



2017-0005862

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County of
Plumas
KATHY WILLIAMS
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Page 1 of 10

RECORDING REQUESTED BY:

WHEN RECORDED RETURN TO
PLUMAS LOCAL AGENCY FORMATION COMMISSION
P.O. Box 2694
Granite Bay, CA 95746

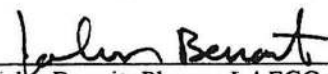
CERTIFICATE OF COMPLETION**Pursuant to Government Code 6103, this document is fee exempt**

I, JOHN BENOIT, the Executive Officer of the PLUMAS Local Agency Formation Commission, hereby certify that the **Chester Public Utility District** has completed a change of organization pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as follows:

1. The short-form designation as determined by LAFCO is:
Brussard Annexation to the Chester PUD (LAFCo File 2016-0001)
2. The **Chester Public Utility District** is located within **PLUMAS COUNTY**.
4. A description of the above cited change of organization is as follows:
This action is to annex approximately 50.40 acres of territory to the Chester Public Utility District
5. The territory involved in this change of organization is **uninhabited**.
6. This change of organization has been approved subject to the following terms and conditions, if any:
Subject to terms and conditions included in LAFCO Resolution 2017-0007 (Attachment #1).

I hereby certify that I have examined the exhibits and have found these documents to be in compliance with **Plumas LAFCo Resolution No. 2017-0001**.

DATED: 10-16-2017

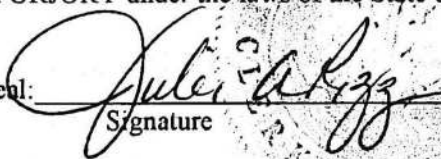

John Benoit, Plumas LAFCO Executive Officer

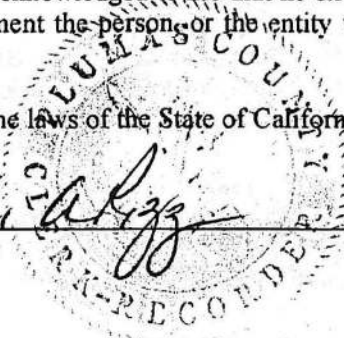
State of California
County of Plumas

On 10-16-2017 before me, Julie A. Rizzo personally appeared John Benoit, Plumas LAFCO Executive Officer, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal:


Signature



Resolution # 2017-0007

**LOCAL AGENCY FORMATION OF THE COUNTY OF PLUMAS,
STATE OF CALIFORNIA**

*A Resolution Making Determinations and Approving the Annexation of 50.40 acres to the
Chester PUD –LAFCO File 2016-0001—Brussard Annexation*

WHEREAS, Kacie and Travis Brussard have filed an application to annex 50.40 acres into the Chester PUD known as LAFCO File 2016-0001, Brussard Annexation. This property is described and on Assessor's parcel #011-110-016 and 011-110-039 depicted in Exhibits "A" and "B", attached hereto and incorporated herein and filed with the Executive Officer of the Plumas Local Agency Formation Commission pursuant to the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 *et seq* of the Government Code); and

WHEREAS, said formation of the Chester PUD was approved to provide domestic water, wastewater, solid waste, street lighting fire services permitted by section 15501 *et seq.* of the Public Utilities Code; and

WHEREAS, pursuant to Government Code section 56662 this Commission has authority to approve this annexation to said Public Utility District without notice and hearing and without an election where all property owners in said territory consent to said annexation, the annexation is uninhabited, the territory is within the Sphere of Influence and when no agency has protested the annexation or when all registered voters and landowners within the territory have been given notice and no written protests or objections have been received; and

WHEREAS, County of Plumas prepared and certified as the Lead Agency a Notice of Exemption for this change of organization for the affected territory pursuant to the requirements of the California Environmental Quality Act (Section 21000 *et seq.* of the Public Resources Code); and

WHEREAS, Government Code Section 56662 allows the Commission to make determinations without notice and hearing provided there is 100 percent landowner consent; and

WHEREAS, the Executive Officer reviewed the application and determined its completeness within 30 days of their submission and prepared and filed his report with this Commission at least five days prior to the regularly scheduled meeting during which this application is to be considered; and

