

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT

October 12, 2016 (Agenda)

October 12, 2016  
Agenda Item 8

<u>LAFCO 16-10</u>	Dougherty Valley #17 Reorganization – Annexation to the City of San Ramon and Detachment from County Service Area (CSA) P-6
<u>PROPONENT</u>	City of San Ramon, Resolution No. 2016-054 adopted June 28, 2014
<u>ACREAGE &amp; LOCATION</u>	Reorganization #17 comprises 43.97± acres located directed south of Ivy Leaf Springs Road in the Dougherty Valley Specific Plan (DVSP) Area – see Attachment 1.
<u>PURPOSE</u>	The purpose of the reorganization is to extend city services to an approved 43.97± acre development (Gale Ranch 4, Neighborhood 6) including a residential subdivision (308 single-family units), an existing 8,068 sq. ft. building located at 100 Gatekeeper Road (Goddard School care facility), and 6.73± acres of Open Space (water quality pond). The proposal also includes the corresponding detachment of the subject area from CSA P-6.

SYNOPSIS

This is the 17<sup>th</sup> in a series of planned boundary changes for the area known as “Dougherty Valley” (DV). The DV project is a large project being developed in phases through Contra Costa County.

Annexation of the project area to the City of San Ramon is required pursuant to the Dougherty Valley Settlement Agreement (DVSA), which in 1994 was endorsed by the County, cities of Danville and San Ramon, Windemere Ranch Partners and Shapell Industries. Under the terms of the DVSA, the annexations are to occur following recordation of final subdivision maps.

DISCUSSION

The Cortese Knox Hertzberg Act (CKH Act) sets forth factors that the Commission must consider in evaluating any proposed change of organization (e.g., annexation, detachment, etc.) 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. Changes of organization 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 subject area is within the City of San Ramon's SOI, and within the City's Urban Growth Boundary (UGB) and the County's Urban Limit Line (ULL).

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

The Contra Costa County General Plan and DVSP land use designations include Multiple Family Low Density Residential and Open Space. The County's zoning for the area is Planned Unit Development (P-1).

The City of San Ramon's *General Plan 2035* land use designations include Single Family Medium Density Residential and Open Space. In June 2016, the San Ramon City Council approved the rezoning for the subject area to include Planned Development (37.24 acres) and Open Space (6.73 acres). Upon annexation, the City's rezoning will apply.

Since adoption of the DVSP, the County has approved several amendments, including relocation of the Gale Middle School (2005-06), and relocation of residential development within Gale Ranch Phases 3 and 4 to accommodate a new elementary school (Bella Vista) in Gale Ranch Phase 4.

Surrounding land uses include the main branch of Alamo Creek to the east and south (unincorporated); Dougherty Road (old) and the west branch of Alamo Creek to the west (unincorporated); and residential development and the Quail Run elementary school and park to the north (City).

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

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

The DV project, as previously approved by the County, converts approximately 6,000 acres of farmland to urban uses and open space. Of the 6,000 acres that comprise the DVSP area, 2,000 acres have been mapped as "farmland of local importance" and the remaining 4,000 acres are mapped as grazing land. Through the 1992 DVSP and General Plan amendment, these lands were changed from "Agricultural Preserve" to "Agricultural Lands" and designated as P-1 to allow a mix of housing, school and community facilities, parks and open space areas.

Contra Costa County found that there were overriding considerations in support of adoption of the Specific Plan, despite the unavoidable impact to agricultural resources. With adoption of the DVSP in 1992, none of the project site was zoned for agricultural use, and there are no current Williamson Act Land Conservation Agreements within the project site.

The proposed reorganization would not convert farmland to non-agricultural uses as farmland does not currently exist in the DV area. Approval of the urban land use designations for the area occurred in 1992, 1996 and 2002. According to the City, the project can be viewed as implementation of the already established specific plan and land use designations.

4. *Topography, Natural Features and Drainage Basins:*

The site and surrounding areas consist of a complex series of major and minor ridges, rolling hills and a relatively flat valley, which drains to the south. There are no other significant natural features affecting the proposal.

