

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 contained in Appendix L to this document.

A. APPLICATION AND EVALUATION AND HEARING PROCESS

The filing of an application for a "change of organization" or "reorganization" commences the LAFCo process. 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 which evaluates the application based on the Cortese-Knox Act and these LAFCo policies and standards.

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 application 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 a change of organization by LAFCo, the Conducting Authority, which means the legislative body of an affected city, district, or the county holds a hearing or meeting at which public testimony or written protests, if applicable, are received. The Conducting Authority then is required to approve the change of organization with certain exceptions, or, if the statutorily defined levels of written protests are made, deny the change of organization or call a vote.

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.