WHEREAS, the Plumas County Board of Supervisors adopted Resolution 2017-8275 on August, 1st 2017 pertaining to the Tax Revenue Exchange for this annexation; and

WHEREAS, this Commission has considered the application, the report of the Executive Officer, the environmental documentation and determination, applicable General and Specific Plans, LAFCO's policies and each of the factors required by Government Code Section 56668 to be considered in the review of a proposal; and

WHEREAS, information satisfactory to this Commission has been presented that all the owners of land and registered voters within the affected territory have been given notice for this proposal in accordance with Government Code Section 56663(d); and

WHEREAS, all interested parties and proponents of the proposal were given an opportunity to comment on June 12, 2017.

WHEREAS, it is desired that the proposed annexation to the Chester PUD be subject to terms and conditions as follows:

NOW, THEREFORE IT IS HEREBY RESOLVED, DETERMINED AND ORDERED by the Local Agency Formation Commission of Plumas County as follows:

1. The foregoing recitals are true and correct.
2. In reviewing this application, the Commission finds that all property owners and registered voters in said territory have been given an opportunity to testify regarding this annexation into the Chester PUD.
3. In reviewing this application, the Commission finds that services to be provided by the Chester PUD are necessary and that there will not be a duplication of other powers provided by the Chester PUD with any other special district.
4. In reviewing this application, this Commission has considered each of the factors required by Government Code Section 56668 and LAFCO's adopted policies.
5. The LAFCO Executive Officer's Staff Report including attachments and recommendation for approval of the proposal is hereby incorporated by reference and hereby adopted.
6. The boundary description and map, if rejected by the State Board of Equalization or amended by LAFCO, will be revised at the expense of the applicant. The applicant shall be responsible for all associated costs.
7. The boundaries, as set forth in the proposal or as amended by action of the Commission, are hereby approved as submitted and are as described in Exhibits "A" Boundary Description and "B" Map attached hereto and by this reference incorporated herein subject to the terms and conditions included. The boundary description and map if amended by action of the Commission will be revised and checked by the Plumas County Surveyor at the expense of the applicant, prior to filing of the Certificate of Completion. The Boundary Description and Map must contain the following corrected information: LAFCO File 2016-0001 Brussard Annexation to the Chester PUD.
8. As stated in the LAFCO Staff Report of August 14, 2017, the amount of base property tax and tax increment transferred shall be in accordance with Plumas County Resolution 2017-8275 attached hereto as Exhibit "C".

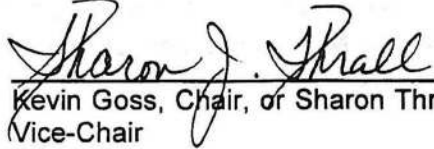
9. As a term and Condition in County resolution 2017 – 8275 adopted on August 1, 2017 states, the CPUD shall provide to LAFCO proof of adoption of a Special Tax of at least \$95.00 per parcel applicable to real property shall within the annexation territory prior to recording the certificate of completion for this annexation.
10. Said annexation territory is found to be uninhabited (less than 12 registered voters).
11. The subject proposal is assigned the following short form designation: Brussard Annexation to the Chester PUD (LAFCO File 2016-0001).
12. The boundaries of the affected territory are found to be definite and certain.
13. The application for the annexation to the Chester PUD (LAFCO 2016-0001) is hereby approved to provide Chester PUD services within the territory.
14. Further protest proceedings are waived and the Commission orders the 50.40-acre annexation to the Chester PUD pursuant to Part 4 of Division 3 of the California Government Code commencing with Section 57000. Satisfactory proof has been given that the subject territory is uninhabited, that all landowners within the affected territory have given their written consent to the proposal and all affected agencies have not objected in writing to the waiver of conducting authority proceedings (Section 56663 of Government Code). Therefore, The Commission does hereby approve and authorize the conducting authority to annex the territory described in Exhibits "A" and "B" to the Chester PUD without notice and election.
15. All Chester PUD previously authorized assessments; taxes, fees and charges shall apply to this annexed territory upon recordation of the Certificate of Completion.
16. Verification of payment of any charges and engineering and infrastructure costs, owed (unless waived) to the County, LAFCo and (or) the district respectively shall be submitted to LAFCO prior to the issuance of the Certificate of Completion.
17. All LAFCO, Plumas County, LAFCo and State of California fees must be paid in full prior to filing the Certificate of Completion. LAFCO will forward invoices and (or) a list of estimated required fees or deposits to the agency prior to filing the Certificate of Completion.
18. Four large copies and two 8 1/2 x 11 reductions of all maps along with two copies of the final LAFCO approved boundary description along with an electronic copy of both the map and description shall be submitted to LAFCO prior to recordation of the Certificate of Completion.
19. Approval of this annexation is conditioned upon the applicant's obligation to defend, indemnify, and hold harmless the Plumas Local Agency Formation Commission and its agents, officers and employees from any claim, action or proceeding against the Commission or its agents, officers, and employees;

