

**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF THE FORMATION )  
OF THE YETTEM-SEVILLE )  
COMMUNITY SERVICES DISTRICT )  
SUBJECT TO CONFIRMATION BY A )  
MAJORITY VOTE OF THE VOTERS )  
RESIDING WITHIN THE PROPOSED )  
DISTRICT BOUNDARIES )

Resolution No. 2018-0586

**WHEREAS**, the County of Tulare initiated proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code, for the formation of the Yettem-Seville Community Services District by a Resolution of Application, Tulare County Board of Supervisors Resolution No. 18-0208; and

**WHEREAS**, the Tulare County Local Agency Formation Commission ordered the formation of the Yettem-Seville Community Service District as set out in Tulare County Local Agency Formation Commission Resolution No. 18-005, attached hereto and incorporated herein, subject to confirmation by the registered voters within the approved boundaries, as shown in Exhibit A to such Resolution; and

**WHEREAS**, the Tulare County Local Formation Commission has requested that the Tulare County Board of Supervisors direct the Tulare County Registrar of Voters to conduct a election for the formation of the Yettem-Seville Community Services District and to fill the seats of a five member Board of Directors to govern the Community Services District, such election to be held on and consolidated with the November 6, 2018, general election;

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Tulare County Registrar of Voters is directed to conduct an election to confirm the formation of the Yettem-Seville Community Services District as set out in Tulare County Local Agency Formation Commission Resolution No. 18-005. The election shall be held on November 6, 2018, and consolidated with the general election on that date. A majority vote of the voters on this measure shall be required for approval. This measure shall be submitted to the voters residing within the boundaries

of the territory to be formed into the Yettem-Seville Community Services District as established by the Tulare County Local Agency Formation Commission Resolution. The ballot measure submitted to the voters shall read substantially as set out in Exhibit B attached hereto and the full text of this resolution shall be made available to the voters in accordance with standard practice of the County of Tulare Elections Department and the California Elections Code.

2. Upon adoption of this Resolution, the Clerk of the Board of Supervisors shall file a certified copy of this resolution with the County of Tulare Elections Department. Within five days of adoption of this Resolution, the Clerk of the Board of Supervisors shall send a certified copy to the Executive Director of the Tulare County Local Agency Formation Commission.

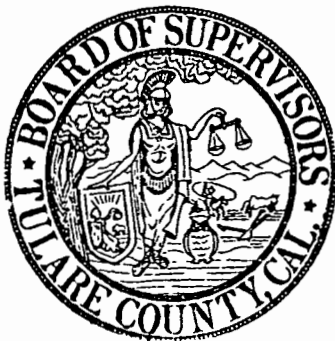
**THE FOREGOING RESOLUTION WAS ADOPTED** upon motion of Supervisor Shuklian, seconded by Supervisor Ennis, at a regular meeting on this 17th day of July, 2018, by the following vote:

AYES: Supervisors Crocker, Vander Poel, Shuklian, Worthley, and Ennis

NOES: None

ABSTAIN: None

ABSENT: None



ATTEST: MICHAEL C. SPATA  
COUNTY ADMINISTRATIVE  
OFFICER/CLERK BOARD OF  
SUPERVISORS

BY:

  
Deputy Clerk

Exhibit B

MEASURE SUBMITTED TO VOTE OF VOTERS

Shall the order adopted on May 2, 2018 by the Local Agency Formation Commission of Tulare County ordering the formation of the Yettem-Seville Community Services District be confirmed subject to the terms and conditions specified in the order?

