

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT

February 11, 2009 (Agenda)

LAFCO 08-27: Faria Preserve Reorganization: Annexations to the City of San Ramon, Central Contra Costa Sanitary District (CCCSD) and East Bay Municipal Utility District (EBMUD)

PROPONENT: City of San Ramon – City Council Resolution 2008-183 - September 9, 2008

ACREAGE & LOCATION Proposed annexation of 289± acres to the City of San Ramon, 276± acres to CCCSD, and 255± acres to EBMUD. The area is generally located to the east of Bollinger Canyon Road, to the north of Deerwood Drive, and to the west of San Ramon Valley Blvd. [APNs 208-240-005/007/008, 208-240-029, 208-240-048 (portion), 208-250-011, 208-260-016/046]

SYNOPSIS

The City filed an application with LAFCO to annex the properties to the City of San Ramon, CCCSD and EBMUD in conjunction with the proposed Faria Preserve project. The purpose of the reorganization is to extend water, wastewater and other municipal services to a proposed development of 786 residential dwelling units and associated public and community facilities, parks and open space.

The reorganization area is contiguous to the existing City and district service boundaries, is within the CCCSD and EBMUD SOIs, is within the City of San Ramon's SOI and the City Urban Growth Boundary (UGB), and, with the exception of 8.5± acres along the western border of the property, is within the County Urban Limit Line (ULL).

The Faria Preserve is part of the City's Northwest Specific Plan (NWSP), encompassing a total of 354± acres. The reorganization proposal includes annexation of 290± acres to the City, and annexations to CCCSD and EBMUD. The remaining portion of the NWSP includes the Western Plan Area (64± acres), which is not currently proposed for annexation.

DISCUSSION

The CKH Act sets forth factors that the Commission is required to consider in evaluating any proposed change of organization or reorganization as discussed below (Gov. Code §56668). In the Commission's review and evaluation, no single factor is determinative. In reaching your decision, each 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 SOI.

The reorganization area is within the SOIs of the City of San Ramon, CCCSD and EBMUD in accordance with the Commission action on December 10, 2008 to amend the CCCSD and EBMUD SOIs to include the proposal area.

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

The reorganization area consists of seven parcels, plus a portion of one additional parcel (APNs 208-240-005/007/008, 208-250-011, 208-260-016/046, 208-240-029, portion of 208-240-048).

Currently, primary land uses on the Faria Preserve property include seasonal cattle grazing (approximately 100 head of cattle annually). A five million gallon water tank reservoir owned by EBMUD is located in the southeast corner of the Faria Preserve area. In addition, APN 208-240-029 contains one residential structure, a shed and a well pressure system.

Surrounding land uses include commercial and light industrial to the east; open space, a nursing home and ranchette to the west; open space and ranchette to the north; and single family and multi-family to the south.

Among the factors LAFCO must consider in reviewing a proposal is "Consistency with city or county general and specific plans." (Gov. Code §56668)

The County General Plan designates the project site as AL (Agricultural Lands) and the County zoning designation is A-2 (General Agricultural). Seasonal cattle grazing occurs on the project site. The City indicates that the carrying capacity of the grazing lands is substantially below the threshold of one animal unit per acre for land that supports livestock used for the production of food and fiber. The City states that the property meets none of the other criteria for "prime agricultural land" pursuant to Government Code section 56064. The project site is not subject to any Williamson Act land contracts.

The County General Plan Open Space Element states that the County considers properties designated AL as open space land within the definition of Government Code section 65560. The City's General Plan and land use designations for the project site include a combination of residential, open space, parks, public/semi-public land uses. Of the 290± acres comprising the Faria Preserve project site, approximately 192 acres are designated as open space, with an additional 13 acres designated for parks.

The proposal area includes 8.5± acres of land along the western border of the property which is outside the County ULL. The City indicates that the 8.5± acre area is within the City's UGB. In accordance with the proposed Faria Preserve development project, this 8.5± acre area of land is designated open space and will house an EBMUD water tank. There will be no need for municipal water and sewer services to this area; therefore, there is no need to annex this area to the CCCSD and EBMUD service boundaries. However, the 8.5± acre area is needed in order for the City to meet its ratio of urban/non-urban land use. Consequently, it is proposed that this area be annexed to the City in order to achieve the desired land use balance.

Owners of the affected property also own land immediately west of the Faria Preserve project site, which is outside the NWSP area. The property owners have agreed to permanently preserve 144± acres of this adjacent property in its natural state through conservation easements. This additional open space area is intended to advance the City's open space and resource conservation goals.

In December 2007, the East Bay Regional Parks District (EBRPD) and the Sierra Club filed suits challenging certain approvals required for development of the Faria Preserve. Subsequently, EBRPD, the Sierra Club, the City of San Ramon, and the proponents of the Faria Preserve project entered into settlement agreements related to the legal challenges. In brief, settlement related refinements are as follows:

- Reducing the project size (Neighborhood A), resulting in net decrease of 5.1± acres in disturbed area
- Expanding the open space area (northwest corner) and permanent protection of this expanded open space area through a conservation easement
- Shifting of the recreated creek and riparian corridor
- Establishing a new EBRPD trail staging area
- Corresponding adjustment of project boundaries

In addition, the settlement agreements require increased landscaping and planting to provide enhanced visual shielding of the project from both San Ramon Valley Blvd. and the intersection of Norris Canyon Road and Bollinger Canyon Road. These refinements are primarily designed to reduce the project footprint and increase the project open space area.

The City indicates that land uses and rezoning are consistent with the City of San Ramon General Plan 2020 and NWSP land use designations, pre-zoning, development plan and vesting tentative map.

Pursuant to the Government Code section 56375(e), no subsequent change may be made to the General Plan for the annexed territory or zoning that is not in conformance to the rezoning designations for a period of two years after the completion of the annexation, unless the legislative body for the city makes a finding at a public hearing that a substantial change has occurred in the circumstances that necessitates a departure from the rezoning in the application to the Commission.

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

As indicated above, the County General Plan and zoning designate the project site as agricultural lands. Agricultural uses on the property include seasonal cattle grazing (100 cattle annually). Under the County designations, the proposed development of the site would result in the conversion of agricultural land to "urban" uses. However, the proposed development is consistent with the City of San Ramon's voter-approved 2002 General Plan.

The City reports that there is no prime farmland, unique farmland, or farmland of local importance within the NWSP area; although the area does contain grazing land, as identified by the State Department of Conservation Farmland Mapping and Monitoring Program. None of the lands within the NWSP are regulated by a Williamson Act land contract.

4. Topography, Natural Features and Drainage Basins:

The majority of the NWSP area is hilly, with only a small amount of relatively flat ground east of Bollinger Canyon Road at the southwest corner. The topography is dominated by four northwest trending ridges. Site elevations in the Faria Preserve area range from 524 to 998 feet. Ridges are

covered with seasonal grasses and scattered shrubs and drainages have scattered groves of oak, cottonwood and willow trees.

Other natural features in the NWSP area include the Bollinger Creek, located west of Bollinger Canyon Road in the Western Plan area.

The project site has four main surface drainages, all of which flow into Bollinger Creek and are part of the San Ramon Creek watershed. According to the project Environmental Impact Report (EIR), the NWSP area development will be served by a system of storm water filtration, collection and detention facilities located on site. Storm runoff generated from the Faria Preserve project will flow through bio swales and be conveyed through drainage channels and piped storm drain systems to three detention basins (outfall to Bollinger Creek).

The surrounding areas to the south and east gently slope away from the project site. The areas to the north and west are characterized by rugged terrain, with elevations higher than the proposal area. The area to the west also includes the Bollinger Creek drainage area.

The Bollinger Creek 100-Year Flood Zone begins to the northwest of the project site, and extends across Crow Canyon Road, splitting the NWSP area. At this point, the Bollinger Creek flood zone is confined to the west side of Bollinger Canyon Road. A large section of the Western Plan area is occupied by the 100-year flood plain.

Significant impacts to geology/soils, and hydrology/water quality were identified in the City's EIR and associated geotechnical reports, along with a number of mitigation measures.

In response to the EIR, a number of concerns were expressed regarding the substantial impact to the water of the U.S. and State through extensive fill of the seasonal wetlands and creeks on the project site. The City has adopted mitigation measures which it believes mitigates those impacts. Further, as part of a settlement agreement, the project footprint (Neighborhood A) was revised to provide additional enhancements to the recreated creek.

5. Population:

The site is primarily vacant. The one parcel proposed for annexation to CCCSD (APN 208-240-029) is currently within the City of San Ramon's city limits. There are currently two structures on this parcel. The proposed development will provide approximately 786 new residential units, resulting in an estimated population increase of approximately 2,209 persons per the City of San Ramon's average household size of 2.81 persons.

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, and the various councils of government throughout the State allocate to each jurisdiction a "fair share" of the regional housing needs pursuant to Government Code §65584.