including all costs, attorney's fees, expenses and liabilities incurred in the defense of such claim, action, or proceeding to attack, set aside, or void the approval or determinations of this Commission concerning this annexation. The Plumas Local Agency Formation Commission shall promptly notify the applicant of any such claim, action, or proceeding and be entitled to representation by counsel of its choosing.

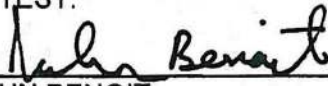
20. The Executive Officer of this Commission is instructed to mail a certified copy of this resolution to those persons so indicated on the application and as required by Government Code Section 56882.
21. The Notice of Exemption prepared by LAFCO of Plumas County is hereby adopted.
22. The Commission directs the Executive Officer to file a Notice of Exemption upon completion of the LAFCO proceedings. Applicant shall be responsible for payment of any documentary handling fees or Fish and Game fees required by the Plumas County Clerk or the State Department of Fish and Game.
23. The Executive Officer is directed to record a Certificate of Completion for this proposal upon completion of all proceedings.
24. The effective date shall be the date of recordation of the Certificate of Completion.
25. Completion of proceedings shall be concluded within one-year after adoption of this resolution. If the proceedings are not concluded within one-year after passage of this resolution, all proceedings shall be terminated.

PASSED AND ADOPTED at a regular meeting of the Plumas Local Agency Formation Commission, State of California, on the 14th day of August, 2017 by the following votes:

AYES: Sanchez, Greening, Powers, Cooley & Thrall
NOES:
ABSTAINS:
ABSENT:


Kevin Goss, Chair, or Sharon Thrall,
Vice-Chair
Plumas Local Agency Formation
Commission

PLUMAS LOCAL AGENCY
FORMATION COMMISSION
ATTEST:


JOHN BENOIT
Executive Officer

LAFCO File 2016-0001

Brussard Annexation to the Chester PUD

GEOGRAPHIC DESCRIPTION

All that certain real property, situate in portion of section 31, Township 29 North, Range 7 East, Mount Diablo Base and Meridian, in the County of Plumas, State of California, described as follows:

The Northwest 1/4 of the Northeast 1/4 of the Southeast 1/4, and containing 10.00 acres of land more or less. Together with that portion of said Southeast 1/4 more particularly described as follows:

Beginning at the southeast corner of section 31, also being the existing Chester Public Utility District boundary;

Thence, (1) South 89°17'00" West 563.98 feet;

Thence, leaving the existing district boundary, (2) North 00°34'25" West 1150.92 feet;

Thence, (3) South 89°27'49" West 763.24 feet;

Thence, (4) North 00°32'12" West 175.00 feet;

Thence, (5) North 00°32'12" West 664.16 feet;

Thence, (6) North 89°33'15" East 1325.39 feet;

Thence, (7) South 00°36'39" East 662.07 feet;

Thence, (8) South 00°36'39" East 1324.15 feet to the **Point of beginning**, and containing 40.40 acres of land more or less.

Total computed acreage containing 50.40 acres more or less.

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.



