

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

January 8, 2014
Agenda Item 9

January 8, 2014 (Agenda)

LAFCO 07-17 PG&E Reorganization (Area 1) - Annexations to the City of Antioch and Delta Diablo Sanitation District (DDSD) and detachments from County Service Areas (CSAs) L-100 and P-6.

PROPONENT City of Antioch (by Resolution)

ACREAGE & LOCATION Area 1 comprises 470± acres (numerous parcels) and is located both north and south of Wilbur Avenue bounded by the San Joaquin River to the north, Highway 160 to the east, and the City of Antioch to the south and west (Attachment 1).

PURPOSE Provide municipal services to the area, which is largely heavy industrial, with primary uses being electrical generating facilities and other industrial uses. The City's General Plan identifies the area as a major source of employment opportunities, and essential to addressing the City's jobs/ housing balance.

SYNOPSIS

This is one of three separate boundary reorganization proposals submitted by the City of Antioch to annex Northeast Antioch to the City and to DDSD: Northeast Antioch Reorganization - Area 1, Area 2A and Area 2B (Attachment 2). In total, these areas comprise 678± acres and have significantly different characteristics and land uses.

This report is for Area 1, a proposal to annex 481± acres to the City of Antioch and to DDSD, and to detach the same area from CSA L-100, the County street lighting district, and from CSA P-6, the County police district.

This report also provides general background information regarding the Area 2B, which is also on the Commission's January 8th agenda.

DISCUSSION

The Cortese Knox Hertzberg Act (CKH Act) sets forth factors that the Commission must consider in evaluating any proposed change of organization or reorganization as discussed below (Gov. Code §56668). In the Commission's review of these factors, no single factor is determinative. In reaching a decision, each factor is to be evaluated within the context of the overall proposal.

1. Consistency with the Sphere of Influence of Any Local Agency:

LAFCO is charged with both regulatory and planning functions. Annexations are basically a regulatory act, while establishing spheres of influence (SOIs) is a planning function. The SOI is an important benchmark as it defines the primary area within which urban development is to be encouraged. In order for the Commission to approve an annexation, it must be consistent with the jurisdiction's adopted SOI. The annexation area is within both the

City of Antioch and the DDSO SOIs, and within both the City and County voter-approved Urban Limit Lines.

2. Land Use, Planning and Zoning - Present and Future:

Area 1 is part of the City's Eastern Waterfront Employment Focus Area as identified in the City's General Plan. In 2011, the City and County formed a committee to develop and implement a joint economic development strategy for the Northeast Antioch area. This committee was instrumental in addressing some of the concerns relating to the reorganization proposals, including fiscal and infrastructure issues.

The land in Area 1 is approximately 50% developed, and 50% underdeveloped, with existing heavy industrial uses and some open space and public uses (Antioch Dunes National Wildlife Refuge). Area 1 also includes a deep water port (Forestar property). The County General Plan designations for Area 1 include Heavy Industrial and Open Space, and the County's zoning designation for Area 1 is Heavy Industrial. The City's General Plan designations for Area 1 include General Industrial, Rail-Served Industrial and Open Space within the Eastern Waterfront Employment Focus Area. The City has rezoned Area 1 for Heavy Industrial and Open Space/Public Use. The City and County land use designations for Area 1 are comparable.

Surrounding land uses include the San Joaquin River to the north; marina (Area 2A) directly to the east, and beyond that, City of Oakley; Area 2B (residential, limited commercial and industrial), along with incorporated/developed areas to the south; and incorporated areas (industrial and open space) to the west.

The current and proposed uses are consistent with the City's plan and rezoning designations. No changes in land uses are proposed.

The City and County continue to work together on economic development initiatives for Northeast Antioch.

Other factors relating to land use and growth which LAFCO considers in its review of a proposal are a regional transportation plan [56668(g)] and regional growth goals and policies (56668.5).

In consideration of these factors, LAFCO staff reviewed the *Plan Bay Area* which is a long-range integrated transportation and land-use/housing strategy through 2040 for the nine county San Francisco Bay Area. In July 2013, the Plan was jointly approved by the Association of Bay Area Governments (ABAG) the Metropolitan Transportation Commission (MTC). The Plan includes the region's Sustainable Communities Strategy and the 2040 Regional Transportation Plan.

