

## **PROPOSAL WITHOUT NOTICE AND HEARING**

### **56662.**

(a) If a proposal for an annexation, a detachment, or a reorganization consisting solely of annexations or detachments, or both, or formation of a county service area meets all of the following criteria, the commission may make determinations upon the proposal without notice and hearing and may waive protest proceedings entirely pursuant to Part 4 (commencing with Section 57000):

(1) The territory is uninhabited.

(2) An affected local agency has not submitted a written demand for notice and hearing during the 10-day period as described in subdivision (c).

(3) The proposal meets either of the following criteria:

(A) The petition accompanying the proposal is signed by all of the owners of land within the affected territory.

(B) The proposal is accompanied by proof, satisfactory to the commission, that all the owners of land within the affected territory have given their written consent to the proposal.

(b) Except for the determinations authorized to be made by subdivision (a), the commission shall not make any determinations upon any proposal, plan of reorganization, or report and recommendation of a reorganization committee until after public hearing by the commission on that proposal, plan of reorganization, or report and recommendation of a reorganization committee.

(c) The commission shall not take any action on the petition or resolution of application for 10 days following the mailed notice required under subdivision (b) of Section 56658. Upon written demand by an affected local agency, filed with the executive officer during that 10-day period, the commission shall make determinations upon the petition or resolution of application only after notice and hearing on the petition or resolution of application.

(d) If a proposal for an annexation, a detachment, or a reorganization consisting solely of annexations or detachments, or both, or formation of a county service area meets all of the following criteria, the commission may make determinations upon the proposal and waive protest proceedings entirely pursuant to Part 4 (commencing with Section 57000):

(1) The territory is uninhabited.

(2) The proposal is accompanied by proof, satisfactory to the commission, that all the owners of land within the affected territory, exclusive of land owned by a private railroad company, have given their written consent to the proposal and a private railroad company that is an owner of land within the affected territory has not submitted written opposition to the waiver of protest proceedings prior to the conclusion of the commission hearing.

(3) A subject agency has not submitted written opposition to a waiver of protest proceedings.

*(Amended by Stats. 2012, Ch. 62, Sec. 4. (AB 2698) Effective January 1, 2013.)*

## **WAIVE PROTEST PROCEEDINGS**

### **56663.**

For a change of organization consisting of an annexation or a detachment, or a reorganization consisting solely of annexations or detachments, or both, or the formation of a county service area that would otherwise require the conduct of protest proceedings, the commission may waive protest proceedings pursuant to Part 4 (commencing with Section 57000) if all of the following have occurred:

- (a) The mailed notice pursuant to Section 56157 has been given to landowners and registered voters within the affected territory.
- (b) The mailed notice discloses to the registered voters and landowners that unless written opposition to the proposal is received before the conclusion of the commission proceedings on the proposal, the commission intends to waive protest proceedings. The notice shall disclose that there is potential for the extension or continuation of any previously authorized charge, fee, assessment, or tax by the local agency in the affected territory.
- (c) Written opposition to the proposal from landowners or registered voters within the affected territory is not received before the conclusion of the commission proceedings on the proposal.

*(Repealed and added by Stats. 2012, Ch. 62, Sec. 6. (AB 2698) Effective January 1, 2013.)*

  
**BAKERSFIELD**

COPY

Community Development Department  
Jacquelyn R. Kitchen, Community Development Director

Phil Burns, Building Director  
Building Division  
Phone: (661) 326-3720  
Fax: (661) 325-0266

Planning Director  
Planning Division  
Phone: (661) 326-3733  
Fax: (661) 852-2136

February 21, 2017

Local Agency Formation Commission  
Attention: Blair Knox  
5300 Lennox Avenue, Suite 303  
Bakersfield, CA 93309

Re: Annexation No. 671 (Norris No. 1)  
LAFCo Proceeding No. 1704

Dear Mr. Knox:

The City of Bakersfield formally requests that the Local Agency Formation Commission process the above referenced annexation by waiving notice, hearing and protest hearing (or conducting authority proceedings) pursuant to section 56663 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The waiver of notice, hearing and protest hearing is based on the fact that we have received 100% consent from the property owners of the affected territory.

Attached is a copy of the land owner's written consent to annex letter for your file. Should you have any questions, please do not hesitate to contact me at this office.