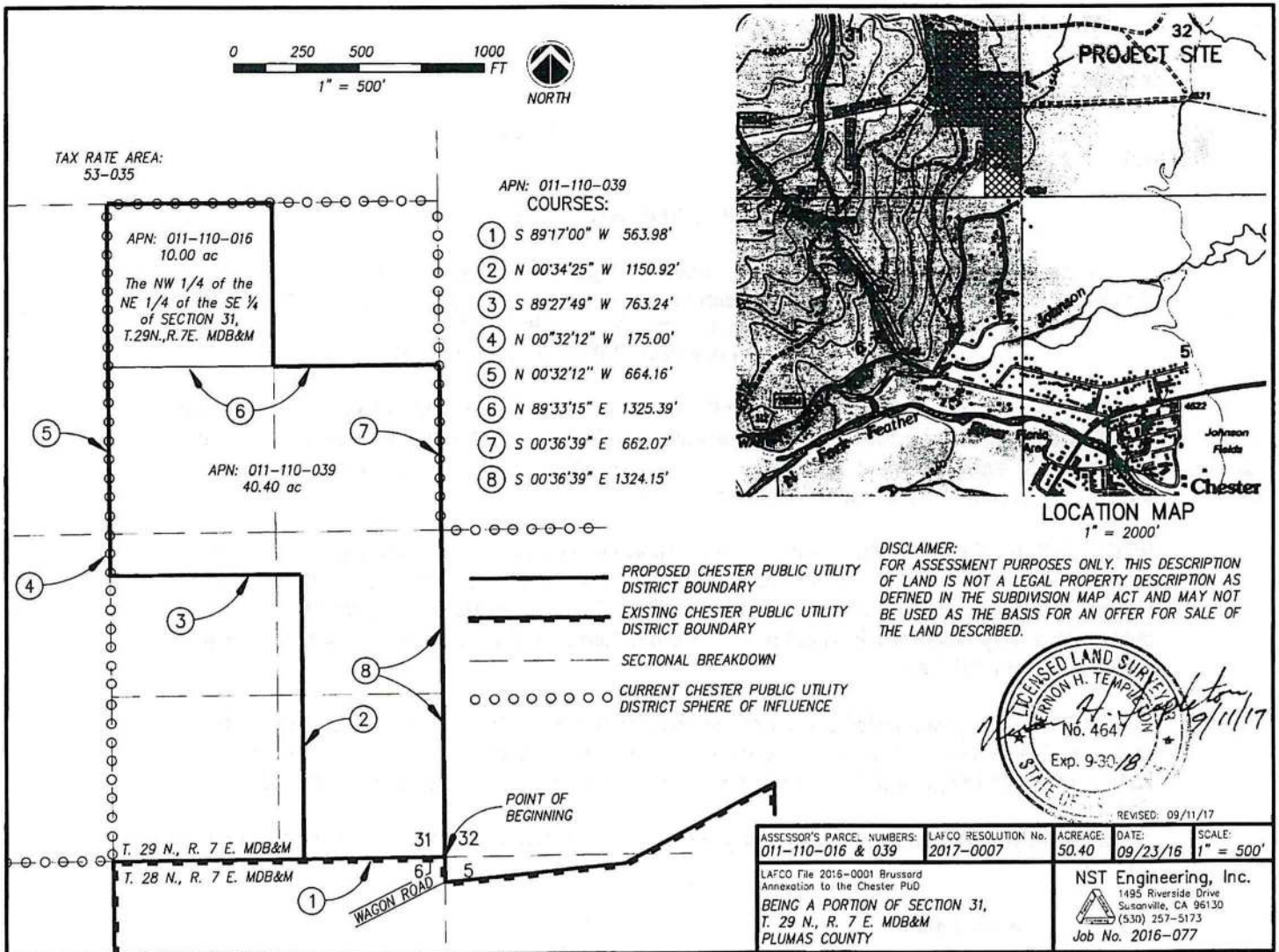


Exhibit "C"

RESOLUTION NO. 17- 8275

**A Resolution of Agreement by the Board of Supervisors of the County of Plumas
Adopting a Property Tax Transfer Agreement for Plumas County LAFCo Annexation File
No. 2016-ANNX-0001 to Chester Public Utility District for
Fire Protection Purposes and Public Utility Services**

