



Lou Ann Teixeira
Executive Officer

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May 14, 2008 (Agenda)

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

Results of Protest Hearing - Central Contra Costa Sanitary District Annexation 166

Dear Commissioners:

RECOMMENDATION

It is recommended that the Commission receive an oral report of the results of the protest hearing that will be held on Monday, May 12 at 3:00 p.m., and take one of the following actions:

1. Adopt a resolution finding a majority protest was not received and order the annexation subject to the terms and conditions as specified in the Commission's resolution of approval; or
2. Adopt a resolution finding a majority protest was filed and terminate the proceedings.

DISCUSSION

At a public hearing on April 9, 2008, the Commission approved Central Contra Costa Sanitary District (CCCSD) Annexation 166. This is a proposal to annex 88± acres (nine parcels) to CCCSD. The purpose of the annexation is to provide sanitary sewer services to the properties.

In accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH Act"), 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 "majority protest" exists. With regard to this annexation, which is uninhabited, the Commission shall take one of the following actions:

- Order the annexation if written protests have been filed by less than 50% of the land owners owning less than 50% of the total 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 landowners owning at least 50% of the total assessed value of land.

The protest hearing has been properly noticed and is scheduled for Monday, May 12, 2008, at 3:00 p.m. at the LAFCO office located at 651 Pine Street, Sixth Floor in Martinez. The hearing will be conducted by the LAFCO Executive Officer, who has been delegated the authority to conduct this public hearing on behalf of the Commission.

At the conclusion of the hearing, the number of protests received during the hearing will be counted. Pursuant to the CKH Act, if a majority protest exists, the proceedings will be terminated; if no majority protest exists, LAFCO will order the annexation subject to the terms and conditions as specified in the Commission's resolution of approval.

At the Commission meeting on May 14, LAFCO staff will report the results of the protest hearing. It should be noted that to date no written protests have been received.

Sincerely,

Lou Ann Texeira
Executive Officer

c: Russ Leavitt, CCCSD
Distribution List