5. *Population:*

The territory proposed for annexation currently includes 40 single-family residential housing units that are or may be occupied. The remaining 268 single-family units are under construction, and some are or may be occupied. The total 308 single family units in the proposal area will result in a population increase of approximately 897 persons. The projected population increase is based on the California Department of Finance estimates of 2.91 persons per unit (January 1, 2016).

6. *Fair Share of Regional Housing:*

One of the factors the Commission must consider in its review of a proposal is 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 (Government Code §65584).

In Contra Costa County, 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. In July 2013, ABAG adopted the 2014-2022 Regional Housing Needs Allocation (RHNA) Plan for the San Francisco Bay Area. The RHNA Plan includes the following allocations for the City of San Ramon: total RHNA is calculated at 1,417 units, including 340 above moderate, 282 moderate, 279 low and 516 very low income units.

It is a requirement of the Dougherty Valley Affordable Housing Program that 25% (2,748) of the 11,000 units in DV are affordable.

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's plan for providing services, as required by Government Code §56653, is on file in the LAFCO office. City services include parks and recreation, police, streets and roads, flood control, public facilities maintenance, and library services. The level and range of services will be comparable to those currently provided within the City. The DVSA provides performance standards for services in the DV.

Fire services will continue to be provided by the San Ramon Valley Fire Protection District (SRVFPD), sewer services will be provided by the Central Contra Costa Sanitary District (CCCSD), and water services will be provided by the Dublin San Ramon Services District (DSRSD).

**Parks and Recreation** – The DVSA requires 6.5 acres of parkland per 1,000 residents, which is consistent with the City's General Plan. Upon complete build-out of DV, this performance standard will be met. The DVSP and DVSA establish a variety of park types throughout DV. To date, the developers of DV have provided 190± acres of parkland.

**Police Services** – Law enforcement services are currently provided to the annexation area by the Contra Costa County Sheriff's Department. Upon annexation, police services will be

provided by the City of San Ramon. The City's police department maintains a ratio of approximately 0.8 officers per 1,000 population in accordance with the City's adopted service standards for police services. The DVSA establishes the performance standards for police service in DV consistent with the City's General Plan, which include 3-5 minute response times (travel time) for emergency calls, and a 20 minute response time for all other calls, which can be maintained 95 percent of the time. The City reports that completed development in the surrounding areas of DV is already within the service area for San Ramon police services; therefore, police service for the annexation area can meet the performance standard. No additional police officers are anticipated for the proposed annexation area.

***Streets and Roadways*** – The annexation area is served by a network of arterial roads (Bollinger Canyon Road, Dougherty Road, etc.), collector and local streets. In addition, public transit (bus) service is provided in the DV and annexation area, along with a bicycle and pedestrian network. The DVSA requires the developers to provide a transportation system (streets, roadways, bicycle, pedestrian, and transit services, etc.) as established by the DVSP. Once the development is completed, all streets and roadways for the annexation area will have been provided by the developers.

***Fire Protection*** – Fire and emergency medical services are, and will continue to be, provided by SRVFPD following annexation. The City's General Plan policies include service standards relating to fire response time (i.e. 4-5 minutes for emergency calls 90% of the time) and that there will be fire stations within 1.5 miles of new development). Fire Station No. 30 will serve as the primary fire station to serve the annexation area. Fire Station No. 30 is located approximately 1.2 miles from the annexation area, and has primary responsibility for fire and emergency medical services. Fire Stations 39 and 34 will respond as secondary and tertiary stations, and all are located within 2.85 and 3.40 miles, respectively, from the annexation area. The main access roads (routes) to the annexation area are South Monarch Road, Stoneleaf Road, Bollinger Canyon Road, Dougherty Road, Old Ranch Road, and Alcosta Blvd.

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

CCCSD currently serves an estimated population of 476,400 residents in a 145-square-mile service area. CCCSD's wastewater collection system consists of 1,500 miles of sewer mains with 19 pump stations. The majority of CCCSD's system operates with gravity flow with some pumping stations and force mains. The District's wastewater treatment plant provides secondary level treatment for an average dry weather flow of approximately 27.8 million gallons per day (mgd) of wastewater. The wastewater treatment plant has a permitted discharge limit of 53.8 mgd and a treatment capacity of 240 mgd of wet weather flow.