Sincerely,

  
Debbie Lewis  
Associate Planner I

Attachment: Request letter

S:\Annexation\Correspondence\LAFCO\Annex 671 consent.docx

Lamont Public Utility District  
8624 Segrue Road  
Lamont, CA 93241


December 12, 2018

**RE: Annexation to Lamont Public Utility District**

To whom it may concern:

As property owner of the parcel located at 13649 Weedpatch Highway, Lamont (APN 189-180-34) we would like to request annexation to the Lamont Public Utility District. As part of this annexation request I waive my rights to notice, hearing and protest hearing regarding this annexation.

Sincerely,

  
Peter J. Belluomini, VP Farming Operations  
Lehr Brothers, Inc., a California Corporation

LETTER  
SAMPLE

**RESOLUTION NO. 19-03**

**A RESOLUTION OF APPLICATION PROPOSING PROCEEDINGS FOR ANNEXATION OF  
TERRITORY TO THE NORTH OF RIVER SANITARY DISTRICT NO. 1  
AS ANNEXATION NO. 105**

**WHEREAS**, The North of River Sanitary District No. 1 desires to propose a change of organization, to wit, the annexation to the North of the River Sanitary District of the hereinafter described territory, pursuant to Section 56654 of the Government Code of the State of California; and

**WHEREAS**, the proposed annexation territory is within and consistent with the North of River Sanitary District No. 1's Sphere of Influence Boundary with changes incorporated in the current Sphere of Influence Update request from LAFCO; and

**WHEREAS**, the property owner(s) have agreed to annex; and

**WHEREAS**, The North of River Sanitary District No. 1 has agreed to serve the property upon annexation; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the North of River Sanitary District No. 1 that it finds and determines as follows;

1. That the North of River Sanitary District No. 1 hereby proposes the annexation to the North of River Sanitary District No. 1 of the territory described in EXHIBIT A, and shown on map marked EXHIBIT B attached hereto and made a part of this resolution as though fully set forth herein.
2. That a plan for providing services within the affected territory of the proposed annexation in accordance with the provisions of Section 56653 of the Government Code, is Marked as EXHIBIT C, attached hereto and made a part hereof as though fully set forth herein.
3. That this proposal for change of organization, to wit, annexation, is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, and it is requested that proceedings be authorized for annexation in accordance therewith.
4. That the reasons for the proposed change of organization that the owners desire service and the North of River Sanitary District No. 1 desires to provide service.
5. That the laws and regulations relating to the preparation and adoption of the environmental documents as set forth In the California Environmental Quality Act will be followed and all documents related its completion shall be submitted to Local Agency Formation Commission (LAFCO) by the District's representative and Certification of Approval attached as EXHIBIT D.

6. That the District requests that conducting authority proceedings be waived entirely pursuant to Government Code Section 56663 for the annexation of land described in EXHIBIT A.
7. That the territory proposed for annexation as described herein has been determined to have one hundred percent (100%) consent to annexation.
8. That the territory proposed for annexation as described herein is within the North of River Sanitary District No. 1's Sphere of Influence Boundary.
9. That the person to be furnished with copies of the Executive Officer's report and who is to be given mailed Notice of Hearing, if any, is;

Patrick Ostly  
District Manager  
North of River Sanitary District No. 1  
204 Universe Ave.  
Bakersfield, CA 93308

10. That the appropriate North of River Sanitary District No. 1 official shall file this resolution, with exhibits, with the Executive Officer of the Local Agency Formation Commission of Kern County at 5300 Lennox Avenue, Suite 303, Bakersfield, California 93309.

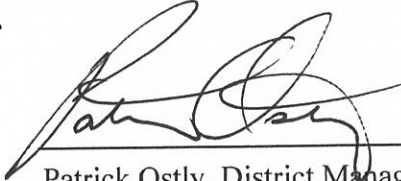
I HEREBY CERTIFY, that the foregoing Resolution was passed and adopted by the Board of Directors of the North of River Sanitary District No. 1 at a regular meeting thereof held

June 18, 2019, by the following:

Ayes: McKibbin, Klepper, Ruettger, Murphy

Noes: - none

Absent: - none

  
Patrick Ostly, District Manager  
North of the River Sanitary District

CERTIFIED TRUE COPY  
OF AN ORIGINAL DOCUMENT

SIGNED 

DATE 6/21/19