The Association of Bay Area Governments (ABAG) determines each city's fair share of regional housing needs. Each jurisdiction is required in turn to incorporate its "fair share of the regional housing needs into the housing element of its General Plan." ABAG is expected to approve its Regional Housing Needs Allocation (RHNA) for the period 2006-2014 this year.

The proposed RHNA for the City of San Ramon for the next round (2006-2014) calls for the City to generate the following: 1,174 units for "Very Low" income households (i.e., incomes under 50% of the regional median income), 715 units for "Low" income households (under 80% of the regional median), 740 units for "Moderate" income households (under 120% of the regional median income) and 834 units for households above median income. The City's share of regional housing needs for this period is 3,463 units.

The City of San Ramon last updated its General Plan Housing Element in 2004, and the update is currently being reviewed by the State Department of Housing and Community Development. The updated Housing Element is expected to be adopted this spring.

The Faria Preserve project will add 786 new residential dwelling units to the City's housing stock (400 single-family and 386 multi-family). The City indicates that this project will set aside 25% of the projects residential as affordable to very low, low and moderate income households. Of these, 20% will be specifically set aside for low and very low income households.

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

In accordance with Government Code §56653, whenever a local agency submits a resolution of application for a change of organization or reorganization, the local agency must also submit a plan for providing services within the affected territory. The plan shall include all of the following information and any additional information required by the Commission or the LAFCO Executive Officer:

- (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's "Plan for Providing Services" is attached which provides for a full complement of municipal services, along with associated infrastructure improvements. In addition, a fiscal analysis was prepared in conjunction with the project which addresses capital improvement (i.e., backbone infrastructure, community facilities, in-tract subdivision infrastructure), public services and ongoing project costs.

In accordance with this proposal, the City of San Ramon will provide a range of municipal services, including general government, police, recreation, community development, and public works. As proposed, retail water service will be provided by EBMUD, and sewer service will be provided by CCCSD as part of the reorganization. Fire services will continue to be provided by the San Ramon Valley Fire Protection District (SRVFPD). The project area will be served by the San Ramon Valley Unified School District.

*Fire Protection* – Fire and emergency medical service are provided by SRVFPD and will continue to be provided by this agency upon annexation. The City's General Plan policies include service standards relating to response time (i.e. 4-5 minutes for emergency calls 90% of the time) and location of fire stations in proximity to developed areas (i.e., 1.5 miles to residential and non-residential development). According to the City's Plan for Service, Fire Station No. 38, located approximately ¼ mile south of the project area, has primary responsibility for fire and emergency medical services, with access via Bollinger Canyon Road or Purdue Road. Fire Station No. 31, located approximately two miles north of the project site, has secondary responsibility for serving the project area, with access via San Ramon Valley Blvd. and Purdue Road.

*Police Services* – Law enforcement services are currently provided to the reorganization area by the Contra Costa County Sheriff's Department. Upon annexation, police services would be provided by the City of San Ramon. The City's police department maintains a ratio of 0.8 officers to in accordance with the City's adopted service standards for police services.

The Faria Preserve project will generate a need for two additional police officers. According to the City's fiscal analysis for the project, police services are expected to be the highest service cost item associated with the project and will make up nearly 40% of the new General Fund costs. While the fiscal analysis concludes that the development project will generate sufficient revenues to cover costs associated with providing public services, the conditions of approval for the project require the formation of an assessment district to ensure that the project will not create a burden on the City's general Fund. Primary revenue sources will be property tax, charges for services and state subventions (property tax in-lieu of VLF).

*Streets and Roadways* – The NWSP area is served by a network of state highways (I-680), arterial roads (San Ramon Valley Blvd., Crow Canyon Road, Bollinger Canyon Road), collector and local streets. In addition, public transit (bus) and commuter rail services and bicycle and pedestrian facilities are key components of the City's circulation system.

The Faria Preserve project will have significant impacts on the City's transportation system, resulting in the need for street and roadway improvements. The City's General Plan identifies a number of planned improvements relating to roadways, bicycle and pedestrian facilities, and transit services. Specific improvements associated with this project include modifications to the Bollinger Canyon Road/Crow Canyon Road intersection, widening of Crow Canyon Road and Deerwood Road, and extension/construction of Twin Creeks Drive (from Crow Canyon Road to Old Crow Canyon Road). In addition, the City plans to complete a number of bike lanes in the project area, including Fosteria Way, Bollinger Canyon Road, Deerwood Road/Deerwood Drive.

According to the City, backbone and in-tract infrastructure costs will be borne by the developers, and will require the formation of an assessment district to ensure that operation and maintenance costs

are funded through a combination of developer fees and homeowner assessments, as not to burden the City's General Fund.

*Parks and Recreation* – The City's General Plan established a standard of 6.5 acres of public parks per 1,000 residents, and public facilities to be located within one-half mile of all homes. The NWSP proposes a community park (12.7 acres), neighborhood park (2.0 acres), memorial rose garden (0.5 acres), and extensive open space and trails. According to the EIR, the parkland associated with the Faria Preserve project will meet or exceed the City's standards. Funding and maintenance of these areas is provided for in the NWSP, which requires development of an Open Space Management Plan.

*Wastewater Services* - Wastewater services to the project area will be provided by CCCSD, which is responsible for wastewater collection, maintenance of the sewer lines, wastewater treatment and disposal services.

CCCSD provides service to Danville, Lafayette, Moraga, Orinda, Pleasant Hill, and Walnut Creek, as well as a portion of Martinez and San Ramon and unincorporated areas within central Contra Costa County. The District also provides wastewater treatment for the cities of Concord and Clayton, and is a partner in the Household Hazardous Waste Collection Facility that serves the central portion of the county.

CCCSD serves 136,776 sewer connections within the District's boundaries (excluding Concord and Clayton). The District's wastewater system consists of 1,500 miles of sewer main and 18 pump stations. CCCSD has a permitted discharge limit of 53.8 mgd. The majority of the treated effluent is discharged to Suisun Bay. In 2008, CCCSD processed an average dry weather flow of 35.2 mgd.

The majority of CCCSD's system operates with gravity flow with some pumping stations and force mains. All sewer connections to the Faria Preserve project area will be gravity flow.

CCCSD has completed several studies for portions of the sewer system near the NWSP area. These studies show that some segments of the existing sewer system along San Ramon Valley Boulevard, between Crow Canyon Road and Ridgeland Drive, will be deficient during extreme rains. Also, some CCCSD facilities further downstream do not have adequate flow carrying capacity under the District's current design criteria for ultimate conditions. Improvements to correct these deficiencies, including the A-line Relief Interceptor, are, or soon will be, included in CCCSD's Capital Improvement Plan (CIP). The first phase of this interceptor project was completed in 1995, the second phase is currently under construction, and the remainder will be completed in 2016-2021.

Build out of the project would generate approximately 185,447 gallons of wastewater per day. A new sewer system would be constructed within the project area and would flow to Purdue Road. Collectors within the main access loop would be located east of Bollinger Canyon Road. Minimum 8-inch diameter sewer mains would convey wastewater to the existing collection system.

Costs associated with the sewer system are funded through service fees and capital facilities capacity charges.

In its letter of September 2, 2008, CCCSD states that its facilities have sufficient capacity to accommodate dry and wet weather sewer flows from the proposed project and other cumulative development.

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.

EBMUD is expected to provide water services to Faria Preserve the project area. EBMUD provides wholesale water, retail water, wastewater collection and wastewater treatment services for an area of approximately 331 square miles in Contra Costa and Alameda counties, serving over 1.4 million people. Water service includes production, distribution, retail, treatment, recycling and conservation services. Historically, over 90% of EBMUD's water comes from the Mokelumne River watershed. Other water sources include local watershed runoff and Central Valley Project (CVP) (Sacramento River).

EBMUD has water rights for up to 325 million gallons, or 997 acre feet (AF) of water per day, for a total of 364,000 AF per year. In normal years, the District reservoirs in the Bay Area receive an additional 30,000 AF annually. Average daily system demand district-wide is approximately 220 million gallons per day (mgd).

Build out of the Faria Preserve project area is expected to generate an average demand of 345,000 gallons of water per day. The project will require a new, comprehensive water supply system to be served from a new pressure zone linked to the San Ramon Pressure Zone, and consist of two storage tanks and a pumping plant.

EBMUD has completed several studies that address water service to the project site. The District's 2000 Urban Water Management Plan concludes that EBMUD has, and will have, adequate water supplies to serve existing and projected demand within its Ultimate Service Boundary (including the Faria Preserve project area), during normal and wet years; however, deficits are projected for drought years. EBMUD's Water Supply Management Plan includes up to a 25% water conservation requirement in a severe drought. The Faria Preserve project will be subject to these drought restrictions. Further, the City of San Ramon requires compliance with its Water Conservation and Landscape Ordinance 218. This local ordinance requires that 80-90% of plants be drought tolerant and limits the amount of turf area to 25%.

