

M E M O R A N D U M

TO: Local Agency Formation Commission

FROM: Stephen Betts, Deputy Executive Officer

SUBJECT: Agenda Item 4.3 – Results of the Protest Hearing for Butte LAFCo File No. 15-05 – City of Oroville – Lower Wyandotte Road Annexation No. 4

DATE: May 28, 2015, for the Meeting of June 4, 2015

On March 5, 2015, the Commission reviewed and approved the Lower Wyandotte Road Annexation No. 4 to the City of Oroville, subject to the outcome of a protest hearing. Pursuant to State law and Butte LAFCo Policies, the Executive Officer set a date for the protest hearing and provided individual mailed notice to each landowner and registered voter within the territory proposed for annexation and had a notice of the protest hearing published in the *Oroville Mercury Register*. The mailed notices contained landowner and registered voter protest forms. The notices stated that completed protest forms could be mailed or brought to the LAFCo office, or could be returned at the protest hearing. The notices and the protest forms were placed on LAFCo's webpage.

The protest hearing was held from 4:30 p.m. to 5:30 p.m. on Monday, May 11, 2015, at the Butte LAFCo office. The purpose of the protest hearing was to inform hearing attendees of the Commission's action regarding the Lower Wyandotte Road Annexation No. 4 and to receive completed protest forms. Five people objecting to the annexation attended the protest hearing.

Twenty-five (25) registered voter protests and 21 landowner protests were received. LAFCo Staff completed a three-tier review of the protest forms to ensure that the forms were correctly filled out pursuant to State Law and Butte LAFCo Policies. The review primarily determines that 1) the protest form was dated and submitted within the protest period; 2) has been personally completed by the affected landowner and/or registered voter; and 3) the landowner and/or a registered voter is within the area proposed for annexation.

As shown in Exhibit A, seven protests were determined to be invalid. The number of valid protests received was well below the number of protests needed to either terminate the annexation or cause an election to be held. Because the protest was unsuccessful, no further action by the Commission on the annexation is necessary other than to receive the results of the May 11, 2015, protest hearing. The Executive Officer will file the Certificate of Completion with the Butte County Recorder's Office for the annexation once all LAFCo processing fees are paid, and at which time the territory will become a part of the City of Oroville.

ACTION REQUESTED:

1. Acknowledge the Results of Protest Proceedings for LAFCo File No. 15-05 – City of Oroville – Lower Wyandotte Road Annexation No. 4

Attachments:

- A. Results of Protest Proceedings, dated May 12, 2015



RESULTS OF PROTEST PROCEEDINGS

LAFCo File: 15-05 – City of Oroville – Lower Wyandotte Road Annexation No. 4
 Protest Hearing held on May 11, 2015

Registered Voters Protests	
Total Registered Voters in Annexation Area	130
Protests Received	25
Protests Determined Valid	20
Percentage of Registered Voters Protesting	15%

Landowner Protests			
Total Number of Landowners	156	Total Assessed Land Value:	\$10,943,908
Landowner Protests Received	21		
Total Landowner Protests Determined Valid	19	Total Valid Landowner Assessed Land Value (ALV)	\$338,852.
Percentage of Valid Protests	12%	Percentage of Valid ALV	3%

Determination of Protests

The Executive Officer pursuant to GC §56707, has caused the names of the signers of protests to be compared with the voters registrar in the office of the Butte County Clerk as of May 11, 2015. The Executive Officer pursuant to GC §56708 and §56710, has caused the names of the landowner signers of protests and associated land values, to be compared with the most recent assessment roll maintained by the Butte County Assessor.

Pursuant to GC §57052 the Executive Officer has determined the value of written protests and finds that pursuant to GC §57075, insufficient protests have been received to either terminate the annexation proceedings or call for an election and therefore the annexation is ordered complete.

May 12, 2015

By: 
 Stephen Lucas, Executive Officer