



LAFCO - San Luis Obispo - Local Agency Formation Commission

SLO LAFCO - Serving the Area of San Luis Obispo County

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Interim Executive Officer

BRIAN A. PIERIK
Legal Counsel

IMELDA MARQUEZ
Analyst

TO: MEMBERS, FORMATION COMMISSION

**FROM: DAVID CHURCH, INTERIM EXECUTIVE OFFICER
IMELDA MARQUEZ, ANALYST**

DATE: FEBRUARY 9, 2021

**SUBJECT: FINAL LANDOWNER RESULTS - PROTEST HEARING
ACTIVATION OF THE SOLID WASTE POWER FOR THE SAN
SIMEON COMMUNITY SERVICES DISTRICT FILE #1-E-20**

On January 22, 2021, at 9:00 a.m., the LAFCO Interim Executive Officer (E.O.) conducted a properly noticed Protest Hearing pursuant to the Cortese-Knox-Hertzberg Act. This action has been delegated to the E.O. by the Commission under Government Code Section 57000(c). The Hearing was held via Zoom as allowed under the Covid-19 Public Meeting rules. This was the date, time and place of a hearing for the submittal of written protests from registered voters and/or property owners within the Service Area of the SSCSD. The Executive Officer has determined the validity and number of written protests consistent with Government Code Sections 56707, 56708, and 56710. A total of seven land owner written protests were submitted on time. One form was invalid because it did not include a date with the signature and one other because the name was not listed as a land owner on the Assessor's tax roll. Five other protests were submitted after the protest hearing and were therefore invalid. The following table documents the results of the protest process for Land Owners:

WRITTEN PROTESTS – LAND OWNERS	
Total Property Owners within the Annexation Area	529
Total Valid written protests received	5
Invalid Protests: 1 no date with signature; 1 name not on the Tax Roll; and 5 that were submitted after the close of the hearing	7
Percent of property owners protesting annexation	1%
LAND VALUE	
Total Land Value of properties within District	\$50,297,973
Total Land Value of valid protests	\$515,123
Percent of land value owned by valid property owner protests	1%

Pursuant to Government Code Section 57075(a)(3), the number of land owners and assessed value of the land of the submitted written protests did not reach 25%. Therefore, the activation of the Solid Waste power by LAFCO is approved and the Certificate of Complete may be filed by the Executive Officer (57000(c)).



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TO: MEMBERS, FORMATION COMMISSION

**FROM: DAVID CHURCH, INTERIM LAFCO EXECUTIVE OFFICER
IMELDA MARQUEZ, LAFCO ANALYST**

DATE: FEBRUARY 9, 2021

**SUBJECT: FINAL RESULTS – REGISTERED VOTER PROTESTS
ACTIVATION OF THE SOLID WASTE POWER FOR THE SAN
SIMEON COMMUNITY SERVICES DISTRICT FILE #1-E-20**

On January 22, 2021, at 9:00 a.m., the LAFCO Interim Executive Officer (E.O.) conducted a properly noticed Protest Hearing pursuant to the Cortese-Knox-Hertzberg Act. This action has been delegated to the E.O. by the Commission under Government Code Section 57000(c). The Hearing was held via Zoom as allowed under the Covid-19 Public Meeting rules. This was the date, time and place of a hearing for the submittal of written protests from registered voters and/or property owners within the Service Area of the SSCSD. The Executive Officer is to determine the validity and number of written protests consistent with Government Code Sections 56707, 56708, and 56710.

The following table contains Registered Voter information for the area as confirmed by the County Clerk:

WRITTEN PROTESTS - REGISTERED VOTERS	
Total Registered Voters Within the Service Area prior to the Protest Hearing	194
Total written protest forms received before the end of the Protest Hearing. 1 had no date with the signature and is invalid	12 -1
Total Protests Verified	11
Invalid: Written Protests Submitted after the close of the Protest Hearing.	8
Percent of registered voters protesting Activation of Solid waste Power	6%

Pursuant to Government Code Section 57075 (a)(3), the number of registered voters submitting written protests did not reach 25%. Therefore, the activation of the Solid Waste power by LAFCO is approved and the Certificate of Complete may be filed by the Executive Officer (57000(c)).

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Analyst



Final Results of Landowner and Registered Voter

Written Protests Submitted in Regard to LAFCO File No. 1-E-20

ACTIVATION OF SOLID WASTE POWER FOR THE SAN SIMEON COMMUNITY SERVICE DISTRICT

I, **David Church**, Interim Executive Officer, as delegated by the San Luis Obispo Local Agency Formation Commission (LAFCO), do hereby determine that the following are the final results of the Conducting Authority (Protest) Hearing held on January 22, 2021, at 9:00 AM and concluded at 9:17 AM.

Registered Voters. The total number of Written Protests submitted by Registered Voters totaled twelve (12) with zero (0) withdrawals. The total number of invalid forms was nine (9). One was submitted without a date and eight written protest forms were submitted late; after the protest hearing had been completed. The total number of valid protests received was 11. The County Clerk's Office confirmed that the total number of registered voters in the CSD's service area is one hundred and ninety four (194). The 11 valid written registered voter protests represent 6% of the voters in the CSD's service area.

Landowners. The number of Written Landowner Protests submitted totaled eleven (11), with zero (0) withdrawals. The total number of invalid forms was seven (7), one (1) did not include a date with the signature, one (1) the name was not on the tax roll, and five (5) written protests were submitted after the protest hearing ended. The Assessor's Office provided the total number of Landowners and total assessed value of land within the District from the current tax roll. The total number of landowners in the Service Area is 529. The total number of valid protests submitted was five (5). This is 1% of the total landowners in the area. The total assessed value of the land within the District is \$50,297,973, the land value of the submitted protests is \$515,123. This is 1% of the total land value. Both the number of landowners and land value are below the 25% threshold specified in the Cortese-Knox-Hertzberg Act that would call for a vote of the registered voters on the matter.

Since the number of Landowners, or Registered Voters, submitting Written Protests is below the thresholds established in the Cortese-Knox-Hertzberg Act, the activation of solid waste is hereby ordered as approved by the Commission at its November 15, 2020 hearing and pursuant to compliance with the conditions of approval adopted by LAFCO.

N WITNESS WHEREOF, I attest to the above facts this 9th day of February 2021.

David Church
SLO LAFCO Interim Executive Officer

Imelda Marquez
SLO LAFCO Analyst

Date: February 9, 2021 - Final Results