**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF RESOLUTION )  
ORDERING THE YETTEM-SEVILLE ) Resolution No. 2018-0615  
COMMUNITY SERVICES DISTRICT )  
BOARD OF DIRECTORS ELECTIONS; )  
CONSOLIDATION OF ELECTIONS; )  
AND SPECIFICATIONS OF THE )  
ELECTIONS ORDER )

**WHEREAS**, California Elections Code requires a general district election be held in a newly formed district to choose each elected officer on the first Tuesday after the first Monday in November in each even-numbered year; and

**WHEREAS**, other elections may be held in whole or in part of the territory of the new district, and it is to the advantage of the new district to consolidate the election with the general statewide election pursuant to Elections Code Section 10400; and

**WHEREAS**, Elections Code Section 10520 requires each district involved in a general election to reimburse the County for the actual costs incurred by the County elections official in conducting the election for that district; and

**WHEREAS**, Elections Code Section 13307 requires that before the nominating period opens, the district's governing body must determine whether a charge shall be levied against each candidate submitting a candidate's statement to be sent to the voters; and

**WHEREAS**, Elections Code Section 12112 requires the elections official of the principal county to publish a notice of the election once in a newspaper of general circulation in the district;

**NOW, THEREFORE, IT IS ORDERED** that an election be held within the territory included in this district on the 6<sup>th</sup> day of November, 2018, for the purpose of electing, contingent upon approval of the district formation by the voters within the district, members to the board of directors of said new district in accordance with the following specifications:

## SPECIFICATIONS OF THE ELECTION ORDER

1. The Election shall be held on Tuesday, the 6<sup>th</sup> day of November, 2018. The purpose of the election is to choose members of the board of directors for the **following seats** (list offices and terms):

Three directors will be elected at large for four year terms and two directors will be elected at large for two year terms. The term determination will be made at the Board's first meeting by lottery system.

Director #1 \_\_\_\_\_

Director #2 \_\_\_\_\_

Director #3 \_\_\_\_\_

Director #4 \_\_\_\_\_

Director #5 \_\_\_\_\_

2. This Board of Supervisors hereby requests on behalf of the proposed district and consents on behalf of the County to the consolidation of this election with other elections which may be held in whole or in part of the territory of the district, as provided in Elections Code 10400.
3. The district, if its formation is confirmed by the voters within its boundaries, will reimburse the County for the actual cost incurred by the county elections official in conducting the general district election upon receipt of a bill stating the amount due as determined by the elections official.
4. The Board of Supervisors has determined, on behalf of the district, that the Candidate will pay for the Candidate's Statement. The Candidate's Statement will be limited to 200 words.
5. The Board of Supervisors, on behalf of the district, directs that the County Registrar of Voters to publish the notice of election in the **following newspaper**, which is a newspaper of general circulation that is regularly circulated in the territory: Visalia Times Delta.

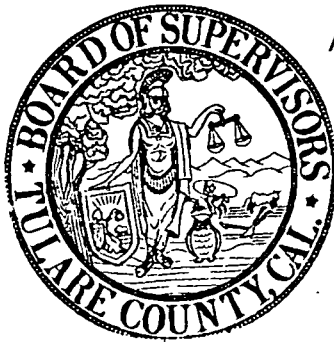
**THE FOREGOING RESOLUTION WAS ADOPTED** upon motion of Supervisor Shuklian, seconded by Supervisor Ennis, at a regular meeting on this 17th day of July, 2018, by the following vote:

AYES: Supervisors Crocker, Vander Poel, Shuklian, Worthley, and Ennis

NOES: None

ABSTAIN: None

ABSENT: None



ATTEST: MICHAEL C. SPATA  
COUNTY ADMINISTRATIVE  
OFFICER/CLERK BOARD OF  
SUPERVISORS

BY:

  
Deputy Clerk



**Board of Supervisors Staff  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

KUYLER CROCKER  
District One

PETE VANDER POEL  
District Two

AMY SHUKLIAN  
District Three

J. STEVEN WORTHLEY  
District Four

MIKE ENNIS  
District Five

**AGENDA DATE:** July 17, 2018

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
County Counsel Sign-Off	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
CONTACT PERSON: Denise England    PHONE: 559-636-5000				

**SUBJECT:** Resolutions calling for an election to confirm the formation of the Yettem-Seville Community Services District and elect the first Board of Directors

**REQUEST(S):**  
That the Board of Supervisors:

1. Adopt a resolution directing the Tulare County Registrar of Voters to conduct an election to confirm the formation of the Yettem-Seville Community Services District as set out in Tulare County Local Agency Formation Commission Resolution No. 18-005.
2. Adopt a resolution directing the Tulare County Registrar of Voters to conduct an election to select the Board of Directors for the Yettem-Seville Community Services District contingent upon voter approval of the District formation.
3. Direct the Clerk of the Board to file certified copies of the Resolutions with the County of Tulare Elections Department and the Executive Director of the Tulare County Local Agency Formation Commission.

