



Lou Ann Teixeira
 Executive Officer

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June 13, 2018 (Agenda)

June 13, 2018
 Agenda Item 7

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

Results of Protest Hearing - Kirkpatrick Drive Annexation to West County Wastewater District

Dear Commissioners:

At a public hearing on April 18, 2018, the Commission approved the Kirkpatrick Drive Annexation to the West County Wastewater District (WCWD). The subject area comprises 1.205± acres including one parcel (APN 430-161-021) and a portion of an adjacent parcel (APN 430-161-004). The parcels are located in unincorporated El Sobrante.

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 this protest hearing is to receive written protests from affected landowners regarding the proposal and determine whether a majority protest exists. With regard to this reorganization, which is uninhabited (i.e., contains fewer than 12 registered voters), the Commission shall take one of the following actions:

- **Order the annexation** if written protests have been filed by owners of land who own less than 50% of the total assessed land value within the subject territory; or
- **Terminate the proceedings** if written protests have been filed by landowners owning 50% or more of the assessed value of land in the subject area.

The protest hearing was properly noticed and held on May 30, 2018, at 1:30 pm in the LAFCO office located at 651 Pine Street, 6th 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. There was one attendee at the protest hearing (i.e., landowner/applicant), and LAFCO staff. No landowners filed a written protest; thus, the annexation is ordered.

RECOMMENDATION: Receive the results of the protest hearing, order the annexation, and direct staff to execute the determination (attached).

Sincerely,

Lou Ann Teixeira
 Executive Officer

c: Distribution List

Attached – LAFCO Certificate of Determination

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

DETERMINATION OF THE EXECUTIVE OFFICER OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION FINDING THERE ARE INSUFFICIENT WRITTEN PROTESTS TO TERMINATE THE PROCEEDINGS FOR THE KIRKPATRICK DRIVE ANNEXATION TO WEST COUNTY WASTEWATER DISTRICT (LAFCO 17-11)

1. This action is taken pursuant to the Cortese Knox Hertzberg Local Government Reorganization Act (Government Code §56000 et seq.) and policies of the Contra Costa Local Agency Formation Commission (hereafter Commission).

2. Proceedings for *Kirkpatrick Drive Annexation to the West County Wastewater District* were initiated by the landowner and filed with the Executive Officer of Contra Costa LAFCO in October 2017, proposing annexation of 39 Kirkpatrick Drive (0.763± acres).

3. On April 18, 2018, the Commission adopted Resolution No. 17-11, making determinations and approving the proposal subject to certain conditions. In conjunction with its approval, the Commission added to the annexation proposal a portion (0.442± acres) of an adjacent parcel on Argyle Road to correct another boundary issue. A true copy of said Resolution is attached hereto and incorporated by this reference, containing the terms and conditions of the Commission's approval of this proposal.

4. The purpose of the annexation is to bring the parcels into the WCWD service boundary.

5. Acting on delegated authority from the Commission, as Executive Officer, on May 30, 2018, I conducted a properly noticed public hearing to receive protests filed against the annexation and, following conclusion of the hearing, found that no landowners within the subject area filed written protests against the proposal.

6. Finding there are insufficient protests to terminate the proceedings, Contra Costa LAFCO hereby orders the annexation (LAFCO 17-11) subject to the terms and conditions contained within the Commission's resolution of approval.

This order is made on and is effective from June 13, 2018.

Lou Ann Texeira, Executive Officer
Contra Costa Local Agency Formation Commission