The *Plan* identifies Priority Development Areas (PDAs) - 25 in Contra Costa County, and Priority Conservation Areas (PCAs) - 12 in Contra Costa County. A portion of Area 1 is part of a larger PDA (Rivertown Waterfront Focus Area).

3. The Effect on Maintaining the Physical and Economic Integrity of Agricultural Lands:

The State Department of Conservation produces a map every two years which identifies California's agricultural lands (e.g., Prime Farmland, Unique Farmland, Farmland of Statewide Importance, Farmland of Local Importance, Grazing Land, etc.) based on ratings that take into account soil quality and irrigation status.

Both LAFCO law and the California Environmental Quality Act (CEQA) provide their respective definitions of "agricultural land" and "prime agricultural land."

Under CEQA, the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is considered a significant impact.

As noted in the City's environmental analysis, the Northeast Antioch reorganization area includes a total of 28.6± acres of Farmland of Statewide Importance, of which, 21.5± acres are within Area 1, and 7.1± acres are within Area 2B. The Northeast Antioch reorganization area also contains 26.2± acres of Farmland of Local Importance.

The City's CEQA document provides an analysis of impacts to agricultural lands using both CEQA and LAFCO definitions, and concludes that the project will not result in any changes to zoning or other land use policies or changes in the land uses in the area. Land currently being used for agricultural purposes would continue in such uses; therefore, annexation of the area to the City of Antioch would have no impact on the agricultural lands in the area.

Further, no portion of the reorganization area is under a Williamson Act Land Conservation Agreement.

4. Topography, Natural Features and Drainage Basins:

Area 1 is located on the south bank of the San Joaquin River, near the western edge of the Sacramento River Delta. A portion of Area 1 immediately adjacent to the San Joaquin River is located within a 100-year flood hazard zone. As discussed in the City environmental review, the City's project does not propose any new buildings or structures within an identified area of heightened flood risk.

The area has a relatively flat topography with some sloping along the shoreline. The Antioch Dunes Wildlife Preserve is located in the annexation area and is characterized by gently rolling sand dunes. The City's General Plan has policies relating to preserving this area as open space; the existing wildlife preserve will not be affected by the proposed annexation. There are no other significant natural boundaries affecting the proposal.

5. Population:

The area is designated primarily for heavy industrial uses. Currently, there are no residential dwelling units in the area, and no residential dwelling units are proposed. Thus, no increase to the population is anticipated.

6. Fair Share of Regional Housing:

Pursuant to §56668 of the CKH Act, LAFCO must consider in the review of a proposal the extent to which the proposal will assist the receiving entity in achieving its fair share of the regional housing needs as determined by the regional council of governments. Regional housing needs are determined by the State Department of Housing and Community Development; the councils of government throughout the State allocate to each jurisdiction a "fair share" of the regional housing needs (Gov. Code §65584). Given the current and proposed land uses in Area 1, there is no impact to regional housing needs associated with the proposed reorganization.

7. Governmental Services and Controls - Need, Cost, Adequacy and Availability:

In accordance with Government Code §56653, whenever a local agency submits an annexation application, the local agency must also submit a plan for providing services to the annexation area. The plan shall include all of the following information and any additional information required by LAFCO:

- (1) An enumeration and description of the services to be extended to the affected territory.
- (2) The level and range of those services.
- (3) An indication of when those services can feasibly be extended to the affected territory.
- (4) An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.
- (5) Information with respect to how those services will be financed.

The City has provided a "Plan for Services" as required by Government Code §56653. The level and range of services will be comparable to those services currently provided within the City. City services will be needed to support future development in the area. As part of the reorganization proposal, the City and County have entered into both a tax sharing and infrastructure agreements.

Following annexation, the City will provide a range of municipal services to Area 1, including police, streets and roads, street lighting, drainage, parks & recreation, library, and other services to Area 1. Fire services will continue to be provided by the Contra Costa County Fire Protection District (CCCFPD).

Following annexation, the City will also provide sewer collection, and DDSO will provide sewer treatment and disposal. The City will provide retail water, and Contra Costa Water District (CCWD) will provide wholesale water to the City as summarized below.

Police Services – Law enforcement services are currently provided to Area 1 by the Contra Costa County Sheriff's Department. Upon annexation, police services will be provided by the City of Antioch, and the area will be detached from the County's police services district (CSA P-6).

