

PROJECT APPLICATION FORM OF THE ORANGE COUNTY LOCAL AGENCY FORMATION COMMISSION

Orange County Local Agency Formation Commission
2677 North Main Street, Suite 1050
Santa Ana, CA 92705
(714) 640-5100
(714) 640-5139 (FAX)

APPLICATION INSTRUCTIONS

This application form is used to initiate the application process to the Orange County Local Agency Formation Commission (LAFCO) for a city or district annexation, reorganization, detachment, or a sphere of influence amendment. LAFCO staff looks forward to assisting you with your project.

In addition to the information that you will provide us on this form, LAFCO staff is required to analyze additional data regarding your proposal from our Geographic Information System (GIS) and in-house data base, including, but not limited to: affected agencies, interested agencies, spheres of influence, school districts, land use/zoning, acres of prime agricultural land, and number of dwelling units. A Plan of Services may also be required demonstrating how municipal services will be provided to the affected territory.

To assist staff in this effort, a mandatory pre-filing meeting is required of all applicants so we can fully understand your project. It is the applicant's responsibility to set up the pre-filing meeting by contacting the LAFCO offices at (714) 640-5100 and requesting an appointment. This application form must be completed prior to the pre-filing meeting.

Please fill out this application as completely as possible. If you need assistance, please do not hesitate to contact a LAFCO staff member for guidance. If a question does not apply to your proposal, indicate "N/A". Orange County LAFCO is a "paperless" office. It is important that you list all email addresses where indicated on the application. Correspondence, staff reports, resolutions and other LAFCO forms and mailings, whenever possible, will be distributed electronically.

APPLICATION FOR: (check all that apply)

- Annexation to: _____
- Detachment from: _____
- Reorganization (2 or more changes of organization) of: _____
- Other (explain): _____
- *Sphere of Influence Amendment for: _____

**If requesting a sphere of influence amendment "only", please answer the following two questions:*

1. Why is a sphere of influence amendment needed?

2. How would a sphere of influence affect the present and future need for services in the project area?

GENERAL DESCRIPTION AND JUSTIFICATION OF PROPOSAL:

1. What changes of organization are included? What agencies are involved?

2. Explain the purpose of each request of change of organization.

3. Explain how the proposal provides more logical boundaries and/or improves the provision of service.

4. Does this proposal have 100% consent of all property owners? (If so, please complete Attachment 1.)

WHO INITIATED THIS PROPOSAL? Generally, LAFCO proposals may be initiated by a resolution of an affected agency, a city council, special district or by the Board of Supervisors. In addition, a proposal may be initiated by a petition of the affected area's registered voters or landowners. **Attach one of the following to this application form:**

- Agency Resolution
 Landowner Petition
 Registered Voter Petition

LOCATION AND ADDRESS OF PROPERTY:

MAP AND LEGAL DESCRIPTION:

A map and legal description of the proposal, even if prepared by a private engineering firm, must be submitted directly to the Orange County Surveyor for review and final approval. An application can be filed with LAFCO without a map and legal, but a proposal cannot be scheduled for LAFCO hearing prior to receipt of a County Surveyor-approved map and legal description. You may contact the County Surveyor at the Resources and Development Management Department, Geomatics/Land Information Systems Division, at (714) 834-4378.

Additionally, the map and legal description must meet the State Board of Equalization's requirements. The BOE's "Change of Jurisdictional Boundary" requirements are available for download at <http://www.boe.ca.gov/proptaxes/sprdcnt.htm>. Please note, the BOE requires an additional vicinity map that shows the project area in relation to a larger geographic area.

A map and legal description has been:

- Certified by the County Surveyor and is attached to this application.
 Submitted for review to the County Surveyor.
 Other (please explain)

DISCLOSURE OF POLITICAL EXPENDITURES:

Orange County LAFCO requires applicants to report all expenditures for political purposes related to an application and proceedings to be reported to the Commission's Executive Officer in compliance with Government Code Sections 56700.1 and 57009. The following is attached to this application form:

- LAFCO Disclosure Form (please complete *LAFCO Disclosure of Political Expenditures, Attachment 3*); copy of Financial reports and disclosures submitted to FPPC (*please attach*)

- Please check here if you have no related financial reports or disclosures.