EBMUD also prepared a Water Supply Assessment (WSA) for the NWSP area, in accordance with the California Water Code, sections 10910-10915. The WSA provides an evaluation of the District's 20-year water supply (available during normal, single-dry and multiple-dry water years) in relation to the water demand associated with the proposed project.

The various studies prepared by EBMUD conclude that deficits are projected for drought years and that a supplemental water supply, along with conservations measures, will be needed to meet future water demands.

With regard to water storage, the existing San Ramon reservoir, located within the project site, contains five million gallons of potable water. There are a total of 29 million gallons in the San Ramon Pressure Zone, providing adequate storage for existing and future growth.

With regard to other infrastructure, the Faria Preserve proposes construction of two adjacent side-by-side water tanks, and construction of a pump station to connect the existing water delivery system, including the existing San Ramon Reservoir, to the new pressure zone system.

In its letter of August 26, 2008, EBMUD states that water service to the project site will be available contingent upon evidence of annexation and compliance with the District's regulations governing water service. EBMUD's ability to supply water depends, in part, on its contract with the U.S. Bureau of Reclamation (USBR) for supplemental dry-year supply from the CVP. Under the terms of this contract, EBMUD must obtain USBR's prior approval for inclusion of new areas into its customer service area to be supplied with CVP water. This requirement will apply to the Faria Preserve annexation. To support its consent, the USBR requires environmental documentation above and beyond the State of California CEQA requirements in order to satisfy the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), and Section 106 of the National Historic Preservation Act (NHPA).

In its application to LAFCO, the City indicates that the required information has been submitted to EBMUD, and that the District has provided this information to the USBR for preliminary review. Based on the preliminary review, the information submitted appears to be complete and without any fatal flaws. EBMUD will submit its official application to the USBR once the annexation has been approved by LAFCO. Thus, ultimate approval of water supply is subject to the USBR.

In addition, three storm detention basins will need to be located within the project area.

9. Assessed Value, Tax Rates and Indebtedness:

The reorganization area is within tax rate areas 66081, 66088 and 66091. The assessed value for the parcels is approximately \$2.6 million (2008-09 roll). The territory being annexed shall be liable for all authorized or existing taxes comparable to properties presently within the annexing agencies.

10. Environmental Impact of the Proposal:

The City of San Ramon, as Lead Agency, prepared and certified the Northwest Specific Plan/ Faria Preserve Community EIR; adopted findings and a statement of overriding considerations; and approved the NWSP and related rezoning for the Faria Preserve (December 2006). In addition, the City adopted an addendum to the NWSP/Faria Preserve Community (June 2008) to address changes in the EIR's original assessment of environmental impacts in light of changes to the project resulting from the EBRPD and Sierra Club settlement agreements. Copies of the environmental documents were previously provided the Commission and are available in the LAFCO office.

The NWSP/Faria Preserve Community EIR evaluated the potential environmental impacts of including the project area in the CCCSD and EBMUD boundaries. The EIR identifies potentially significant environmental effects, for which mitigation measures have been adopted. In addition, the EIR identifies potentially significant unavoidable environmental effects, for which the City adopted findings and a statement of overriding considerations. The City notes that the only significant impacts remaining after mitigation of the project are inconsistency with the 2005 Ozone Strategy and increased emissions of criteria air pollutants.

The Mitigation Monitoring and Reporting Program (MMRP) contains a number of mitigation measures relating to municipal services, and specifically hydrology/water quality and traffic/transportation. The MMRP includes mitigation measures to address potential impacts to surface and groundwater, potential flooding, and traffic resulting from implementation of the Faria Preserve project. Further, the NWSP EIR was tiered off of the General Plan, and incorporates by reference various mitigation measures.

11. Landowner Consent and Consent by Annexing Agency:

The area proposed for annexation is considered uninhabited, as there are fewer than 12 registered voters in the proposal area.

The City indicates that the affected landowner and annexing agencies have consented to the reorganization and waiver of the conducting authority (protest) proceedings.

12. Boundaries and Lines of Assessment:

The Faria Preserve reorganization area is contiguous to the existing City and district boundaries. The territory proposed for annexation includes a partial parcel (APN 208-240-048). Only the eastern portion of this parcel is proposed for annexation, as the western portion of the parcel is outside the City of San Ramon's voter-approved Urban Growth Boundary and outside the countywide voter-approved Urban Limit Line. In addition, the western portion is permanently protected open space in accordance with conservation easements and will not require the provision of municipal services.

Splitting parcels within local agency boundaries results in tax rate area and assessment problems, and may create service inefficiencies and confusion. If the Commission approves this proposal, the split parcel should be converted to separate legal parcels.

A lot line adjustment is proposed to be a condition of approval of the reorganization. Final approval of the map and legal description is subject to approval by the County Surveyor.

13. Environmental Justice:

Beginning January 1, 2008, Government Code §56668(o) requires that LAFCO consider the extent to which proposals for changes of organization or reorganization 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.

#### 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 to include the annexation of 289± acres to the City of San Ramon (Attachment A), 276± acres to CCCSD (Attachment B1), and 255± acres to EBMUD (Attachment C1) as generally depicted on the attached maps [APNs 208-240-005/007/008, 208-240-029, 208-240-048 (portion), 208-250-011, 208-260-016/046]. **Option 1 includes the addition of APN 208-240-029 to the CCCSD boundary to provide for a logical boundary and avoid the creation of an island.** Option 1 also includes annexation of the 8.5± acre area along the western border of the property to the City of San Ramon, and **does not include this 8.5± acre area in the CCCSD and EBMUD annexations as this area is designated open space and will not require water and sewer services.**

- A. Determine that the City of San Ramon, as Lead Agency, prepared and certified the Environmental Impact Report for the Northwest Specific Plan/Faria Preserve Community, Statement of Overriding Considerations, a Mitigation Monitoring and Reporting Program, and Addendum to the previously certified EIR.
- B. Certify that the Commission has reviewed and considered the information contained in the CEQA documents prepared by the City of San Ramon. Adopt the Findings and Statement of Overriding Considerations as approved by the City of San Ramon per Resolution No. 2006-171.
- C. Adopt this report and approve the proposal, to be known as the Faria Preserve Reorganization: Annexations to the City of San Ramon, Central Contra Costa Sanitary District, and East Bay Municipal Utility District, subject to the following terms and conditions:
  1. 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 agencies.
  2. No building permits shall be issued by the City of San Ramon for any new development within the Faria Preserve Reorganization area unless and until a lot line adjustment or subdivision map has been processed and recorded so that parcel lines within the Faria Preserve Reorganization area are made coterminous with the reorganization area. The City of San Ramon will work cooperatively and diligently with the owners of the property within the Faria Preserve Reorganization area to prepare and process the necessary approvals and documents for such a lot line adjustment or subdivision map by February 2010.

3. Water service is conditional upon EBMUD receiving acceptance for inclusion of the annexed lands from the U.S. Bureau of Reclamation, pursuant to the requirements in EBMUD's contract with Reclamation for supplemental water supply from the Central Valley Project.
  4. Prior to recordation, the applicant shall deliver an executed indemnification agreement providing for the applicant to indemnify LAFCO against any expenses arising from any legal actions challenging the reorganization.
- D. Find that: 1) the subject territory is uninhabited, 2) all affected landowners have consented to the annexation and 3) the annexing agencies have consented to the waiver of conducting authority proceedings.
- E. Waive conducting authority proceedings and direct the staff to complete the proceeding.

**Option 2** Approve the reorganization as submitted to include the annexation of 290± acres to the City of San Ramon (Attachment A), 278± acres to CCCSD (Attachment B2), and 261± acres to EBMUD (Attachment C2) as generally depicted on the attached maps [APNs 208-240-005/007/008, 208-240-048 (portion), 208-250-011, 208-260-016/046]. **Option 2 excludes the addition of APN 208-240-029 to the CCCSD boundary. Option 2 includes annexation of the 8.5± acre area along the western border of the property to the City of San Ramon, and to CCCSD and EBMUD annexations.**

- A. Determine that the City of San Ramon, as Lead Agency, prepared and certified the Environmental Impact Report for the Northwest Specific Plan/Faria Preserve Community, Statement of Overriding Considerations, a Mitigation Monitoring and Reporting Program, and Addendum to the previously certified EIR.
- B. Certify that the Commission has reviewed and considered the information contained in the CEQA documents prepared by the City of San Ramon. Adopt the Findings and Statement of Overriding Considerations as approved by the City of San Ramon per Resolution No. 2006-171.
- C. Adopt this report and approve the proposal, to be known as the Faria Preserve Reorganization: Annexations to the City of San Ramon, Central Contra Costa Sanitary District, and East Bay Municipal Utility District, subject to the following terms and conditions:
  1. 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 agencies.
  2. No building permits shall be issued by the City of San Ramon for any new development within the Faria Preserve Reorganization area unless and until a lot line adjustment or subdivision map has been processed and recorded so that parcel lines within the Faria Preserve Reorganization area are made

coterminous with the reorganization area. The City of San Ramon will work cooperatively and diligently with the owners of the property within the Faria Preserve Reorganization area to prepare and process the necessary approvals and documents for such a lot line adjustment or subdivision map by February 2010.