The City's standard for providing police services is 1.2 sworn officers per 1,000 residents. By including Community Service Officers in the sworn officer category, Antioch has maintained this ratio. Police response times are dependent on the agency's staffing level and size of the jurisdiction served. The Antioch General Plan establishes a response time goal of 7-8 minutes for Priority 1 (emergency) calls. The Antioch Police Department reports that the average response time is 11 minutes due to a lack of staffing. The City's CEQA document concludes that the three Northeast Antioch annexation areas would not significantly impact or worsen the ratio of police staff to population or adversely affect the response times. The annexation of Area 1 would have little impact on police services given it is uninhabited.

Streets and Roads – The City indicated that the road network is already in place in Area 1. The City anticipates that as development occurs in Area 1, appropriate frontage improvements will be made to existing public streets in this area. The City currently maintains 314 total centerline miles 669 total lane miles. There are 15 miles of public streets within Area 1 which would be added to the City's road inventory following annexation.

Street Lighting - The City oversees repair and maintenance of nearly 7,400 street lights. As reported in LAFCO's 2013 Municipal Service Review covering street lighting, the City of Antioch has one of the highest lighting densities in the County. Following annexation, the City will assume responsibility for maintaining the street lights in Area 1, and the area will be detached from the County's street lighting district (CSA L-100).

Drainage – The City indicates that there are currently no drainage facilities that serve the annexation area; however, there are two large storm drain trunk lines that cross Wilbur Avenue and drain into the San Joaquin River. Any future drainage infrastructure constructed in conjunction with new development in Area 1 will likely connect to these existing lines. Capacity in the existing storm drain lines is limited, and significant new development within the Northeast Antioch reorganization area (Areas 1, 2A, 2B) will require construction of a new outfall to the San Joaquin River. All new development in the annexation area must comply with provisions of various municipal, regional, State and federal requirements, including measures to remove pollutants from stormwater for compliance with the federal Clean Water Act and the National Pollution Discharge Elimination System (NPDES).

Parks & Recreation – The City of Antioch has 33 parks. The City's General Plan Performance Standards for parks five acres of improved public and/or private neighborhood parks and public community parkland per 1,000 residents, including appropriate recreational facilities. The City exceeds this standard when the trail system, the Costa Loma Regional Park, and the Lone Tree Golf Course are factored in. There are currently no public parks in the Northeast Antioch reorganization area. The Gaylord Sports Complex is adjacent to Area 2B.

The City operates a comprehensive recreation program including aquatics, sports, leisure time activities, community and cultural events, Prewett Family Water Park, Senior Center, youth activities, excursions, and 300 instructional programs for pre-school, youth, adult, seniors, and on-line.

The annexation is not expected to create any significant demand on the City's existing parks & recreation facilities and programs due to the limited number of residents in the area.

Other Services – The City provides a multitude of other services, including art & cultural, capital improvements, code enforcement, landscape maintenance, library and special services which will be extended to Area 1 following annexation.

Fire Protection – Fire and emergency medical services are, and will continue to be provided by CCCFPD following annexation. There are four fire stations located in Antioch. Station 81 is located in the downtown area at 315 W. 10th Street; Station 82 is located at 196 Bluerock Drive, just west of Lone Tree Way in the south central portion of the City; Station 83 is located at 2717 Gentrytown Drive, just south of Buchanan Road in the western portion of the City; and Station 88 is located at 4288 Folsom Drive, just east of Hillcrest Avenue in the eastern portion of the City.

The City's CEQA document concludes that the annexation will result in no change to fire services and no impacts will occur.

Sewer Services – The City provides wastewater collection services, while DDS D provides conveyance, treatment and disposal services to the City.

Following annexation, wastewater collection services to Area 1 will be provided by the City, and DDS D will provide treatment and disposal.

The City's current population is 105,117 residents in a 28 square-mile service area. The City's wastewater collection system consists of 319 miles of gravity pipeline with three pump stations.

DDS D serves the cities of Antioch and Pittsburg and the unincorporated community of Bay Point. DDS D serves a population of approximately 190,567 residents in a service area of 49+ square miles. DDS D has over 49 miles of sewer main and five pump stations. The District's treatment plant capacity is 16.5 million gallons per day (mgd); in 2012, the average dry weather flow (ADWF) was 14.2 mgd.