CCCSD provides sewage collection, treatment, and disposal service to the Dougherty Valley, including the annexation area. The City indicates that 8-inch and 10-inch diameter sanitary sewer lines have been installed in the annexation area; the main connects to an 18-inch diameter trunk sewer in Dougherty Road. The trunk sewer leads to the Dougherty Tunnel, the San Ramon Pumping Station, and eventually to gravity sewers that carry flows north to CCCSD's wastewater treatment plant in unincorporated Martinez.

The annexation area uses will generate an estimated 60,683 gpd (0.06 mgd) of wastewater. The sewer lines in the vicinity of the project site have, or will have, adequate capacity to serve the proposed project, and the CCCSD wastewater treatment plant has adequate capacity to treat wastewater generated by the proposed project. The plant currently operates below permitted treatment capacity and the project-related increases in wastewater flows to the plant could be accommodated within the plant's existing capacity. The annexation area's wastewater generation represents 0.23 percent of the 26.0 mgd of capacity currently available at CCCSD's wastewater treatment plant.

**Other Services** – Capital improvements for this project are being funded through the developers as a condition of development. The ongoing maintenance and operations costs associated with police services, road maintenance, parks and landscape maintenance, open space and trail maintenance, flood control, and community facilities maintenance will be financed through CSA M-29. CSA M-29 was established in 1997 and includes a combination of revenue sources as follows:

- General Ad-Valorem Property Taxes
- Real Property Transfer Tax
- Special Assessments
- Sales Tax
- Fines and Forfeitures
- License, Permits, Franchise Fees
- Motor Vehicle In-Lieu Fees

Pursuant to the DVSA, the City requests the DV Annexation #17 territory remain within CSA M-29 in order to continue the assessment of the special taxes/fees to fund services as described above.

Typically when an area is annexed to a city, it is detached from a CSA, as the County no longer provides service, and the city assumes the provision of municipal services. The City's request that the annexation area remain in CSA M-29 is supported by the DVSA. However, it is recommended that if the annexation is approved, the subject territory be detached from CSA P-6 (police services). The effect of the detachment will result in the CSA P-6 allocation of ad valorem property tax (1%) being transferred from the County to the City following annexation.

The City and County have entered into a tax sharing agreement which provides for an exchange of property tax and takes into account the provision of municipal services.

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.

A number of studies were completed to address the timely and adequate provision of water service to the DV. This information is presented in the various environmental documents, which were previously provided to the Commission and are available in the LAFCO office.

Dublin San Ramon Services District (DSRSD) will provide water service to the annexation area and provides water service to the entire DV with the exception of Gale Ranch Phase 1. Gale Ranch Phase 1 water service is provided by the East Bay Municipal Utility District (EBMUD).

The infrastructure needed to provide water service to the annexation area is adequate and has already been contemplated by DSRSD at the time of County approval through a water assessment for the DV development. DSRSD will be able to meet the ultimate water demand for potable water in the area proposed for annexation. Potable water mains were installed per the development plans for Tracts 9302, 9303, 9325 and 9247. Each house is estimated to use 220± gpd, for a total usage of 67,760 gpd to serve the 308 single family residential units. DSRSD has the capacity to provide services consistent with its adopted water service plans.

In addition, DSRSD will also provide recycled water to the annexation area. The north-south linear trail parcels in the annexation area will rely on recycled water. And although not required, single family homes may use recycled water for front yards in accordance with specific criteria. DSRSD can meet the demand for recycled water.

9. *Assessed Value, Tax Rates and Indebtedness:*

The annexation area is within tax rate area 66405. The assessed value is \$120,991,546 (2016-17 roll). The territory being annexed shall be liable for all authorized or existing taxes comparable to properties presently within the annexing agencies, if applicable; and shall remain within CSA M-29 following annexation.