**SUMMARY:**  
On April 3, 2018 your Board passed resolution number 18-0208 initiating proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code to form the Yettem-Seville Community Services District.  
On May 2, 2018, with resolution number 18-005, the Tulare County Local Agency Formation Commission (LAFCo) approved and ordered formation of the Yettem-Seville Community Services District contingent upon confirmation by voters in that

**SUBJECT:** Resolutions calling for an election to confirm the formation of the Yettem-Seville Community Services District and elect the first Board of Directors  
**DATE:** July 17, 2018

District. Additionally, should the Yettem-Seville Community Services District be confirmed, it will be necessary to elect its first Board of Directors during the same election. LAFCO has requested your Board to place the measure to confirm formation of the Yettem-Seville Community Services District and the election of the District's Board of Directors on the November 6, 2018 ballot.

**FISCAL IMPACT/FINANCING:**

The costs of the election will be paid for by funding made available to the communities by the State Water Resources control Board.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County's Strategic Plan includes an initiative to provide for the safety and security of the public which includes the goal of providing an adequate and safe water supply.

**ADMINISTRATIVE SIGN-OFF:**



Denise England  
Water Resources Director

cc: County Administrative Office

Attachment(s)  
Board of Supervisors Resolutions (2)  
Tulare County Local Agency Formation Commission Resolution No. 18-005  
Exhibit A- Territory Map  
Exhibit B- Ballot Measure





corrections) have been received and considered in accordance with Government Code Section 56668. Said documents contained in the record affecting this matter are incorporated by reference herein.

2. The Commission hereby finds that said formation of Yetttem-Seville CSD and SOI will not have a significant effect on the environment, and is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15320, "Changes in Organization of Local Agencies" and General Rule Exemption authorized by 14 California Code Regulations Section 15061, subdivision (b)(3).

3. The Commission has reviewed and considered, in accordance with Government Code Section 56668, the information, materials and facts presented by the following persons who appeared at the public hearing and commented on the proposal:

Lupe Valdez, property owner

Ross Miller, County of Tulare

4. All notices required by law have been given and all proceedings heretofore and now taken in this matter have been and now are in all respects as required by law.

5. Based upon the evidence and information on the record before it, the Commission makes the following findings of fact:

- a. The amended proposal is for the formation of a Community Services District consisting of approximately 299.2 acres of land.
- b. More than 12 registered voters reside in the affected territory and not all of the property owners have provided consent to formation.

- c. The formation of the Yettem-Seville CSD is subject to confirmation by election of registered voters within the approved boundaries if there is not a majority protest.

6. Based upon the evidence and information on the record before it and the findings of fact made above, the Commission makes the following determinations:

- a. The boundaries of the proposed reorganization are definite and certain and conform to lines of assessment.
- b. The formation of the Yettem-Seville CSD will provide a more efficient means of governance and provision of domestic water services to the communities of Yettem and Seville.
- c. For the Yettem-Seville CSD to be viable the assets and liabilities held by Tulare County must be transferred to the Yettem-Seville CSD.
- e. The Yettem-Seville CSD will be funded by water rates that are subject to a Proposition 218 passage.
- f. The amended proposal would make the proposed boundaries more in line with existing Hamlet Development Boundaries and Zones of Benefit. This modification of boundaries would have no effect on existing domestic water service or the environmental determination for this project.
- g. The provision of domestic water will initially be the lone active service of the Yettem-Seville CSD. The other services permitted to CSDs as listed in GC section 61100 will be latent powers. The activation of latent powers by the CSD would require additional Commission approval pursuant to GC sections 61106 and 56824.10.
- h. This proposal is in compliance with the policies and priorities of Section 56377 of the Cortese-Knox-Hertzberg Act.