Regarding capacity, the City's existing ADWF is 7.4 mgd; and the future ADWF is 10.7 mgd. The City estimates that the future peak dry weather flow (PDWF) is 16.8 mgd. DDS D allows an ADWF of 16.5 mgd. As noted above, during 2012, the ADWF influent to the treatment plant was 12.7 mgd; in 2005 and 2010, the ADWF influent to the treatment plant was 14.2 mgd and 13.2 mgd, respectively. The District estimates that all three reorganization areas (Areas 1, 2A, 2B) have an existing estimated ADWF of 2.42 mgd which will increase to 3.71 mgd at buildout.

Regarding Area 1 infrastructure, there is an existing 15-inch sewer line located along Wilbur Avenue. There are also two existing sewer lines within close proximity to Area 1, including the sewer lines west of Area 1 leading to the Fulton Sewer Pump Station. The recently approved electrical generating plant NRG (previously GenOn), as a requirement of its approval by the California Energy Commission (CEC), was conditioned to extend the existing Wilbur sewer line to serve its new Marsh Landing Generating Station. However, GenOn was only required to install a sewer line sized to serve their facility, not the full 15 inch line. In order to avoid the inefficiency in installing an undersized sewer line that would inevitably have to be replaced and upsized in the future, the City allocated the increment in funding necessary for GenOn to install the sewer line across their frontage to a full 15 inches. In the Spring of 2013, GenOn subsequently installed the full 15 inch sewer line, which now terminates about 200 feet east of GenOn's westerly property line.

The majority of the effluent from the three Northeast Antioch annexation areas will flow east to DDS D's Bridgehead pump station, which has been sized to handle the existing and projected future wastewater flows from development in the three annexation areas.

Both the City and DDS D indicate that they have the capacity to serve the Northeast Antioch reorganization area.

8. Timely Availability of Water and Related Issues:

Pursuant to the CKH Act, LAFCO must consider the timely and available supply of water in conjunction with a boundary change proposal. In accordance with Contra Costa LAFCO policies, any proposal for a change of organization that includes the provision of water service shall provide information relating to water supply, storage, treatment, distribution, and waste recovery; as well as adequacy of services, facilities, and improvements to be provided and financed by the agency responsible for the provision of such services, facilities and improvements.

The City provides water treatment and distribution services, with 328 miles of main, seven pump stations and 11 reservoirs. The City obtains a majority of its water supply from CCWD.

CCWD's boundary encompasses 220± square miles in central and eastern Contra Costa County. CCWD's untreated water service area includes Antioch, Bay Point, Oakley, Pittsburg, and portions of Brentwood and Martinez. The District's treated water service area includes Clayton, Clyde, Concord, Pacheco, Port Costa, and parts of Martinez, Pleasant Hill, and Walnut Creek. CCWD also treats and delivers water to the City of Brentwood, Golden State Water Company (Bay Point), Diablo Water District (Oakley), and the City of Antioch. CCWD serves approximately 500,000 (61,085 water connections). The primary sources of water are the U.S. Bureau of Reclamation Central Valley Water Project and delta diversions.

Regarding the water distribution system, the City currently has existing "looped" water mains located in the Northeast Antioch annexation area, consisting of a 16-inch main that runs north/south along the length of Viera Avenue, a 12-inch water line that runs east/west along the length of Wilbur Avenue through Area 1, and 12-inch and 16-inch water lines that run along East 18th Street. The City indicates that a looped system has the benefit of ensuring higher water pressure and reliable water flows. Also, there is an existing 8-inch water line in Bridgehead Road that can serve properties in that area. These existing water lines provide the backbone of a future water delivery system that will ultimately be developed to serve properties and businesses located in the reorganization area. The specific configuration of water lines that will extend from the existing system will depend on the location, timing and type of future development in the area.

The City, in its Water Master Plan, examined the City's ability to serve all three subareas. The analysis documents that given the City's allocation of raw water and the City's rights to future water supplies of raw water, and based on the City's current and planned treatment capacity, the City has the ability to provide potable water to all three subareas based on the level of existing and future development.

In 2007 and 2011, LAFCO approved the City's request to extend out of agency sewer and water services to two projects (PG&E Gateway Power Generating Station and GenOn's Marsh Landing Power Plant) in Area 1. LAFCO's approval was based on the anticipated annexation of Area 1 to the City.