WHEREAS, pursuant to Chapter 6 of Part 0.5 of the Revenue and Taxation Code (commencing with section 95), in order for a jurisdictional change to become final, the governing boards of the affected local agencies must negotiate and reach an agreement regarding the distribution of property tax revenues within the affected areas; and

WHEREAS, the Chester Public Utility District approved annexation proceedings initiated by the property owners to assume service responsibility for the territorial area set forth in Plumas County Local Agency Formation Commission File No. 2016-ANNX-0001, which territory is more particularly described in Exhibit "A" attached hereto and is depicted in the map attached hereto as Exhibit "B"; and

WHEREAS, a proposed jurisdictional change has been filed with the LAFCo Executive Officer to annex 50.40 acres, more or less, into the Chester Public Utility District, LAFCo file No. 2016-ANNX-0001, and negotiations have taken place between the County and the District; and

WHEREAS, prior to annexation, property tax revenue on the annual increment is allocated as follows:

Jurisdiction	TRA
	053-035
Plumas County	30.818772%
Flood Control	0.342071%
Chester Cemetery	0.490510%
Education	0.150755%
Plumas Unified School	51.455124%
Feather River College	13.200308%
Chester Public Util. Dist.	0.000000%
Seneca Hospital Dist.	3.443460%
Totals	100.000000%

Assessor Parcel Nos. 011-110-016, 011-110-039

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Plumas, State of California, as follows:

1. **Definitions:** Unless the particular provisions or context otherwise requires, the definitions contained in this paragraph and in the Revenue and Taxation Code shall govern the construction, meaning, and application of words used in this Resolution.
 - a. "Base property tax revenue" means property tax revenues allocated by base tax equivalents to all taxing jurisdictions as to the geographic area comprising a given tax rate area annexed in the fiscal year immediately preceding the tax year in which the property tax revenues are apportioned pursuant to this Agreement, including the amount of State of California reimbursement for the homeowners and business inventory exemptions.
 - b. "Property tax increment" means revenue from the annual tax increment, as "annual tax increment" is defined in section 96.5 of the Revenue and Taxation Code, attributable to the tax rate area for the respective year.
 - c. "Property tax revenue" means base property tax revenue, plus the property tax increment for a given tax rate area.
2. The base property tax revenue currently allocated to the Plumas County General Fund and all local agencies shall not be changed as a result of this annexation.
3. There shall be an exchange of seven percentage points (7.000000%) of the property tax increment of the County General Fund's share of future property tax increment revenue to the Chester Public Utility District for fire protection purposes as a result of this annexation such that the resulting annual increment allocation will be as follows:

Jurisdiction	TRA
Plumas County	23.818772%
Flood Control	0.342071%
Education	0.150755%
Plumas Unified School	51.455124%
Feather River College	13.200308%
Chester Public Utility District	7.000000%
Seneca Hospital Dist.	3.443460%
<i>Totals</i>	<i>100.000000%</i>

Assessor Parcel Nos. 011-110-016, 011-110-039

4. This transfer of property tax increment shall not be effective unless and until:
 - a. The tax year following the calendar year in which the statement of boundary changes and the map or plat is filed with the County Assessor and the State Board of Equalization; and

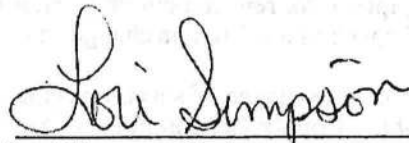
- b. The adoption of a special tax of not less than \$95 for each parcel applicable to real property within the territory subject to this annexation; and
 - c. All the terms and conditions of this resolution are accepted by resolution of the Board of Directors of the District.
5. The property tax increment revenue of all other local agencies shall not be changed as a result of this annexation.

The foregoing Resolution was duly passed and adopted by the Board of Supervisors of the County of Plumas, State of California, at a regular meeting of said Board held on August 1, 2017, by the following vote:

AYES: SUPERVISORS ENGEL, THRALL, SIMPSON, GOSS, SANCHEZ

NOES: NONE

ABSENT: NONE



Lori Simpson, Chair,
Plumas County Board of Supervisors

ATTEST:


Nancy DaForno,
Clerk of Board of Supervisors