3. Water service is conditional upon EBMUD receiving acceptance for inclusion of the annexed lands from the U.S. Bureau of Reclamation, pursuant to the requirements in EBMUD's contract with Reclamation for supplemental water supply from the Central Valley Project.
4. Prior to recordation, the applicant shall deliver an executed indemnification agreement providing for the applicant to indemnify LAFCO against any expenses arising from any legal actions challenging the reorganization.

D. Find that: 1) the subject territory is uninhabited, 2) all affected landowners have consented to the annexation and 3) the annexing agencies have consented to the waiver of conducting authority proceedings.

E. Waive conducting authority proceedings and direct the staff to complete the proceeding.

**Option 3** Adopt this report and DENY the proposal.

**Option 4** If the Commission needs more information, CONTINUE this matter to a future meeting.

**RECOMMENDED ACTION:**

Approve Option 1.

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

Attachments (Vicinity Map and Plan for Providing Service)

c: Distribution

## **Faria Preserve Reorganization Plan for Providing Services**

### **A. Describe the services to be extended to the affected territory by this proposal:**

The following is a description of the services that will be extended to serve the proposed Faria Preserve Reorganization Area Under the Northwest Specific Plan (NWSP) and Faria Preserve Tentative Map, services would be provided to address the 786 residential units, educational facilities, house of worship, parks and open space.

#### **1. Police Services**

San Ramon Police Services is the primary public safety provider for the City. Police Services is responsible for the safety and welfare of the citizens of San Ramon by ensuring and maintaining effective law enforcement systems, such as crime prevention, traffic enforcement, patrol, criminal investigations, vice and narcotic enforcement and community relations.

The San Ramon Police Services Department (SRPSD) provides police protection services to the City of San Ramon. The Police Department is headquartered at 2222 Camino Ramon, San Ramon. The Department is divided into two bureaus: Administration, and Operations. The Police Department also operates a Volunteer Program. The SRPD maintains a ratio of 0.8 officer to 1,000 residents the national standard is a ratio of 1.25 officers per 1,000 residents (San Ramon DEIR, 2001). The Police Department patrols all city neighborhoods 24 hours a day, seven days a week. Patrol beats are established and patrolled by officers who are assigned to work a particular beat. The City is divided into six beats. If the beat officer is busy on a detail, another officer from the closest beat will respond to cover the area.

#### **2. Fire and Emergency Services**

The San Ramon Valley Fire Protection District (SRVFPD) provides services to the Project Area and would continue to do so with the development of the Project area. Fire Station No. 38, located approximately ¼ mile south of the Project Area, has primary responsibility for fire and emergency medical services. Fire and emergency vehicles would access the site via Bollinger Canyon Road or Purdue Road. Station No. 31, located approximately two miles north of the Project Area, has secondary responsibility for fire and medical services. Fire and emergency medical vehicles from Station No. 31 would access the Project Area via San Ramon Valley Boulevard and Purdue Road.

#### **3. Schools**

The Project Area is located within the San Ramon Valley Unified School District. The resident schools for this Project are Twin Creeks Elementary, Iron Horse Middle and California High Schools. It is anticipated that the Project will generate approximately 234 K through 5<sup>th</sup> grade students, 80 6<sup>th</sup> through 8<sup>th</sup> grade students and 76 9<sup>th</sup> through 12<sup>th</sup> grade students. The school district believes it will be able to accommodate students generated by this Project in its existing

schools or through expansion of the existing g facilities using SB 50 School fees imposed on the Project.

#### **4. Storm Drainage Services**

All of the land in the Project area drains to Bollinger Creek and is part of this main watershed. Bollinger Creek is a large tributary of Walnut Creek which flows northwards, terminating in Suisun Bay near the City of Martinez. There are three main ephemeral drainages that originate within the Faria Preserve and flow generally southeast towards Bollinger Creek. Downstream of the Project Area, the easternmost drainage is channelized underground before reaching the daylight portion of Bollinger Creek on the eastern side of I-680. Similarly, the central drainage is contained in a culvert before entering Bollinger Creek. The westernmost subwatershed is very small and flows under Bollinger Canyon Road directly to Bollinger Creek. Each of the three main drainages within the Project Area discharges into existing drainage facilities located to the east and south of the Project Area. In order to reduce the peak outflows and have no net increase in flows, detention basins will be provided within the Faria Preserve Project Site.

#### **5. Water Services**

The existing San Ramon Reservoir, located within the Project Area, contains 5 million gallons of potable water. There are a total of 29 million gallons in the San Ramon Pressure Zone, providing for more than adequate storage for existing and future growth (Kimley-Horn, 2004). EBMUD completed a study in 1995 which determined that its existing facilities are more than adequate to serve existing and future growth within the Project Area. This study was recently reviewed and the amount of storage was confirmed to be more than adequate, “but deficits are projected for drought years” However, the San Ramon Pressure Zone can only provide water to the 450 to 650 feet elevation zone DEIR (p. 4.11-2). The Freeport connection now completed and there is additional water supply protection for drought years. The Project Area has a low elevation of around 600 feet and a high of around 1,000 feet. While some portions of the Faria Preserve Project Site are below 650 feet, all of the proposed residential, educational, and park facility uses – with the exception of part of Neighborhood D–would be above and elevation of 650 feet, and would require a new water supply system.

The Faria Preserve proposes construction of two adjacent side-by-side water tanks within a 3.25 acre development site envelope along the westerly ridgeline located within the Faria Preserve Project Site. The Faria Preserve also proposes construction of a pump station to connect the existing water delivery system, including the existing San Ramon Reservoir, to the new pressure zone system. The water consumption of EBMUD customers has remained relatively level in recent years in spite of population and EBMUD account growth. Between 1987 and 2004, consumption has ranged from a high of approximately 225 million gallons per day (mgd) in 2004 to a low of 170 mgd in 1989. Based on extensive forecasting in EBMUD’s Water Supply Management Program (WSMP) and recent land use-based demand forecasting, the WSMP forecast for 2030 water demand of 281 mgd can be reduced to 232 mgd with successful water recycling and conservation programs that are in place. (EBMUD, 2005). Implementation of the Project would not change the EBMUD 2030 demand Projection. On July 29, 2004, the City of San Ramon requested that EBMUD prepare a Water Supply Assessment in accordance with

Senate Bill 610 (SB 610). SB 610 amended existing California land use and water supply law by requiring that water retail providers like EBMUD demonstrate that sufficient and reliable supplies are available to serve large-scale developments prior to completion of the environmental review for such Projects. Specifically, SB 610 requires that a Water Supply Assessment include an inventory of the water provider's total Projected supplies and address whether those supplies would be available during normal, single-dry, and multiple-dry years during a 20-year Projection, and also evaluate whether that projected available water would satisfy the demand of a proposed project; given present and planned future uses. EBMUD also recently completed its connection from the Sacramento River at Freeport to the Folsom South canal, which gives EBMUD additional water supply protection in drought years. The Water Supply Assessment for the Project Area was prepared by EBMUD and approved by the EBMUD Board of Directors on October 12, 2004.

Presently, there is no water demand for the Project Area as it is currently open space. As summarized in the Water Supply Assessment (EBMUD, 2004), implementation of the project would result in the average use of approximately 385 acre-feet of water per year, or approximately 345,000 gallons of water per day. There are several implementing policies contained in the San Ramon General Plan regarding water conservation including: requiring new development to be equipped with water conservation devices, including the possibility of dual water systems; and continuing to implement and enforce provisions of the Water Conservation and Landscape Ordinance 218. Land use demand factors applied regionally over time account for this type of development within the District's USB; therefore, the Project's additional demands are accounted for in the District's Urban Water Management Plan (UWMP).

## **6. Wastewater Services**

Wastewater is sent to CCCSD's wastewater treatment plant (WWTP) northeast of the Interstate 680/State Route 4 interchange in unincorporated Martinez. Following treatment, the effluent is discharged to Suisun Bay or further treated and returned to the community as recycled water. The Project Area is outside, but adjacent to, CCCSD's Sphere of Influence (SOI) and boundaries. However, CCCSD can provide sewer service if annexation occurs and nearby sewer improvements are made by the Project developer (CCCSD, 2004). Wastewater from the subject property would flow by gravity into CCCSD's sewer. CCCSD has completed several capacity studies for portions of the sewer system near the Project Area. These studies have determined that some segments of the existing sewer system along San Ramon Valley Boulevard, between Crow Canyon Road and Ridgeland Drive, may be deficient during extreme rain events at some point in the future. Improvements required to correct the deficiencies that would result from new development projects are included in the CCCSD Capital Improvement Plan (CIP). Developers of such projects pay fees, which are assessed on a fair share basis to all developers with projects included in the CIP. The actual fee amount is determined after CCCSD has reviewed the Project's final sewer plan. Developers are required to pay these fees at the time of connection to the sewer system, and the actual improvements would be constructed when deemed necessary to address the deficiency (Levitt, 2005).