9. Assessed Value, Tax Rate Areas and Indebtedness:

The annexation area is within tax rate areas 53004, 53026, 53053, and 53098. The assessed value is \$69,318,614 (2013-14 roll). The territory being annexed shall be liable for all authorized or existing taxes comparable to properties presently within the annexing agencies, if applicable.

10. Property Tax Exchange

Revenue and Taxation Code §99(b)(6) requires adoption of a property tax exchange agreement by affected local agencies before the Commission can consider a proposed boundary change. Both the City and County have adopted resolutions approving a tax revenue allocation agreement covering all three annexation areas. The tax revenue allocation

agreement is more complex than most, and contains provisions relating to property taxes, sales and use tax revenues, and surcharge revenues and franchise fees.

11. Environmental Impact of the Proposal:

The City of Antioch, as Lead Agency, prepared and adopted the Northeast Antioch Area Reorganization Initial Study/Mitigated Negative Declaration (IS/MND). The City's IS/MND identified potentially significant impacts resulting from Air Quality, Biological Resources, Cultural Resources, Hazards & Hazardous Materials and Noise. Mitigation measures have been provided for each potentially significant impact, reducing all to a less than significant level. Copies of the City's document were previously provided to Commissioners and are available for review in the LAFCO office. The LAFCO Environmental Coordinator finds the City's CEQA document sufficient for LAFCO purposes.

12. Landowner Consent and Consent by Annexing Agency:

According to County Elections, there are fewer than 12 registered voters in the area proposed for annexation; thus, the area is considered uninhabited.

Less than 100% of the affected landowners/voters have provided written consent to the annexation. Thus, the Commission's action is subject to notice, hearing, as well as protest proceedings. If the Commission approves the annexation, a subsequent notice and protest hearing will follow. Authority to conduct the protest hearing has been delegated to the LAFCO Executive Officer. All landowners and registered voters within the proposal area and within 300 feet of the exterior boundaries of the area have received notice of the January 8 hearing.

13. Boundaries and Lines of Assessment:

Area 1 is contiguous to existing City boundaries. A map and legal description to implement the proposed boundary change have been received and are being reviewed by the County Surveyor.

On January 8, the Commission will also be asked to consider the annexation of an adjacent area (Area 2B) to the City and to DDS. Given the proximity of Area 2B to Area 1, and related boundary, infrastructure and service issues, the City and County request that the annexation of Area 1 be conditioned on the annexation of Area 2B. LAFCO staff supports this request.

14. Environmental Justice

One of the factors LAFCO must consider in its review of an application is the extent to which the proposal will promote environmental justice. As defined by statute, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. The proposed annexation is not expected to promote or discourage the fair treatment of minority or economically disadvantaged groups.

15. Disadvantaged Communities

In accordance with recent legislation (SB 244), local agencies and LAFCOs are required to plan for disadvantaged unincorporated communities (DUCs). Many of these communities lack basic infrastructure, including streets, sidewalks, storm drainage, clean drinking water,

and adequate sewer service. LAFCO actions relating to Municipal Service Reviews, SOI reviews/amendments, and annexations must take into consideration DUCs, and specifically the adequacy of public services, including sewer, water, and fire protection needs or deficiencies, to these communities. According to the County Planning Department, the annexation area does not meet the criteria of a DUC.

16. Comments from Affected Agencies/Other Interested Parties

No comments have been received to date.

ALTERNATIVES FOR COMMISSION ACTION

After consideration of this report and any testimony or additional materials that are submitted the Commission should consider taking one of the following options:

Option 1 Approve the reorganization.