INDEMNIFICATION AGREEMENT:

LAFCO policy requires that all applicants sign an indemnification agreement (*see Attachment 2*) which indemnifies LAFCO employees, agents and attorneys in the event of litigation is filed concerning the approval of an application.

The following is included with this application form:

- Signed Indemnification Agreement

FILING FEES:

Applicants are required to pay fees in accordance with OC LAFCO's adopted fee schedule (see Attachment 4) to cover the administrative and staff costs required to evaluate proposals for hearing. Checks must be made payable to: "Orange County LAFCO".

The following is included with this application form:

- Check for Filing Fees
- Other (explain why Filing Fees not included):

CERTIFICATION

I certify, under penalty of perjury by the laws of the State of California, that the information contained in this application is true and correct. I acknowledge and agree that the Orange County Local Agency Formation Commission is relying on the accuracy of the information provided and my representations in order to process this application proposal.

Signature: _____

Name: _____

Title: _____

Date: _____

ATTACHMENT 1

Property Owner Consent Form

(All legal owners must sign a consent form or submit a letter of signed consent.)

I, _____, consent to the annexation/reorganization of my property

located at _____ (or Assessor Parcel

Numbers _____) to the _____ [agency(ies)].

Signature: _____ **Date:** _____

Address: _____

City, State, Zip: _____

ATTACHMENT 2

Indemnification Agreement

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the Orange County Local Agency Formation Commission, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent passive or active negligence on the part of the Orange County Local Agency Formation Commission, its agents, officers, attorneys, or employees.

Executed at _____, California on the _____ day of _____, 2____.

APPLICANT

By: _____

Title: _____

Mailing Address: _____

**REAL PARTY IN INTEREST
(if different from Applicant)**

By: _____

Title: _____

Mailing Address: _____

ATTACHMENT 3
LAFCO Disclosure of Political Expenditures

Effective January 1, 2008, political expenditures related to a proposal for a change of organization or reorganization that will be or has been submitted to LAFCO are subject to the reporting and disclosure requirements of the Political Reform Act of 1974 and the Cortese-Knox-Hertzberg Act of 2000.

Please carefully read the following information to determine if reporting and disclosure provisions apply to you.

1. Any person or combination of persons who, for political purposes, directly or indirectly contributes \$1,000 or more, or expends \$1,000 or more in support of, or in opposition to a proposal for a change of organization or reorganization that will be submitted to the Commission, shall disclose and report the contribution to the Commission pursuant to the requirements of the Political Reform Act of 1974 (Government Code Section 81000 *et seq.*) as provided for local initiative measures, and Section 56700.1 of the Cortese-Knox-Hertzberg Act of 2000.
2. Pursuant to Government Code Section 57009, any person or combination of persons who directly or indirectly contributes \$1,000 or more, or expends \$1,000 or more in support of, or in opposition to, the conducting authority proceedings for a change of organization or reorganization, must comply with the disclosure requirements of the Political Reform Act of 1974, (Government Code section 81000 *et seq.*). Applicable reports must be filed with the Secretary of the State and the appropriate city or county clerk. Copies of the report must also be filed with the Orange County Executive Officer.

Evaluation Checklist for Disclosure of Political Expenditures

The following checklist is provided to assist you in determining if the requirements of Government Code Sections 81000 *et seq.* apply to you. For further assistance, contact the Fair Political Practices Commission at 428 J Street, Suite 450, Sacramento, CA 95814, (866) 275-3772 or at <http://www.fppc.ca.gov>.

1. Have you directly or indirectly made a contribution or expenditure of \$1,000 or more related to the support or opposition of a proposal that has been or will be submitted to LAFCO?

Yes
 No

Date of contribution _____ Amount \$ _____ Name/ Ref. No of LAFCO Proposal _____

Date proposal was submitted to LAFCO _____

2. Have you, in combination with other person(s), directly or indirectly contributed or expended \$1,000 or more related to the support or opposition of a proposal that has been or will be submitted to LAFCO?

Yes
 No

Date of contribution _____ Amount \$ _____ Name/ Ref. No of LAFCO Proposal _____

Date proposal was submitted to LAFCO _____

3. If you filed a report in accordance with FPPC requirements, has a copy of the report been filed with Orange County LAFCO?

Yes
 No

(The information contained in this application may be subject to disclosure under the California Public Records Act Government Code Section 6250 et seq.)