Wastewater generated by the proposed development in the Project Area would be sewer to existing sanitary sewer infrastructure in Purdue Road and Bollinger Canyon Road. The existing sewer infrastructure is part of the CCCSD's existing collection system that abuts the

development area boundaries. Connection to CCCSD's existing sewer collection system would require annexation of the subject property into the District boundaries. Future sewers could connect to CCCSD's existing collection system at several points abutting the Project Area boundaries:

- 8-inch diameter sewer on Bollinger Canyon Road, north of Crow Canyon Road;
- 8-inch diameter sewers on Deer Terrace Court, Promontory Circle, Treasure Court, Daybreak Court, Destiny Lane, and Deerwood Road;
- 8-inch diameter sewers on Omega Road and Hooper Drive.

#### *Treatment Capacity*

CCCSD is permitted to discharge up to 53.8 million gallons per day (mgd) of average dry weather flow (ADWF) effluent to Suisun Bay. In comparison, in 2004, CCCSD processed 43.5 mgd ADWF. This effluent discharge limit should be sufficient to accommodate wastewater expected to be generated from currently planned growth within CCCSD's service area over the next 35 years, as well as a worst-case assumption of groundwater infiltration. An evaluation of the WWTP concluded it has a "reliable" physical capacity of at least 53.8 mgd. An effluent discharge of that volume, therefore, can be accomplished without the need for construction of additional treatment plant facilities.

Major treatment plant improvements (unrelated to dry-weather capacity) are planned over the next 10 years. These Projects will improve wet-weather capacity, maintainability, reliability, operations efficiency, odor control, and seismic protection. Unforeseen circumstances or additional requirements imposed by regional, state, or federal regulatory agencies, however, could affect the future availability of sewer connections, which are issued on a first-come, first-served basis. Buildout of the Project would result in an average wastewater contribution of approximately 185,447 gallons per day of sewage to the existing system. Currently, CCCSD has the available treatment capacity to accommodate the expected wastewater from the Project Area. However, as previously mentioned, studies by CCCSD indicate that some segments of the existing downstream sewer system along San Ramon Valley Boulevard, between Crow Canyon Road and Ridgeland Drive (including those near Purdue Road), would be deficient during extreme rain events (CCCSD, 2004a).

The sanitary sewer collection system for the Project Area is proposed to be a public system, constructed to CCCSD standards. The system would be primarily located within the development area and would flow northeast to Purdue Road. Collectors within the main access loop would be located east of Bollinger Canyon Road. Sewer mains of 10-12 inches would convey wastewater from future development within the Project Area to the existing collection system. The City is responsible for collection of wastewater and maintenance of the sewer lines, which are generally located within roadways or other City-owned land. The City has over 190 miles of sewer lines ranging in diameter from 6 inches to 3 feet.

#### **7. Solid Waste Services**

Franchised solid waste collection and disposal for single family residential, multi-family residential and commercial customers in the Project Area would be provided by Valley Waste Management (VWM). VWM provides free single-family and multi-family residential green

waste and recycling services to San Ramon under the franchise agreement. Commercial recycling is an open market under permits issued by the City of San Ramon. San Ramon has a 10-year contract with Republic Services of Northern California to send its waste to the company's Vasco Road Sanitary Landfill near Livermore. The City's contract with this facility has been extended to November 14, 2010. The Vasco Road Sanitary Landfill, owned and operated by Republic Services of Northern California, has a permitted maximum disposal of 2,518 tons/day and a remaining capacity of 32 million cubic yards and has an estimated 12.5 years of remaining capacity (until 2022) (CIWMB, 2007). Vasco Road Sanitary Landfill has the expansion capacity to provide landfill services until 2035. Republic Services, the owner of the Vasco Road Sanitary Landfill, has a Contingent Disposal Agreement with Waste Management, Inc., owner of the nearby Altamont Landfill and Resource Recovery, to accept San Ramon's solid waste in the event that the Vasco Road Landfill cannot. The term of this Contingent Disposal Agreement is concurrent with the length of the Disposal agreement between the City of San Ramon and Republic Services, including any extensions, renewals, or modifications. The Altamont Landfill has estimated remaining capacity until 2029.

## **8. Telecommunication Services**

AT&T/SBC is the provider of residential and commercial telephone service in the City of San Ramon and the Project Area. AT&T/SBC also provides or hosts a variety of telecommunication services such as digital subscriber lines (DSL), internet service providers (ISP), web hosting, virtual private networking, and wireless/cellular and paging services.

The California Public Utilities Commission (CPUC) requires that the company anticipate and serve new growth. To meet this requirement, AT&T/SBC continually upgrades their facilities and infrastructure, adding new facilities and technology to remain in conformance with CPUC tariffs and to serve customer demand in the City of San Ramon.

Several private companies offer cable and other telecommunication services in San Ramon, with the City issuing franchises to these companies, who install and maintain their own lines or fiber optic cables and equipment. San Ramon has one cable television provider, Comcast Cable. San Ramon negotiates franchises with both ISP and cable television providers and requires that their coverage includes the entire City.

The Project Area will receive its communication and energy services via a common trench constructed for all of the dry utilities. The utility lines will be located within the public road rights-of-way.

## **9. Gas and Electric Services**

Implementation of the Project would result in an increase in the demand for gas and electrical power. All modifications and improvements to the existing electrical and gas infrastructure required to accommodate the Project would be determined in consultation with PG&E and would be subject to current installation charges. At the time individual Projects are proposed, the Project sponsor is required to notify PG&E of the Project; PG&E would issue a "will serve" letter when PG&E determines that electric service could be provided to the site. The Project will require the installation of local distribution lines, (for gas and electric service), according to PG&E, existing distribution facilities would be adequate to handle foreseeable future

development under the Specific Plan. New structures would be required to conform to energy conservation standards specified by Title 24 of the California Code of Regulations. Documentation showing compliance with these standards would be submitted with the application for the building permit. Title 24 is enforced by the San Ramon Community Development Department, Building and Safety Service Division. Future Projects would be required to meet current state and local codes concerning energy consumption.

## **10. Transportation Services**

### *Roadways*

The Project Area is accessible from Interstate 680 (I-680) via San Ramon Valley Boulevard, Crow Canyon Road and Bollinger Canyon Road. The Crow Canyon Road/I-680 interchange is the primary regional access to and from the Project Area. Roadways including Bollinger Canyon Road and Purdue Road provide access to the Project Area at the local level. The City roadway network connects the Project Area to the greater San Ramon area, as well as to adjacent cities including Dublin and Danville. The two most heavily used arterials in the City of San Ramon are Crow Canyon Road between Camino Ramon and Twin Creeks Drive, and Bollinger Canyon Road between I-680 and Camino Ramon. Crow Canyon Road carries about 53,200 (June, 2008) vehicles per day just west of I-680, and 61,700 (June, 2008), vehicles per day just east of I-680. Bollinger Canyon Road carries about 60,800 (May, 2007), vehicles per day just east of I-680. Based on Caltrans 2007 volumes, I-680 carries between 164,000 and 165,000 vehicles per day in the vicinity of San Ramon.

### *Transit Service*

Bus service in the City of San Ramon is provided by the Central Contra Costa Transit Authority (CCCTA), otherwise known as the County Connection. The San Ramon transit center is located north of Executive Parkway and west of Alcosta Boulevard and adjacent to the Bishop Ranch Business Park and the Iron Horse Trail. This Transit Center serves residents and commuters traveling to and from San Ramon and provides connecting bus service to and from Tri-Valley and Bay Area Rapid Transit (BART) stations in Walnut Creek and Dublin/Pleasanton.

### *Commuter Rail Service*

Supported by CCCTA bus service, San Ramon is served by regional public transportation providers, including the BART, which has stations to the south in Dublin/Pleasanton and to the north in Walnut Creek. San Ramon is also served by the Altamont Commuter Express (ACE) train, via Express Bus connections, which runs weekdays between Stockton and San Jose. BART rail service is provided along the I-580 corridor, with the terminal station currently located in Dublin near the I-580/Hacienda Drive interchange, and along the Highway 24 corridor, with the nearest station located in Walnut Creek. BART operates daily from 4:00 a.m. to 1:00 a.m. on weekdays, with 15-30 minute headways. ACE is a passenger rail service that travels on weekdays between Stockton and San Jose. The station nearest to San Ramon, the Pleasanton Station, is located on Bernal Avenue at Pleasanton Avenue. ACE trains operate during the morning and evening peak commuter periods with headways ranging from 60 to 90 minutes. ACE trains currently serve approximately 2,500 passengers per day. The trains operate

at an average of 85 percent of capacity, with individual runs sometimes operating at full capacity during the peak periods.