- A. Find that, as a Responsible Agency under CEQA, the Commission has reviewed and considered the information contained in the Northeast Antioch Area Reorganization Initial Study/Mitigated Negative Declaration as prepared and adopted by the City of Antioch.
- B. Adopt this report, approve the attached resolution (Attachment 3), and approve the proposal, to be known as **PG&E Reorganization (Area 1) - Annexations to the City of Antioch and Delta Diablo Sanitation District (DDSD) and detachments from County Service Areas (CSAs) L-100 and P-6** subject to the following terms and conditions:
 - 1. The annexation of Area 1 shall be conditioned on the annexation of Area 2B (Gov. Code 56885.5). The Certificates of Completion for Area 1 and Area 2B shall be filed on the same date, and on the earliest reasonable date following LAFCO's action. Neither Area 1 nor Area 2B will become part of the reorganization area until the Certificates of Completion are executed and the LAFCO action is filed with the County Recorder.
 - 2. The territory being annexed shall be liable for the continuation of any authorized or existing special taxes, assessments and charges comparable to properties presently within the annexing agency.
 - 3. The City has delivered an executed indemnification agreement providing for the City to indemnify LAFCO against any expenses arising from any legal actions challenging the annexation.
- C. Find that the subject territory is uninhabited, that less than 100% of the affected landowners have provided written consent to the reorganization, and the reorganization is subject to a subsequent conducting authority (protest) hearing.

Option 2

- A. Certify it has reviewed and considered the information contained in the City's Mitigated Negative Declaration.
- B. Adopt this report and DENY the proposal.

Option 3 If the Commission needs more information, CONTINUE this matter to a future meeting.

RECOMMENDED ACTION:

Option 1.

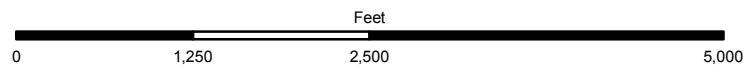
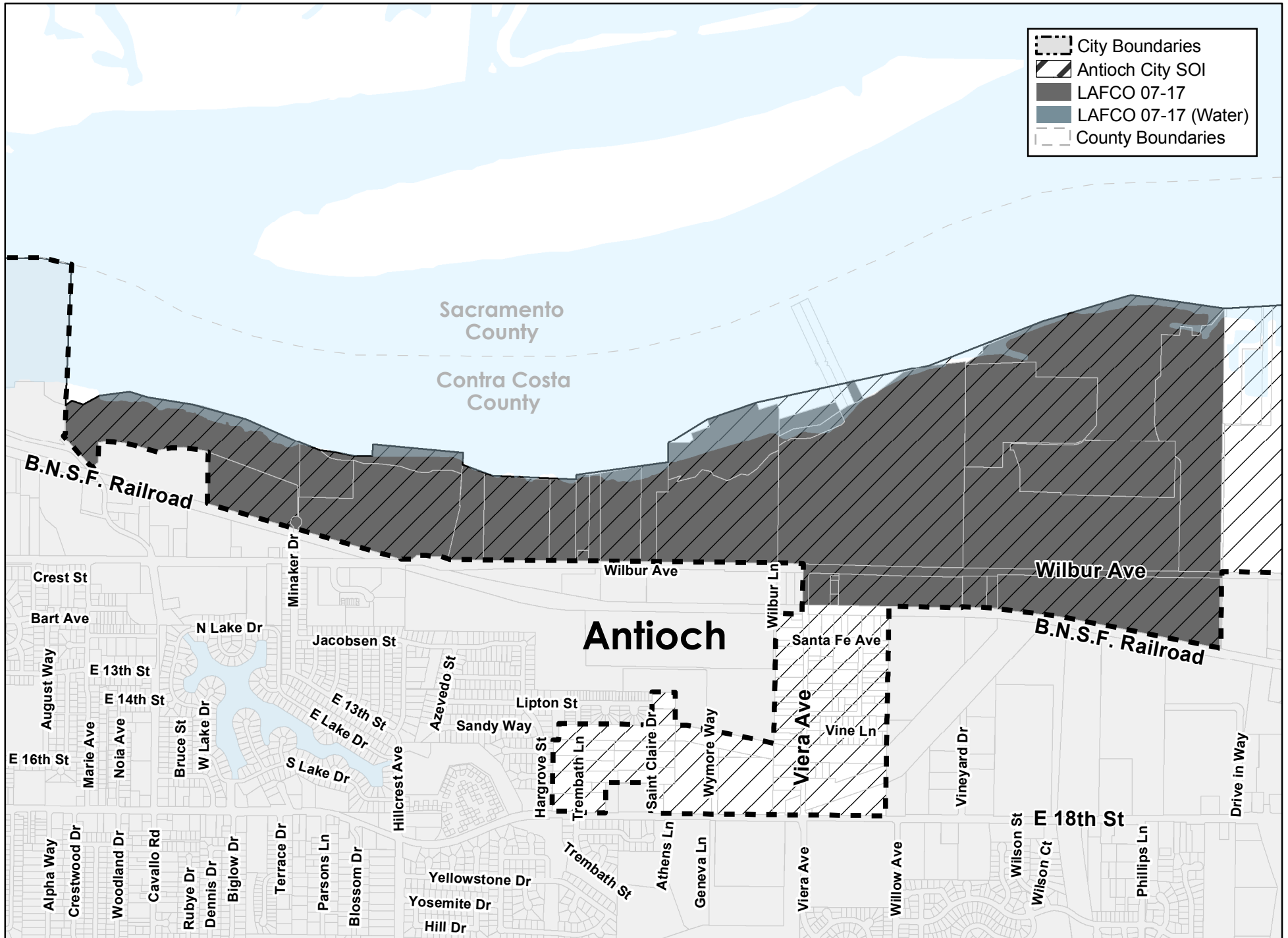
LOU ANN TEXEIRA, EXECUTIVE OFFICER
CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