7. The Commission hereby orders the conditional formation of the Yettem-Seville CSD subject to the confirmation of the registered voters within the approved

boundaries, as shown in Exhibit A, in accordance with Section 57077(a)(1) of the Government Code.

8. The Commission hereby requests that the Tulare County Board of Supervisors direct the Tulare County Registrar of Voters to conduct an election for the formation of the Yettem-Seville CSD and five board members for the CSD to be placed on the November 2018 general election ballot pursuant to Government Code sections 57000(e), 57132 and 61022(c).

- a. The proposed question to be submitted at election pursuant to GC section 57133 is the following: "Shall the order adopted on May 2, 2018 by the Local Agency Formation Commission of Tulare County ordering the formation of the Yettem-Seville Community Services District be confirmed subject to the terms and conditions specified in the order?"

9. The proposed reorganization of the territory described in Exhibit "A" attached hereto, is hereby approved, subject to the following conditions:

- a. The formation of the Yettem-Seville CSD is contingent upon a successful Proposition 218 passage which provides adequate financing for the district by November 5, 2019. If the new water rates are passed prior to the election for the formation of the Yettem-Seville CSD, the CSD shall inherit those rates.
- b. The formation of the Yettem-Seville CSD is contingent upon a successful election. Following a successful election, a Certificate of Completion will be filed for the formation of the Yettem-Seville CSD.
- c. Following a successful election and the completion of the water system upgrades, Tulare County shall assign its assets, liabilities and debts pertaining to the water systems to the Yettem-Seville

CSD. The member agency resolutions assigning the assets and liabilities must be provided to LAFCO.

- d. The County must create a new parcel or amend an existing parcel such that the new well site is located on its own parcel.
- e. The County must provide a map and legal description completed to the Board of Equalization (BOE) specifications for the approved boundary of the Yettem-Seville CSD prior to the recording of the Certificate of Completion.
- f. The County must provide the required filing fee for the Statement of Boundary Change that is to be submitted to the BOE if it is determined that a BOE filing is needed.
- g. The applicant shall provide a signed Indemnification Agreement per Tulare County LAFCO policy prior to the recording of the Certificate of Completion.

10. The following short form designation shall be used throughout these proceedings:

LAFCO Case No. 1535, Yettem-Seville CSD Formation

11. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as required by law.

12. The Executive Officer is hereby authorized and directed to sign the Notice of Exemption on behalf of the Commission and file said notice with the Tulare County Clerk pursuant to Section 21152 (a) of the Public Resources Code.

13. The Executive Officer is authorized to conduct a protest hearing subsequent to these proceedings and to report to the Commission the results of that hearing for action in accordance with Government Code Section 57000-57120.

The forgoing resolution was adopted upon motion of Commissioner Vander Poel, seconded by Commissioner Ennis, at a regular meeting held on this 2nd day of May 2018, by the following vote:

AYES: Allen, Hamilton, Mendoza, Vander Poel, Ennis (A)

NOES:

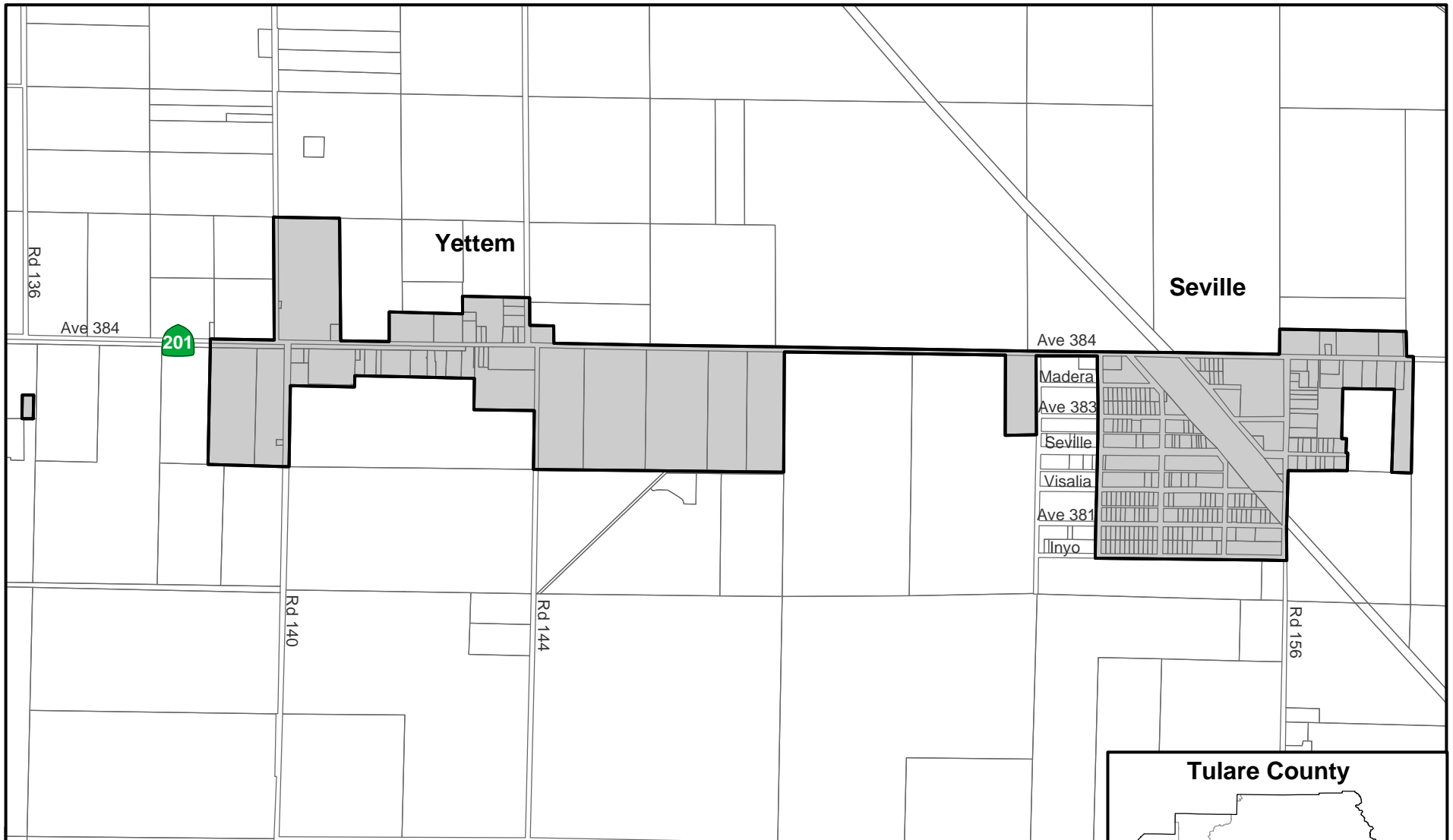
ABSTAIN:



PRESENT:

ABSENT: Worthley, Jones (A), Mederos (A)

  
\_\_\_\_\_  
Ben Giuliani, Executive Officer

# Yettem-Seville Community Services District (Proposed)



-  Yettem-Seville CSD (Proposed)
-  Parcels

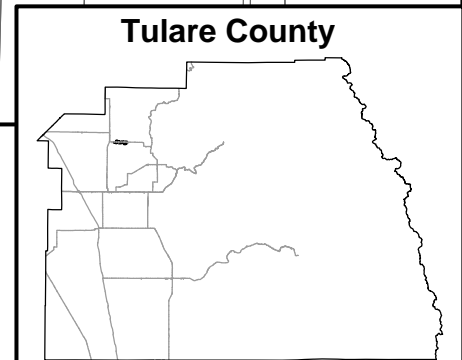
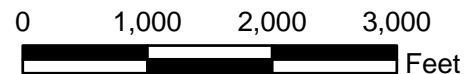


Exhibit B

MEASURE SUBMITTED TO VOTE OF VOTERS

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