#### *Bicycle and Pedestrian Facilities*

Biking and walking are key elements of San Ramon's circulation system. The City has an extensive network of bikeways, sidewalks and trails that enhance neighborhood accessibility and help to reduce reliance on the private automobile. Class II bike lanes are provided along San Ramon Valley Boulevard, Deerwood Road, the westerly section of Fostoria Way, and some segments of Bollinger Canyon Road. The San Ramon Valley Boulevard bike lanes connect to a series of Class II and III bike facilities on the City's arterial and collector street system. According to the City's General Plan, the section of Norris Canyon Road located east of I-680 has Class II bike lanes, while Class III shared bike facilities are provided to the west of I-680. The Iron Horse Trail is accessible to the Project Area via Deerwood Road and Fostoria Way. Pedestrians are served by sidewalks that are located on arterials, collectors and most local public streets, all of which are built to City standards. There are some sidewalk gaps along the roadways serving the Project Area. These include the undeveloped portion of Hooper Drive and the west side of Bollinger Canyon Road (north of Crow Canyon Road). Other sidewalk gaps exist on Old Crow Canyon Road, and the east side of San Ramon Valley Boulevard (at the Danville Town limit). Most sidewalks in the study area are in good condition. Painted pedestrian crosswalks are provided on one or more approaches of all 24 study intersections with the exception of the intersections of Omega Road/Purdue Road, Bollinger Canyon Road/Southbound I-680 Ramps, and Bollinger Canyon Road/Northbound I-680 Ramps. Pedestrian call buttons and signal heads are provided at signalized intersections along Crow Canyon Road and San Ramon Valley Boulevard.

#### **B. Describe the level and range of the proposed services:**

The City of San Ramon, the Central Contra Costa Sanitation District, the East Bay Municipal Utilities District and other existing service providers will provide the full range of municipal and special district services to the Reorganization Area. Services will be provided at the same level as they are provided to the existing City. The level-of-service requirements are specified in the Growth Management Element of the City's General Plan. These level-of-service requirements are "spelled out" as measurable, quantifiable standards. For example, there is a Public Safety requirement of 0.8 officers per 1000 population. An assessment district or other entity acceptable to the City will be required to fund the ongoing maintenance of infrastructure and rights-of-way and open space.

#### **C. Indicate when the services can feasibly be provided to the proposal area:**

It is likely that utilities will not be extended to the subject property until some time during calendar years 2010-2011. There are no physical constraints that would push the timing of the extension of the necessary infrastructure to the Reorganization Area beyond 2011.

**D. Indicate any improvements or upgrading of structures, roads, sewers or water facilities or other conditions that will be required as a result of the proposal:**

The development of the proposed Reorganization Area will require the extension of the various utilities and roads to the Faria Preserve property as described in some detail above. Any development in the Reorganization Area will be required to pay for and/or construct these various utility extensions and road improvements.

**E. Identify how these services will be financed. Include both capital improvements and ongoing maintenance and operation:**

The following discussion identifies the various financing options that will likely be considered. These various options may be utilized by themselves or in conjunction with other options to provide the necessary funding.

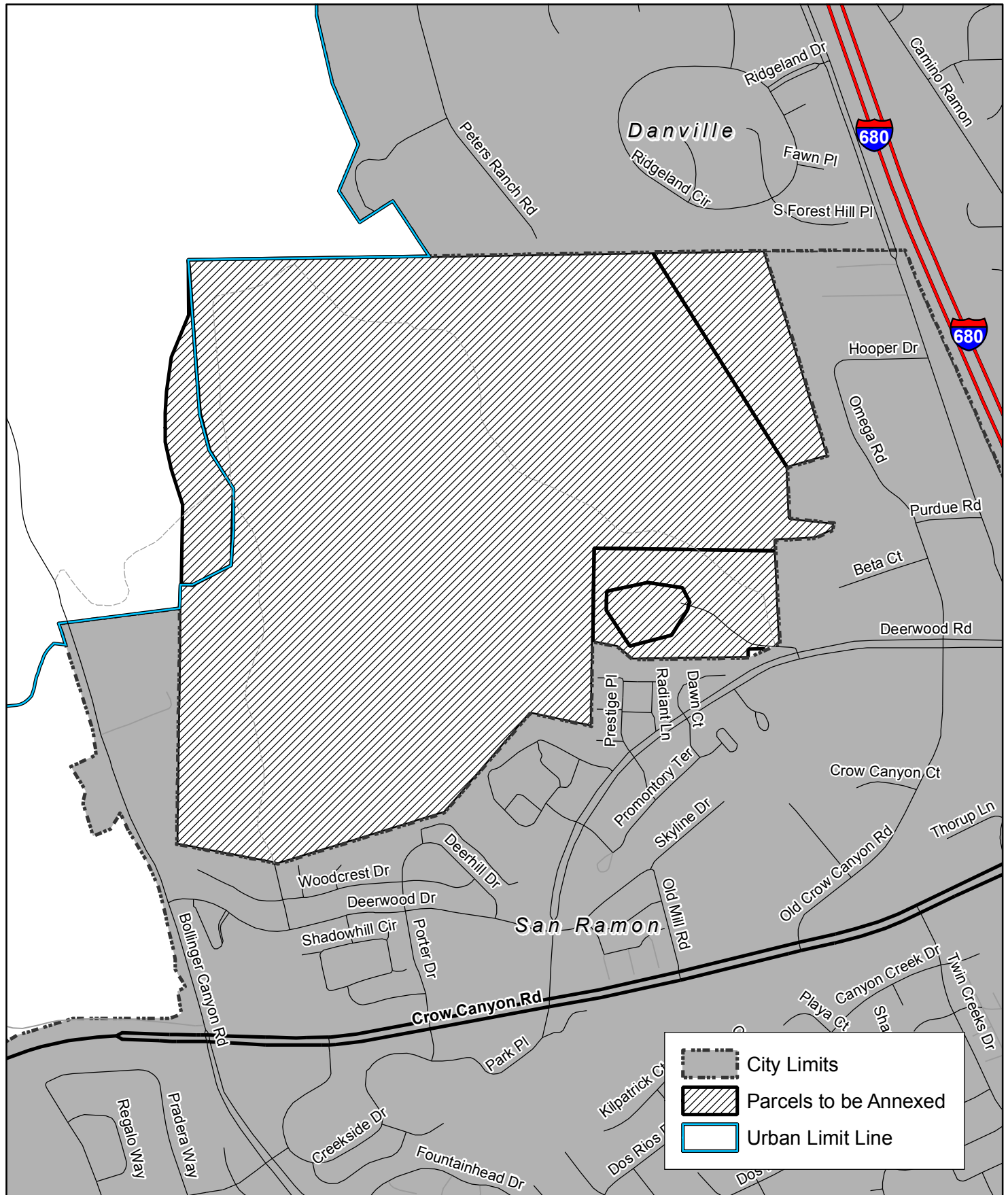
*Capital Improvements:* The capital improvements will be financed directly by the Project developer.

*Ongoing Maintenance and Operation:* The cost of ongoing services to the Reorganization Area will be funded by a wide variety of sources. General Fund services to the site (notably Police Services, parks and streets) would be primarily funded through a combination of property and new assessments coming from any future development in the Reorganization. Special district funding sources include fees, charges, and assessments, as well as a small share of property taxes in some instances. School funding comes through voter-approved special taxes and the State of California.