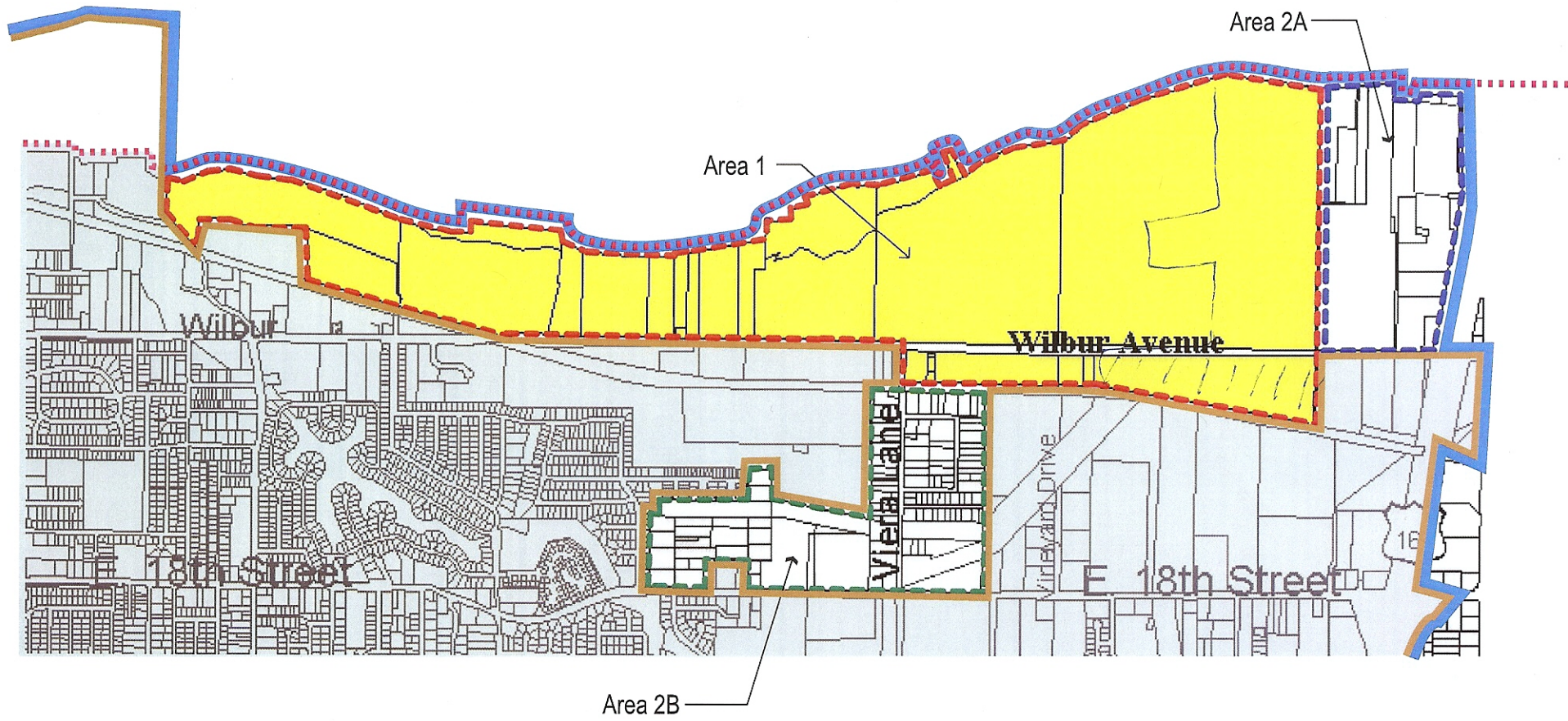
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Attachments

