

Attachment #1 Sample Resolution

**BEFORE THE BOARD OF DIRECTORS
OF THE _____ DISTRICT***

RESOLUTION 2009 - _____

Resolution of the Board of directors of the _____ District requesting the Local Agency Formation Commission of Yuba County to take proceedings for the annexation for the _____.

Resolved by the Board of Directors of the _____ District that:

WHEREAS, the _____ District desires to initiate proceedings pursuant to the Cortese-Knox Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the annexation (*and Sphere of Influence Amendment*); and

WHEREAS, at the time and in the manner provided by law, the General Manager gave notice of the date, time, and place of a public hearing by the District Board of Directors to initiate these proceedings; and

WHEREAS, a notice of intent to adopt this resolution of application has not been (*or has been*) given to each interested and subject agency; and

WHEREAS, there are no affected cities or districts within the meaning of Subdivision (2) of Section 56700 of the Government Code; and

WHEREAS, the territory proposed to be annexed is inhabited (*uninhabited*) and a map and description of the boundaries of the property are set forth in Exhibits A and B attached hereto and by this reference incorporated herein; and

WHEREAS, this proposal is consistent with the sphere of influence of the _____ District; and

WHEREAS, it is desired to provide that the proposed annexation be subject to the following terms and conditions:

1. All costs incurred to complete the annexation including but not limited to YubaLAFCo and the State Board of Equalization will be born by the property owner(s) and (or) district.
2. All impact mitigation fees will be applied to any construction on this property after the completion of the annexation.
3. (*Other terms and conditions the district may wish for LAFCO to consider*); and

WHEREAS, the reasons for the proposed annexation are as follows;

1. The annexation of _____ will allow the _____ District to provide enhanced _____ services to an inhabited area that has no other means of acquiring such services.

WHEREAS, the Board of the _____ District has made an environmental

July 30, 2013

*Contents of this resolution may vary depending upon the district principal act and other specific requirements
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determination for this project and finds that _____ ; and

WHEREAS, this Board certifies that pursuant to Section 99(b) of the Tax and Revenue Code:

1. The _____ District is in consensus with the tax formula as expressed by the Yuba County Board of Supervisors Resolution _____ (*only if applicable*); and

WHEREAS, this Board certifies that, pursuant to Section 56663 of the Government Code:

Because the property in question is currently inhabited and all of the property owners have consented in writing, the Board of the _____ District wishes to waive the notice and hearing and (or) election; and

WHEREAS, in accordance with Government Code Section 56653, the Board hereby adopts a Plan for Services for this proposed annexation/detachment and minor Sphere of Influence amendment attached hereto as Exhibit "C"; and

Now, therefore, this Resolution of Application hereby adopted and approved by the Board of Directors of the _____ District and the Local Agency Formation Commission of Yuba County is hereby requested to take proceedings for the property owned by _____ as shown in Exhibit A according to the terms and conditions stated above and in the manner provided by the Cortese-Knox Local Government Reorganization Act of 2000.

PASSED AND ADOPTED by the Board of Directors as a Resolution of the _____ District at a regular Board Meeting held on the ____ day of _____, 20____ by the following vote:

AYES: _____
(name)

(name)

(name)

(name)

(name)

NOES: _____

ABSENT: _____

ABSTAIN: _____

ATTESTED: _____
(name & title)

DATED: _____