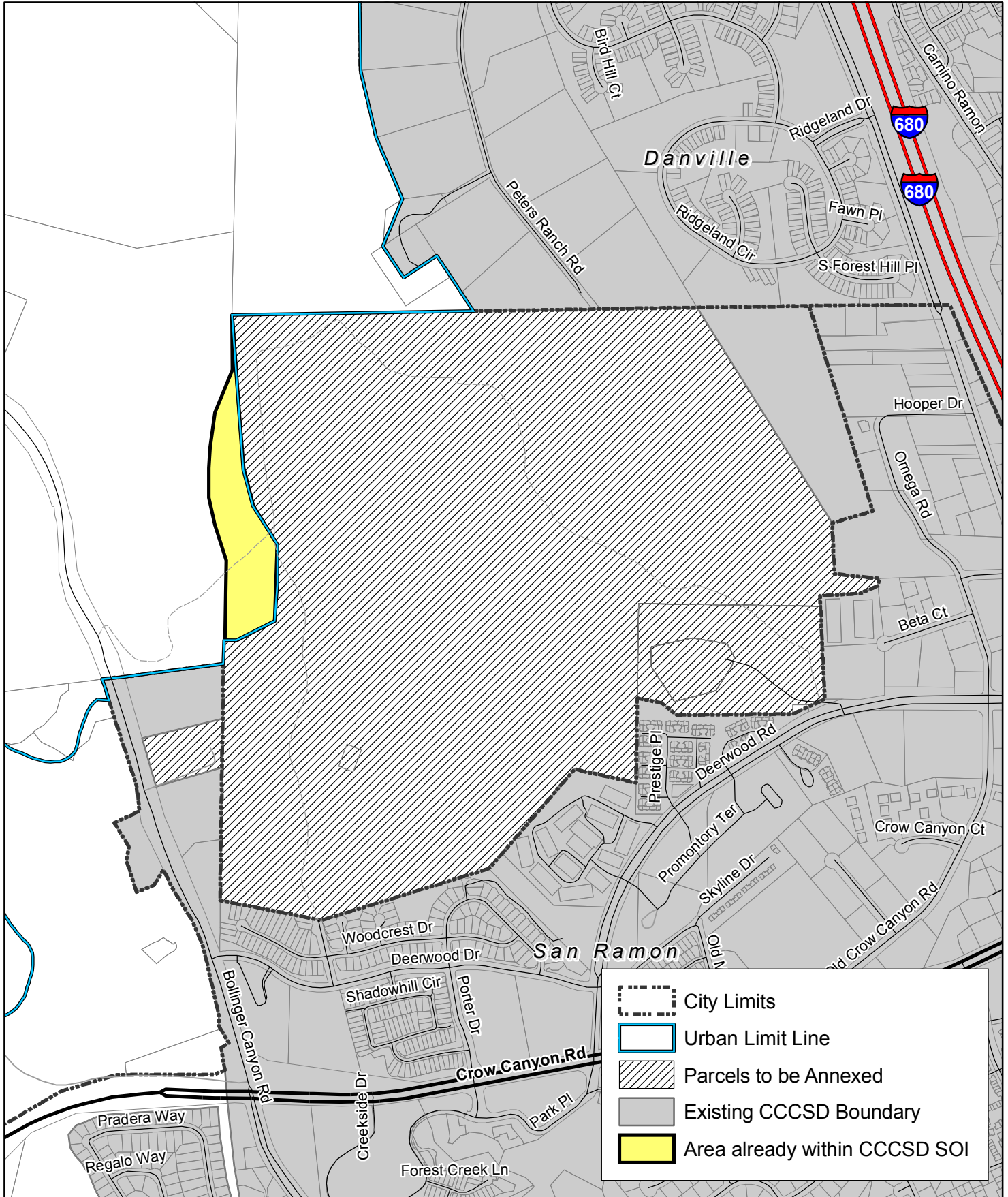
**F. Identify any alternatives for providing the services listed in Section (A) and how these alternatives would affect the cost and adequacy of services:**

There are no other alternatives to providing the services listed in Section A. The agencies and companies identified are established for the project area, and there are no other service providers available.

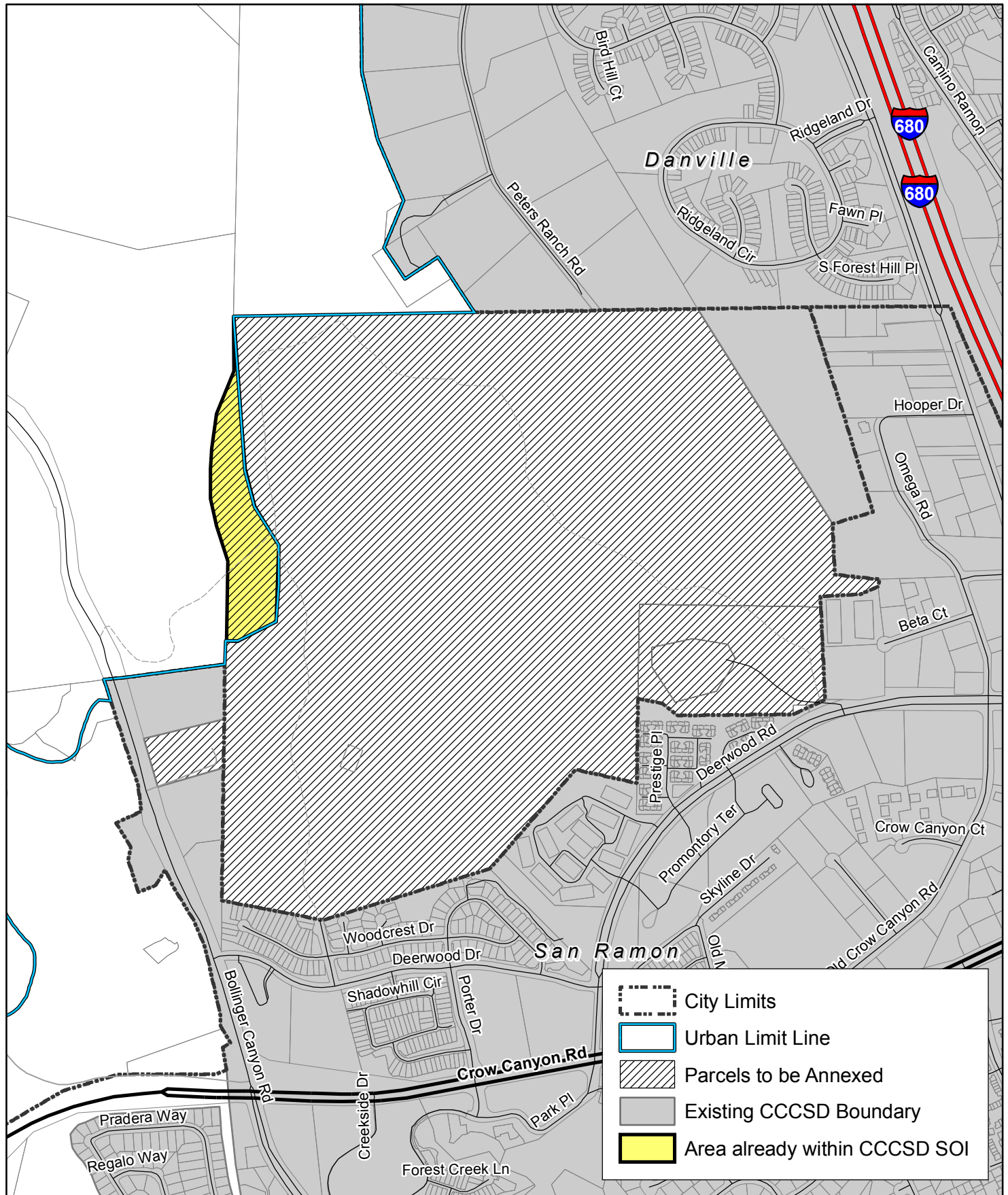
# LAFCO No. 08-27- Attachment A: Annexation to the City of San Ramon