1. Map of Area 1 Reorganization
2. Map of Northeast Antioch (Areas 1, 2A and 2B)
3. Draft LAFCO Resolution

LAFCO No. 07-17 Northeast Antioch Area 1 Reorganization: Annexations to City of Antioch and Delta Diablo Sanitation District; Detachments from CSAs L-100 and P-6





LEGEND

- Urban Limit Line
- City Sphere of Influence (SOI)
- City Boundary
- DDSD Service Boundary and SOI
- Area 1
- Area 2A
- Area 2B

EXHIBIT 2
 Current Administrative Boundaries
 Industrial Areas Along Wilbur Avenue –
 Administrative Reorganization

RESOLUTION NO. 07-17**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND APPROVING
PG&E REORGANIZATION: ANNEXATIONS TO THE CITY OF ANTIOCH AND
DELTA DIABLO SANITATION DISTRICT AND DETACHMENTS FROM COUNTY
SERVICE AREAS L-100 AND P-6 (“AREA 1”)**

WHEREAS, the Area 1 reorganization proposal has been filed with the Executive Officer of the Contra Costa Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 et seq. of the Government Code); and

WHEREAS, at the time and in the manner required by law the Executive Officer has given notice of the Commission’s consideration of the Area 1 proposal; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony related to the Area 1 proposal including, but not limited to, the Executive Officer’s report and recommendation, the environmental document or determination, Spheres of Influence and applicable General and Specific Plans; and

WHEREAS, information satisfactory to the Commission has been presented that no affected landowners/registered voters within the Area 1 reorganization area object to the proposal; and

WHEREAS, the Local Agency Formation Commission determines the Area 1 proposal to be in the best interests of the affected area and the total organization of local governmental agencies within Contra Costa County;

NOW, THEREFORE, the Contra Costa Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

1. The Commission finds that as a Responsible Agency under the California Environmental Quality Act (CEQA), it has reviewed and considered the information contained in the Northeast Antioch Area Reorganization Initial Study/Mitigated Negative Declaration as prepared and adopted by the City of Antioch.
2. The reorganization of Area 1 shall be conditioned on the reorganization of Area 2B (Gov. Code 56885.5). The Certificates of Completion for Area 1 and Area 2B reorganizations shall be filed on the same date, and on the earliest reasonable date following LAFCO’s action. Neither Area 1 nor Area 2B will become part of the reorganization area until the Certificates of Completion are executed and the LAFCO action is filed with the County Recorder.
3. Said reorganization is hereby approved.

Contra Costa LAFCO
Resolution No. 07-17

4. The subject proposal is assigned the distinctive short-form designation:

PG&E REORGANIZATION: ANNEXATIONS TO THE CITY OF ANTIOCH AND
DELTA DIABLO SANITATION DISTRICT AND DETACHMENTS FROM COUNTY
SERVICE AREAS L-100 AND P-6

5. The boundaries of the affected territory are found to be definite and certain as approved and set forth in Exhibit A, attached hereto and made a part hereof.
6. The subject territory shall be liable for any authorized or existing taxes, charges and assessments comparable to properties within the annexing agency.
7. The City of Antioch delivered an executed indemnification agreement between the City and Contra Costa LAFCO providing for the City to indemnify LAFCO against any expenses arising from any legal actions challenging the Area 1 reorganization.
8. The territory proposed for reorganization is uninhabited.
9. The proposal has less than 100% landowner consent and is subject to conducting authority (protest) proceedings.
10. All subsequent proceedings in connection with the Area 1 reorganization shall be conducted only in compliance with the approved boundaries set forth in the attachments and any terms and conditions specified in this resolution.

PASSED AND ADOPTED THIS 8th day of January 2014, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

CHAIR, CONTRA COSTA LAFCO

I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated.

Dated: January 8, 2014

Lou Ann Texeira, Executive Officer