



Lou Ann Texeira
Executive Officer

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August 13, 2008 (Agenda)

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

**Request to Amend LAFCO Resolution No. 07-21
Approving the Ambrose Park Annexation to the City of Pittsburg**

Dear Commissioners:

On July 9, 2008, following a public hearing, the Commission approved the annexation of Ambrose Park to the City of Pittsburg.

During the hearing, a number of speakers addressed the Commission, including Mae Cendaña, Chair, Ambrose Recreation & Park District (ARPD). During the July 9 hearing, Ms. Cendaña requested that the Commission amend its resolution to specify that the City of Pittsburg *will fund the creation of a Master Plan and identify funding from City park dedication fees and other sources to help implement improvements to Ambrose Park.*

The Commission's motion to approve the annexation and action did not include this amendment to LAFCO resolution.

The ARPD has submitted a letter requesting this amendment (attached).

RECOMMENDATION

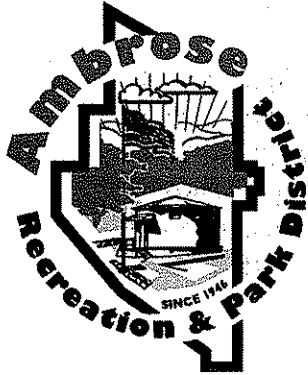
Consider request to amend LAFCO Resolution No. 07-21 as submitted by the ARPD.

Sincerely,

Lou Ann Texeira
Executive Officer

Attachments:

1. Request to Amend LAFCO Resolution No. 07-21 by the Ambrose Recreation & Park District
2. LAFCO Resolution No. 07-21

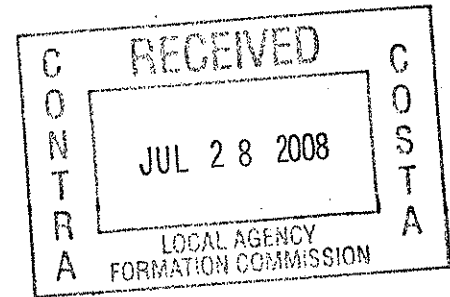


3105 Willow Pass Road, Bay Point, CA 94565

**Office: (925) 458-1601
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July 25, 2008

Contra Costa County LAFCO
651 Pine Street, Sixth Floor
Martinez, CA 94553-1229



Lou Ann:

I would like to request that an amendment to Resolution No. 07-21, adopted July 9, 2008 be amended and considered by the Board at your August 13 meeting 2008. This resolution is regarding the annexation of Ambrose Park into the City of Pittsburg. Additional wording was recommended by the Chair of the Ambrose Recreation and Park District that would add more specific language to the resolution. This wording was approved by the City Manager at the Public Hearing during testimony on the record.

It is assumed by the Ambrose Board after realizing that the LAFCO Commission had forgotten to include the additional wording as the testimony went on well after the request was made. The Ambrose Board also did not realize that the requested language was not included until after the meeting broke up. The requested changes are important to the Board and they do request consideration by the Commission to amend Resolution No. 07-21 with the language as shown in the attachment and that was read into the record at the meeting.

Please let me know if you have any questions regarding this request.

Sincerely:

Tarry L. Smith
General Manager
Ambrose Recreation and Park District

CC Marc Grisham
City of Pittsburg

**REQUESTED CHANGES TO RESOLUTION
NO. 07-21**

1. Staff Report -

A. Option 1, item C, number 2 – Should read

“The City of Pittsburg and the Ambrose Recreation and Park District work together to develop a Master Plan for Ambrose Park improvements **and that the Master Plan be funded by the City of Pittsburg, and that the City of Pittsburg direct park dedication funds and other appropriate funds for significant improvements of Ambrose Park.**”

2. Resolution NO. 07-21 –

8. The City of Pittsburg and the Ambrose Recreation and Park District should work together to develop a Master Plan for Ambrose Park improvements. **The City of Pittsburg should fund the creation of the Master Plan and identify funding form park dedication fees and other sources to help implement these improvements in a significant way.**

The bold/underline wording is asked to added to the current resolution as this is the wording read into the record by Mae Cendaña and Marc Grisham as agreed upon by both parties.

RESOLUTION NO. 07-21

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND APPROVING THE
AMBROSE PARK ANNEXATION TO THE CITY OF PITTSBURG**

WHEREAS, the above-referenced 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 proposal; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony related to the proposal including, but not limited to, the Executive Officer's report and recommendation, the environmental documents and determinations, Spheres of Influence and applicable General and Specific Plans; and

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

WHEREAS, the annexing agencies have consented to waiving the conducting authority proceedings; and

WHEREAS, the Local Agency Formation Commission determines the 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 determines that the City of Pittsburg, as Lead Agency, prepared and adopted a Negative Declaration in conjunction with the proposed Ambrose Park annexation.
2. Certify that the Commission has reviewed and considered the information contained in the Negative Declaration prepared by the City of Pittsburg.
3. Said annexation is hereby approved.
4. The subject proposal is assigned the distinctive short-form designation:

AMBROSE PARK ANNEXATION TO THE CITY OF PITTSBURG
5. Said territory is found to be uninhabited.
6. 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.

Contra Costa LAFCO
Resolution No. 07-21

7. The subject territory shall be liable for any authorized or existing taxes, charges and assessments comparable to properties within the annexing agencies.
8. The City of Pittsburg and the Ambrose Recreation & Park District should work together to develop a Master Plan for Ambrose Park improvements.
9. Prior to recordation, the applicant shall deliver an executed indemnification agreement between the applicant and Contra Costa LAFCO providing for the applicant to indemnify LAFCO against any expenses arising from any legal actions challenging the annexation.
10. Satisfactory proof having been given that no affected landowners oppose the reorganization, and the annexing agencies have given written consent to the waiver of conducting authority proceedings, said conducting authority proceedings are hereby waived.
11. All subsequent proceedings in connection with this annexation 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 9th day of July 2008, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ROB SCHRODER, 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: July 9, 2008

Lou Ann Texeira, Executive Officer