

IN THE BOARD OF SUPERVISORS

County of San Luis Obispo, State of California

_____ day _____, 20__

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

**RESOLUTION OF APPLICATION FROM THE COUNTY OF SAN LUIS OBISPO
APPROVING INITIATION OF PROCEEDINGS FOR THE AMENDMENT
OF THE SPHERE OF INFLUENCE AND ANNEXATION OF TRACT 1747 INTO THE
NIPOMO LIGHTING DISTRICT**

The following Resolution is now offered and read:

WHEREAS, the County of San Luis Obispo Board of Supervisors desires to initiate proceeding pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California government Code, for annexation of territory to the Nipomo Lighting District Service Area; and

WHEREAS, this resolution is submitted to comply with Government Code Section 56700; and

WHEREAS, the Notice of Intent to adopt this Resolution of Application has been given according to Government Code Section 56654(b); and

WHEREAS, the nature of this proposal is to amend the Sphere of Influence (SOI) and annex the property identified as Tract 1747 into the Nipomo Lighting District Service Area; and

WHEREAS, the principal reason for the proposed amendment to the sphere of influence and annexation are to incorporate specific parcels of County subdivision Tract 1747 into the Nipomo Lighting District to form a future assessment district for perpetual operation and maintenance of existing streetlights installed with the improvements to Tract 1747; and

WHEREAS, the following agency or agencies would be affected by the proposed jurisdictional changes: Agency: Nipomo Lighting District Service Area, Nature of Change: Expand the service area at no cost to property owners within the existing boundaries. Agency: Nipomo Community Service District, Nature of Change: None; and

WHEREAS, the territory is inhabited and a map and description of the boundaries of the territory are legally described as all that property within Tract 1747 in San Luis Obispo County, State of California according to the map of said tract on file in Book 19 of Maps at Page 65 in the Recorder's Office of said county, and are incorporated herein by this reference; and

WHEREAS, this proposal requires that the adopted Sphere of Influence for the agency be amended to include this property; and

WHEREAS, San Luis Obispo Local Agency Formation Commission (LAFCO) will assume Lead Agency status, responsible for compliance with the California Environmental Quality Act (CEQA) and the County of San Luis Obispo (County) shall pay for any studies needed to comply with CEQA.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the San Luis Obispo County, State of California, as follows:

1. Adopts and approves this Resolution of Application, and hereby requests that LAFCO proceed with the processing of this sphere of influence amendment and the annexation of territory as authorized and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
2. Delegates the Director of Public Works, in consultation with the office of the County Counsel, to act as the applicant on behalf of the County for all matters necessary to process this application.
3. Recommend that recording the Notice of Completion for the Sphere of Influence and Annexation be contingent upon the successful formation of a Tract 1747 Streetlight Assessment District and proposed levy of assessment in that district, to the satisfaction of the Director of Public Works.
4. To direct the Clerk to file a certified copy of this Resolution as soon as possible.

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Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAINING:

the foregoing Resolution is hereby adopted.

Chairperson of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

WARREN R. JENSEN
County Counsel



By: Patrick J. Foran
Deputy County Counsel

Dated: September 18, 2012

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STATE OF CALIFORNIA, }
County of San Luis Obispo, } ss.

I, _____, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this _____ day of _____, 20 _____.

(SEAL)

County Clerk and Ex-Officio Clerk of the Board of Supervisors

By _____
Deputy Clerk.