |
| James M Paiva Jr | Andrew Mendonca | Raymond Antonowich |
| Craig Knight     | Todd Turley     | Brian Mori         |
- The Elections Official presented the certified election results to the Butte County Board of Supervisors at their meeting of January 9, 2024.

Next Step

Pursuant to Government Code Section 56176 and 56200, the Commission shall direct the Executive Officer to prepare and execute a certificate of completion confirming the change of organization (formation) if a majority of votes cast upon the question are in favor of the formation of the Tuscan Water District. As Certified by the Clark-Recorder and affirmed by the Butte County Board of Supervisors and attached hereto, the Tuscan Water District a majority of votes cast.

**ACTION REQUESTED:** Direct the Executive Officer to execute a Certificate of Completion for LAFCo File No. 21-06 the Formation of the Tuscan Water District.

Respectfully submitted,

*Steve Lucas*

Stephen Lucas  
Executive Officer

Attachments: 1. Certification of County Clerk-Recorder/Registrar of Voters to the Results of the  
Canvass of the December 5, 2023 Tuscan Water District Formation Election  
2. Draft Certificate of Completion

Distribution:



**Certification of  
County Clerk-Recorder/Registrar of Voters  
to the Results of the Canvass  
of the December 5, 2023  
Tuscan Water District Formation Election**

STATE OF CALIFORNIA } ss.  
County of Butte

I, Keaton Denlay, County Clerk-Recorder/Registrar of Voters of Butte County, do hereby certify that, in pursuance of the provisions of California Elections Code Section 15300, et. seq., I did canvass the results of the votes cast in the Tuscan Water District Formation Election held in Butte County on December 5, 2023, for the measure and contest that were submitted to the vote of the landowners, and that the Statement of Votes Cast to which this certificate is attached, is full, true and correct.

I, hereby set my hand and official seal this 12<sup>th</sup> day of December, 2023, at Oroville, California.



Keaton Denlay  
County Clerk-Recorder/Registrar of Voters  
County of Butte, State of California

Tuscan Water District Formation Election

December 5, 2023

Certified Official Election Results

**Measure N**

Shall the Butte Local Agency Formation Commission order dated March 2, 2023 ordering the formation of Tuscan Water District as a California Water District in western Butte County be approved, subject to the terms and conditions specified in the order which will require a subsequent, post-formation landowner approval of a special assessment or other lawful revenue measure generating equivalent revenue, to fund the initial administrative/organizational activities or the district shall be dissolved, all as more particularly described and set forth in Resolution No. 18 2022/23?

|     |             |        |
|-----|-------------|--------|
| YES | 309,416,141 | 77.95% |
| NO  | 87,546,334  | 22.05% |

**Tuscan Water District – Governing Board**

If the Tuscan Water District is formed, it will be governed by a nine (9) – member board of directors. Vote for up to nine at-large directors from the list below:

| Candidate Name     | Value of Votes Cast |
|--------------------|---------------------|
| Steven Koehnen     | 318,091,464         |
| Richard McGowan    | 315,498,986         |
| Ed McLaughlin      | 309,520,352         |
| James M Paiva Jr   | 298,273,389         |
| Andrew Mendonca    | 270,074,882         |
| Raymond Antonowich | 261,404,944         |
| Craig Knight       | 234,529,848         |
| Todd Turley        | 226,127,148         |
| Brian Mori         | 190,705,754         |
| Bill Chance        | 177,979,383         |
| Lance Atkins       | 120,506,715         |

\*Numbers represent assessed land value of landowners who voted. These values are used to determine the results of the election.

Requested by and when recorded mail to:

Executive Officer  
BUTTE LOCAL AGENCY FORMATION COMMISSION  
1453 Downer Street, Suite C, Oroville, CA 95965

Attest:

The following \_\_\_\_\_ page document is a correct copy of the original on file and of record in the LAFCO office.

By \_\_\_\_\_, Deputy

**CERTIFICATE OF COMPLETION**

As Executive Officer of the Butte Local Agency Formation Commission, I hereby certify that the attached documents are complete and in accordance with the boundaries, modifications and conditions specified by the Commission in its Resolution No. 18 2022/23 approving this action pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as follows:

A. The short-form title of the above-mentioned proceeding is:

21-06 – Formation of the Tuscan Water District

B. The name of each affected local agency involved in this change of organization or reorganization:

Tuscan Water District

C. The name of the County or Counties in which the entire District is located is Butte County

D. Type of Action taken: Change of Organization – Formation of Special District

E. Boundary description and any terms and conditions:

As identified in Butte Local Agency Formation Commission Resolution No. 18 2022/23 as set forth in the “Attachment “A” and by reference incorporated herein.

The following conditions require specified actions to be taken by the Tuscan Water District for which the failure to execute these actions may result in the dissolution of the District for failure to perform the District formation terms and conditions: Conditions 6.a (revenue measure); 6.b (municipal service review and sphere of influence application); 9 (electoral divisions created); 13 (Memorandum of Understanding with Groundwater Sustainability Agencies).

F. The change of organization was:

\_\_\_\_\_ Ordered without an election.

X Confirmed by the landowner voters by a mailed ballot election on December 5, 2023.

Local Agency Formation Commission

Dated: February 1, 2024

By:

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STEPHEN LUCAS, Executive Officer