

Les Baugh
County Member

Irwin Fust
Special District Alternate

Larry Farr
City Member Alternate

Pam Giacomini
County Member Alternate

James Yarbrough
City Member

Brenda Haynes
Special District Member



Francie Sullivan
City Member

David Kehoe
County Member

Stephen Morgan
Special District Member

Dick Fyten
Public Member

Bob Richardson
Public Member Alternate

George Williamson
Executive Officer/
James M. Underwood
General Counsel

DATE: April 7, 2016

TO: Shasta LAFCO Commissioners

FROM: George Williamson, Executive Officer

SUBJECT: 7.a. Mountain Gate Community Services District Reorganization (Protest Proceeding)

SUMMARY

A. Describe the purpose of the hearing

At the February 2016 LAFCo meeting, the Commission approved the Mountain Gate Community Services District Reorganization. Approval triggered a 30-day reconsideration period followed by a protest hearing. The protest hearing is conducted to allow registered voters and landowners within the affected territory to reverse LAFCo's decision.

B. Summarize the proposal and LAFCo Resolution No. 2015-54, subject to terms and conditions
The project consists of the annexation of approximately 311 acres of unincorporated land. The area is currently within the District's Sphere of Influence, as established by LAFCo.

C. Open the hearing

D. Receive any oral or written protests, objections or evidence

E. Note all written protests received prior to the hearing

F. Close the hearing

G. Determine the value of written protests filed and not withdrawn

RECOMMENDATIONS

Per Government Code Section 57052, "Upon conclusion of the protest hearing, the commission shall determine the value of written protests filed and not withdrawn." That determination depends on the number of valid written protests received before the close of the hearing. If necessary, protests are validated by either the County Assessor's office to be sure they are within the affected territory.

1. If it is determined the value of valid written protests filled and not withdrawn is found to be 50% or more of the registered voters, the Executive Officer shall issue a Certificate of Termination pursuant to Government Code Section 56020.7

2. If it is determined the value of the valid written protests filled and not withdrawn is found to be 25% or more, but less than 50% of the registered voters or 25% or more of the number of owners of land who own 25% or more of the assessed value of land an election is required. The Executive Officer is directed, on behalf of the Commission, to request that the Shasta County Board of Supervisors direct the elections official to conduct the necessary election.

3. If there are insufficient protests to order an election or terminate the proceedings; the Executive Officer shall issue a Certificate of Completion which shall incorporate the conditions in the LAFCO Resolution 2015-54 and record and file this reorganization pursuant to Government Code section 57000 et seq.

CERTIFICATE OF PUBLICATION
RECORD SEARCHLIGHT

SHASTA LAFCO
SHASTA LAFCO
2516 GOODWATER AVENUE SUITE A
REDDING CA 96002

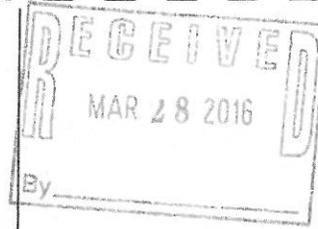
REFERENCE: 554050 2016
1001824

State of California
County of Shasta

I hereby certify that the Record Searchlight is a newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the city of Redding, County of Shasta, State of California; I am the principal clerk of the printer of said newspaper; that the notice of which the annexed clipping is a true printed copy was published in said newspaper on the following dates, to wit:

FILED ON: 03/22/16

PUBLISHED ON:
03/22/2016



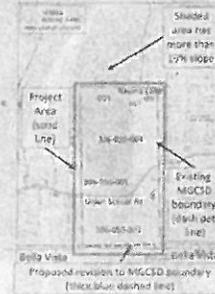
**NOTICE OF SCHEDULED PROTEST PROCEEDING
Shasta LAFCO Regular Meeting**

Shasta LAFCO (Local Agency Formation Commission) has scheduled a protest proceeding for Thursday, April 7, 2016, during a regular meeting scheduled to begin at 9:00 a.m. in the Shasta County Board of Supervisors Chambers, located at 1450 Court Street, in Redding, California on the following matter:

Shasta LAFCO approved the proposal of the Mountain Gate Community Service District Reorganization (Mountain Gate CSD Union School Road Reorganization, LAFCO File # 2015-54) annexation, detachment and reorganization as described in the subject application on February 4, 2016.

The meeting and protest proceeding is open to the public and interested parties are encouraged to participate in the LAFCO process. Pursuant to Government Code 57026(g), any owner of land within the territory or registered voter residing within the territory may file a written protest against the proposed project prior to the conclusion of the protest hearing. Written protests must comply with Government Code 57051. For more information about this protest proceeding, please feel free to contact a Shasta LAFCO staff member at (530) 242-1112.

March 17, 2016
Legal Notice of Hearings – area map included



March 22, 2016 1001824

I certify under penalty of perjury that the foregoing is true and correct, at Redding, California on the above date.

A handwritten signature in black ink, appearing to be "K. J. ...".

RECORD SEARCHLIGHT
1101 Twin View Blvd, Redding, CA 96003

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NOTICE OF PUBLIC HEARING TO CONSIDER PROTEST MOUNTAIN GATE COMMUNITY SERVICES DISTRICT REORGANIZATION

NOTICE IS HEREBY GIVEN that the Shasta Local Agency Formation Commission (LAFCo) will conduct a public hearing on April 7, 2016, at 9:00 AM in the City Council Chambers at Redding City Hall, 777 Cypress Avenue, to receive written protests from affected landowners regarding the following proposal:

MOUNTAIN GATE COMMUNITY SERVICES DISTRICT REORGANIZATION

Proceedings for this reorganization were initiated by the Mountain Gate Community Services District and submitted to LAFCo. The annexation area encompasses approximately 311 acres of land. The area is within the City's Sphere of Influence. The affected territory consists of 6 parcels as shown in Exhibit A, attached hereto.

The Commission approved the proposal on February 4, 2016, by Resolution No. 2015-54, subject to conducting a hearing to receive written protest from landowners within the affected territory. Project information considered by LAFCo for its approval of the proposal included an application description, AND RELATED MATERIALS CONSIDERED BY THE Commission at the February 4th hearing.

Any landowner within the affected territory, may file a written protest against the proposal with the Commission at any time prior to the conclusion of the public hearing described in this notice. Any landowner within the affected territory who has filed a written protest may withdraw that protest at any time prior to the conclusion of the hearing described in this notice. The effect of protests received will be determined within 30 days following the hearing in accordance with Government Code Section 57075(a).

Written protest forms are available at the Commission office. Written protests may be mailed or hand-delivered in advance of the hearing to the LAFCo office at 1304 East Street, Suite 102, Redding, CA 96001, no later than 5:00 p.m. on the last business day preceding the protest hearing.

ALL INTERESTED PERSONS ARE HEREBY INVITED TO BE PRESENT AND HEARD ON THE MATTERS DESCRIBED IN THIS NOTICE.

Note: Pursuant to state law, only issues raised at the public hearing described in this notice or in written correspondence delivered to LAFCo at or prior to the public hearing may be raised in any legal challenge to LAFCo actions.

If you have any questions regarding this notice, please call the LAFCo office at (530) 242-1112.

Dated: March 30, 2016
SHASTA LOCAL AGENCY FORMATION COMMISSION
George Williamson, Executive Officer