



AGENDA ITEM 6D

MEETING: May 16, 2018
TO: Humboldt LAFCo Commissioners
FROM: George Williamson, Executive Officer
SUBJECT: **Approval of Conducting Authority Proceedings for the Blocksburg Area Detachment from the Southern Humboldt Community Healthcare District**
At the March 21, 2018 LAFCo meeting, the Commission approved the Blocksburg Detachment from the Southern Humboldt Community Healthcare District, subject to conditions (Resolution No. 18-07). Approval triggered a 30-day reconsideration period followed by a protest hearing. The protest hearing was held on May 3, 2018 to allow registered voters and landowners within the affected territory to file a written protest against the proposed action with the Executive Officer.

BACKGROUND

LAFCo serves as the conducting authority to determine whether the detachment would be confirmed, terminated, or subject to an election based on the number of valid written protests received, as follows:

1. Terminate the detachment proceedings if written protests are received from a majority of voters; or
2. Order the detachment subject to an election if written protests have been received from 25% of registered voters, or 25% of the landowners who own a minimum of 25% of the assessed value in the area, or
3. Order the detachment without an election if fewer than 25% of registered voters or fewer than 25% of landowners owning less than 25% of the assessed value have submitted written protests.

DISCUSSION

The LAFCo Executive Officer was delegated authority by the Commission to conduct the protest hearing, which was held on May 3, 2018 at 6:00 p.m. at the Blocksburg Town Hall on Church Street. Notices for the protest hearing were mailed 21-days in advance to registered voters and property owners within the affected territory, published in the Times Standard and Independent, and posted on the LAFCo website.

At the hearing, the Executive Officer summarized the proposal and opened the public hearing. No public comments were received and no protests were filed at the closing of the hearing. Based on the determination that insufficient written protests were submitted by both registered voters and landowners, it is recommended that the Commission order the detachment without an election in accordance with Government Code Section 57075(a)(3). The detachment will not become effective

until conditions are fulfilled to the satisfaction of the LAFCo Executive Officer, which must occur prior to the recordation of the Certificate of Completion. The Certificate of Completion must be recorded within one calendar year from the date of approval unless a time extension is approved by the Commission. Staff will keep the Commission apprised of the District's progress with fulfilling the conditions.

RECOMMENDATION

Staff recommends the Commission adopt Resolution No. 18-10, ordering the Blocksburg Detachment to the Southern Humboldt Community Healthcare District without election, subject to the satisfaction of the terms and conditions in Resolution No. 18-07, as adopted by the Commission on March 21, 2018.

Attachments

Attachment A: Resolution No. 18-10

Attachment B: Protest Hearing Summary

Cc: Matthew Rees, SHCHD CEO

Kent Scown, SHCHD COO

RESOLUTION NO. 18-10

**ACTING AS THE CONDUCTING AUTHORITY,
FINDING INSUFFICIENT PROTEST, AND CONFIRMING AND ORDERING
THE DETACHMENT OF THE BLOCKSBURG AREA FROM THE SOUTHERN HUMBOLDT
COMMUNITY HEALTHCARE DISTRICT**

WHEREAS, the Humboldt Local Agency Formation Commission, hereinafter referred to as the "Commission," adopted Resolution No. 18-07, subject to terms and conditions, on March 21, 2018, after holding a public hearing, making determinations, and approving the Blocksburg Area Detachment from the Southern Humboldt Community Healthcare District in accordance with proceedings taken pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with Section 56650, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000); and

WHEREAS, the Commission serves as the conducting authority for proceedings taken pursuant to Part 4, Division 3, Title 5 of the California Government Code (commencing with Section 57000, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000) to determine whether the proposal outcome, in the case of uninhabited territory, is to be confirmed, terminated, or subject to an election based on written protests received from landowners and registered voters within the affected territory in accordance with California Government Code Section 57075(a); and

WHEREAS, the Commission delegated authority to the LAFCo Executive Officer to order, hold, and report on conducting authority proceedings pursuant to California Government Code Section 57000(c); and

