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 SLO LAFCO - Serving the Area of San Luis Obispo County

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TO: INTERESTED PARTIES

FROM: DAVID CHURCH, LAFCO EXECUTIVE OFFICER 

DATE: JULY 21, 2011

SUBJECT: FINAL RESULTS FOR THE PROTEST HEARING OF THE ORCUTT AREA ANNEXATION TO THE CITY OF SAN LUIS OBISPO LAFCO FILE #4-R-10

On July 18, 2011 at 9:05 a.m. the LAFCO Executive Officer (E.O.) conducted the Protest (Conducting Authority) Hearing pursuant to the Cortese-Knox-Hertzberg Act and as delegated by the Commission under Government Code Section 57000(c). The Protest (Conducting Authority) Hearing regarding the Orcutt Area Annexation was held in a conference room next to the Board of Supervisors Chambers, at 1055 Monterey Street, County Government Center, San Luis Obispo, California. This was the date and time of the hearing for the submittal or withdrawal of written protests from registered voters and/or property owners within the annexation boundary area. Oral protests were considered as well. Based on the written protests submitted by the registered voters in the area, a vote of the registered voters within the annexation area will be required.

Registered Voters Results. A total of 26 written protests by registered voters were submitted to LAFCO. Two of these protests stated that they were residents outside the annexation area and, therefore, were not submitted to the County Clerk for review. The balance of the written protests (24) were submitted to the County Clerk to: 1) Identify the total number of registered voters in the annexation area as of the end of the hearing on July 18, 2011 (54), and 2) Validate that the written protests submitted to LAFCO were from registered voters in the area (22). Two written protests were considered invalid. The address on one protest form was found to be outside of the annexation area. Another protest form was filled out with the incorrect address. These two invalid protests did not affect the outcome of the protest process. The following table summarizes the written protests received from registered voters within the area:

WRITTEN PROTESTS - REGISTERED VOTERS	
Total Registered Voters Within the Annexation Area	54
Total valid written protests received	22
Percent of registered voters protesting annexation	40.74%

Pursuant to Government Code Section 57075, the annexation will be subject to a vote of the registered voters within the annexation area. Attached is a list of all registered voters in the area prepared by the County Clerk and a list verifying the status of each protest form reviewed by the Clerk.

Property Owners. The number of property owners protesting the annexation did not reach 25% and the percent of land value did not reach 25%. A total of 13 written protests from people indicating that they are land owners in the area were submitted and reviewed by the Assessors Office. A land owner is anyone who owns a percentage of a specific property within the annexation area and is on the Assessor's Tax Roll. According to the Assessor's Office, seven of the 13 protests were listed as land owners on the tax roll. The total value of the properties is also provided by the Assessor's Office as is the total value of the properties protesting the annexation. The table below summarizes the written protests submitted by property owners and the value of those properties:

PROPERTY OWNERS	
Total Property Owners within the Annexation Area	47
Total valid written protests received	7
Percent of property owners protesting annexation	14.89%
LAND VALUE	
Total Land Value of all properties within annexation area	\$5,278,113
Total Land Value of valid protests	\$394,172
Percent of land value owned by valid property owner protests	7.46%

The Executive Officer has determined the validity and number of written protests consistent with Government Code Sections 56707, 56708, and 56710. These code sections identify the procedures that are used to tabulate the written protests. The Orcutt Area annexation is subject to a vote of the registered voters within the area to be conducted by either the City or the County.

cc: Members, Formation Commission