



Lou Ann Texeira
Executive Officer

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March 14, 2012 (Agenda)

March 14, 2012
Agenda Item 8

Contra Costa Local Agency Formation Commission
 651 Pine Street, Sixth Floor
 Martinez, CA 94553

Results of Protest Hearing - North Pacheco Annexation to the City of Martinez

Dear Commissioners:

At a public hearing on January 11, 2012, the Commission approved the North Pacheco Annexation to the City of Martinez. This is a proposal to annex 99± acres (252± parcels) to the City. The purpose of the annexation is to allow for the extension of city services and to facilitate future development and economic revitalization of the area.

In accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 LAFCO is the agency to conduct the protest hearing. The purpose of the protest hearing is to receive written protests from affected landowners and/or registered voters regarding the proposal and determine whether a requisite protest exists. With regard to this annexation, which is inhabited (i.e., contains 12 or more registered voters), the Commission shall take one of the following actions:

- **Order the annexation without an election** if written protests have been filed by less than 25% of the registered voters, or less than 25% of the landowners owning less than 25% of the assessed value of land within the affected territory; or
- **Order the annexation subject to a confirmation vote of the registered voters** within the affected territory if written protests have been filed by at least 25% but less than 50% of the registered voters, or at least 25% of the land owners owning at least 25% of the assessed value of land within the affected territory; or
- **Terminate the proceedings** if a majority protest exists. A majority protest constitutes 50% or more of the registered voters residing in the annexation area.

The protest hearing was properly noticed and held on Tuesday, March 6, 2013, at 3:00 p.m. in the LAFCO office located at 651 Pine Street, Sixth Floor in Martinez. The hearing was conducted by the LAFCO Executive Officer, who is delegated the authority to conduct the

protest hearing on behalf of the Commission. Approximately 14 people attended the protest hearing.

At the conclusion of the hearing, the number of protests received prior to and during the hearing were counted. Protests were received from over 25% (but less than 50%) of registered voters residing within the annexation area. In accordance with State law, LAFCO has transmitted the original protest forms to County Elections for certification.

RECOMMENDATION - Receive the report. Following receipt of a certificate of sufficiency from County Elections, the Commission will be asked to take the appropriate action to either order the annexation with or without an election.

Sincerely,

Lou Ann Texeira
Executive Officer

c: Distribution List