WHEREAS, the Executive Officer held a public hearing at Blocksburg Town Hall on May 3, 2018, after providing sufficient notice of the hearing in the form and manner prescribed by law; and

WHEREAS, at said hearing, the Executive Officer summarized the Commission's determinations and conditions included in Resolution No. 18-07, and heard and received all oral and written protests, objections, and evidence presented; and

WHEREAS, upon conclusion of the protest hearing, the Executive Officer determined the value of written protests filed and not withdrawn, which consisted of zero (0) written protests from landowners and registered voters. In such cases, pursuant to California Government Code Section 57075(a)(3), the Commission is directed to confirm and order the detachment without an election.

NOW, THEREFORE, BE IT RESOLVED by the Commission as follows:

1. The Commission, acting as the conducting authority, hereby confirms and orders the Blocksburg Area Detachment from the Southern Humboldt Community Healthcare District.

2. The Commission hereby authorizes and directs the Executive Officer to file a Certificate of Completion upon the satisfaction of the terms and conditions in LAFCo Resolution No. 18-07.

PASSED AND ADOPTED at a meeting of the Humboldt Local Agency Formation Commission on the 16th day of May, 2018, by the following roll call vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:
ABSTAIN: Commissioners:

Estelle Fennell, Chair
Humboldt LAFCo

Attest:

George Williamson, Executive Officer
Humboldt LAFCo

**PROTEST HEARING SUMMARY – MAY 3, 2018
BLOCKSBURG DETACHMENT FROM THE SOUTHERN HUMBOLDT COMMUNITY
HEALTHCARE DISTRICT**

1. CALL TO ORDER

The meeting was called to order at 6:00 p.m. in the Blocksburg Town Hall on Church Street, with Executive Officer Williamson presiding.

LAFCo Staff Present:

George Williamson, Executive Officer
Colette Metz, Administrator

2. PUBLIC APPEARANCES

No members of the public requested to speak on items that were not on the agenda.

3. PROTEST HEARING – BLOCKSBURG DETACHMENT

The Executive Officer conducted the protest hearing as follows:

A) Describe the proposal and purpose of the hearing

The Executive Officer described the purpose of the meeting and how the Commission delegated authority to the Executive Officer allowing the protest hearing to be conducted within the affected territory. Mr. Williamson reported that the Commission approved the proposed Blocksburg Detachment at a public hearing on March 21, 2018. A second protest hearing is required to allow registered voters and land owners within the affected territory to file a written protest against the Commission's action. Pursuant to State law, an election would be called if 25-50% of registered voters protest or 25% or more of landowners protest. The 25% threshold for landowner protest refers to both the number of owners and the assessed value of land. Furthermore, the detachment would be terminated if 50% or more of registered voters protest.

B) Summarize LAFCO Resolution No. 18-07, subject to modifications, terms and conditions

The Executive Officer further summarized the outcomes of the March 21, 2018 public hearing. He explained the reasons for the proposal, described the basis of the detachment proposal, and reviewed the terms and conditions that were included in the Commission's resolution of approval. He noted that the approval triggered a 30-day reconsideration period in which no requests were received.

C) Open the hearing

The Executive Officer opened the public hearing at 6:16 p.m.

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

None

E) Note all written protests received prior to the hearing

The Executive Officer noted that no written protests had been received prior to conducting the protest hearing.

F) Close the hearing

The public hearing was closed at 6:24 p.m.

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

The Executive Officer noted that no written protests had been received; therefore, confirming the Commission's action on the detachment. He briefly discussed next steps, including approval of conducting authority proceedings at the next Commission meeting on May 16, 2018, conditions compliance, and certificate of completion recordation with the County Recorder's Office.

4. ADJOURNMENT

The meeting was adjourned at 6:25 p.m. Next regular LAFCo meeting: May 16, 2018 at 9:00 a.m. at the Board of Supervisors Chamber, Humboldt County Courthouse, Eureka.