# LAFCO No. 08-27- Attachment B1: Annexation to Central Contra Costa Sanitary District excluding area outside County ULL



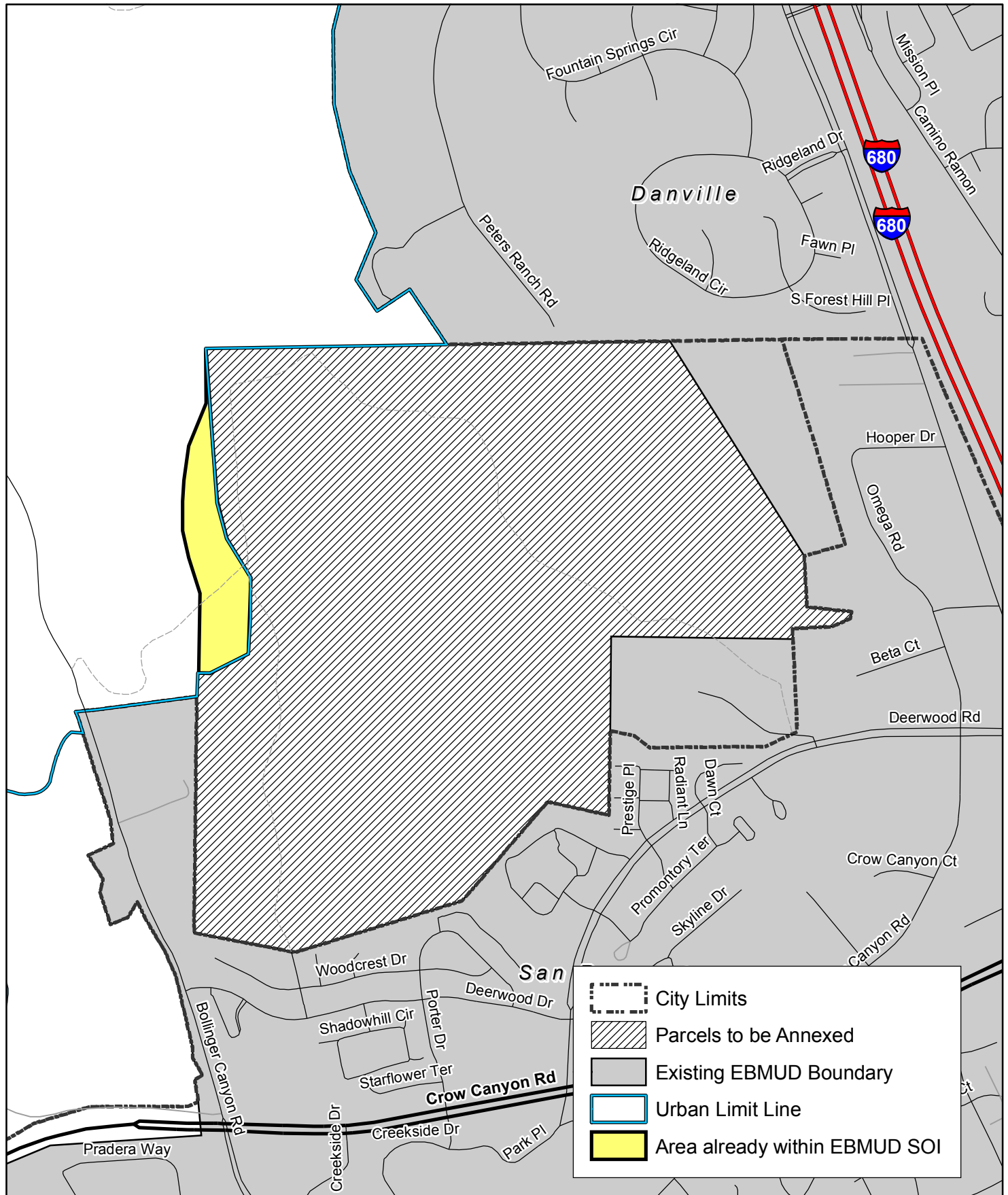
# LAFCO No. 08-27- Attachment B2: Annexation to Central Contra Costa Sanitary District including area outside County ULL



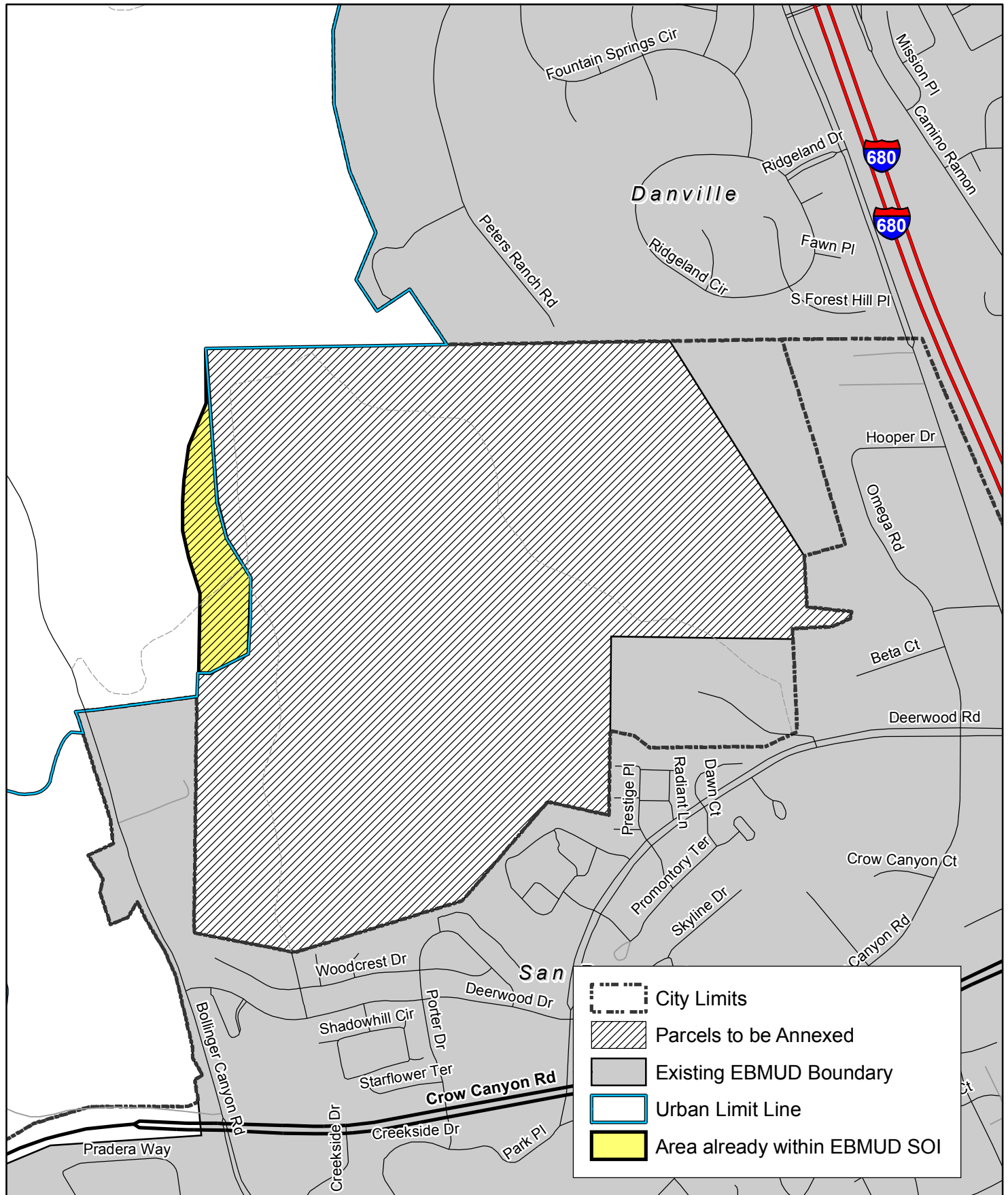
	City Limits
	Urban Limit Line
	Parcels to be Annexed
	Existing CCCSD Boundary
	Area already within CCCSD SOI



# LAFCO No. 08-27- Attachment C1: Annexation to East Bay Municipal Utility District excluding area outside County ULL



# LAFCO No. 08-27- Attachment C2: Annexation to East Bay Municipal Utility District including area outside County ULL



RESOLUTION NO. 08-27

RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
MAKING DETERMINATIONS AND APPROVING THE  
**FARIA PRESERVE REORGANIZATION: ANNEXATIONS TO THE CITY OF SAN  
RAMON, CENTRAL CONTRA COSTA SANITARY DISTRICT AND EAST BAY  
MUNICIPAL UTILITY DISTRICT**

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 San Ramon, as Lead Agency, prepared and certified the Environmental Impact Report for the Northwest Specific Plan/Faria Preserve Community, Statement of Overriding Considerations, a Mitigation Monitoring and Reporting Program, and Addendum to the previously certified EIR.
2. Certify that the Commission has reviewed and considered the information contained in the CEQA documents prepared by the City of San Ramon. Adopt the Findings and Statement of Overriding Considerations as approved by the City of San Ramon per Resolution No. 2006-171.
3. Said reorganization is hereby approved.
4. The subject proposal is assigned the distinctive short-form designation:

FARIA PRESERVE REORGANIZATION: ANNEXATIONS TO THE CITY OF SAN  
RAMON, CENTRAL CONTRA COSTA SANITARY DISTRICT AND EAST BAY  
MUNICIPAL UTILITY DISTRICT

5. Said territory is found to be uninhabited.

Contra Costa LAFCO  
Resolution No. 08-27

6. The boundaries of the affected territory are found to be definite and certain as approved and set forth in Exhibits A, B and C attached hereto and made a part hereof.
7. The subject territory shall be liable for any authorized or existing taxes, charges and assessments comparable to properties within the annexing agencies.
8. No building permits shall be issued by the City of San Ramon for any new development within the Faria Preserve Reorganization area unless and until a lot line adjustment or subdivision map has been processed and recorded so that parcel lines within the Faria Preserve Reorganization area are made coterminous with the reorganization area. The City of San Ramon will work cooperatively and diligently with the owners of the property within the Faria Preserve Reorganization area to prepare and process the necessary approvals and documents for such a lot line adjustment or subdivision map by February 2010.
9. Water service is conditional upon EBMUD receiving acceptance for inclusion of the annexed lands from the U.S. Bureau of Reclamation, pursuant to the requirements in EBMUD's contract with Reclamation for supplemental water supply from the Central Valley Project.
10. 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.
11. 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.
12. 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 11<sup>th</sup> day of February 2009, by the following vote:

AYES:  
NOES:  
ABSTENTIONS:  
ABSENT:

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GAYLE UILKEMA, 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: February 11, 2009

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Lou Ann Texeira, Executive Officer