10. *Environmental Impact of the Proposal:*

Since the project initiation in 1992, the County has served as Lead Agency under CEQA, and has prepared and certified a number of environmental documents in conjunction with this project, including the original Environmental Impact Report (EIR) for the DV General Plan Amendment, the Specific Plan and Mitigation Monitoring and Reporting Program (1992), Final Subsequent EIR along with Findings, Recommendations and a Statement of Overriding Conditions (1996), Addendum to the DV Draft DEIR entitled "Gale Ranch Phase IV Final Development Plan & Vesting Tentative Subdivision Map DV – San Ramon (January 2005), and most recently, the Mitigated Negative Declaration (MND) in conjunction with County General Plan and Specific Plan Amendments and the County Development Plan for modifications to Gale Ranch Phases 3 and 4 to accommodate the Bella Vista Elementary School (February 2014). There have been various modifications to the DV project over the years, some of which have necessitated supplemental environmental review.

11. *Landowner Consent and Consent by Annexing Agency:*

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

In the case of inhabited boundary changes, LAFCO will conduct a protest hearing should the Commission receive an objection from any landowner owning land with the subject area, or any registered voter residing with the subject area. Absent any objection received before the

conclusion of the commission hearing on October 12, 2016, the Commission will waive the protest proceedings.

12. *Boundaries and Lines of Assessment:*

The annexation area is within the City's SOI and is contiguous to the city's boundary. A corresponding detachment from CSA P-6 of the same area is also proposed. A map and legal description to implement the proposed boundary change has been received and is subject to final approval by the County Surveyor.

The City indicates that all of the open space areas surrounding the subject area will be annexed to the City per the DVSA; and there will be no islands or pockets of unincorporated area once all the annexations are complete. The entire DV area is required to be annexed into the City.

13. *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.

14. *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 boundary changes must take into account DUCs; and specifically the adequacy of public services, including sewer, water, and fire protection needs or deficiencies, to these communities. According to the County, the subject area does not meet the criteria of a DUC.

15. *Comments from Affected Agencies/Other Interested Parties:*

No comments have been received to date.

16. *Regional Transportation and Regional Growth Plans:*

In its review of a proposal, LAFCO shall consider a regional transportation plan adopted pursuant to Section 65080 [Gov. Code section 56668(g)]. Further, the commission may consider the regional growth goals and policies established by a collaboration of elected officials only, formally representing their local jurisdictions in an official capacity on a regional or subregional basis (Gov. Code section 56668.5). Regarding these sections, LAFCO looks at consistency of the proposal with the regional transportation and other regional growth plans affecting the Bay Area.

SB 375, a landmark state law, requires California's regions to adopt plans and policies to reduce the generation of greenhouse gases (GHG), primarily from transportation. To implement SB 375, in July 2013, the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) adopted Plan Bay Area as the "Regional

Transportation Plan and Sustainable Communities Strategy” for the San Francisco Bay Area through 2040. Plan Bay Area focuses on where the region is expected to grow and how development patterns and the transportation network can work together to reduce GHG emissions. The Plan’s key goals are to reduce GHG emissions by specified amounts; and to plan sufficient housing for the region’s projected population over the next 25 years.

The Plan Bay Area directs future development to infill areas within the existing urban footprint and focuses the majority of growth in self-identified Priority Development Areas (PDAs). PDAs include infill areas that are served by transit and are located close to other amenities, allowing for improved transit, bicycle and pedestrian access thereby reducing the amount of transportation related GHG generated. Plan Bay Area supports infill development in established communities and protects agricultural and open space lands. The Plan assumes that all urban growth boundaries are held fixed through the year 2040 and no sprawl-style development is expected to occur on the regions’ open space or agricultural lands.

Plan Bay Area includes projections for the region’s population, housing and job growth and indicates that the region has the capacity to accommodate expected growth over the next 25 years without sprawling further into undeveloped land on the urban fringe.

ABAG and MTC are in the process of updating the Plan Bay Area. “Plan Bay Area 2040” is currently a work in progress that will be updated every four years to reflect new priorities. Recently, a series of public open houses were held to present “Alternative Scenarios” which show different options for how the Bay Area can grow based on local land use development patterns and transportation investment strategies. These scenarios take into consideration jobs, housing, population, travel needs and funding for Transportation Improvements. Three scenarios were presented (i.e., Main Street, Connected Neighborhood, Big Cities), each showing a different combination of housing development, commercial growth and transportation investments. Based on public input and feedback from local jurisdictions, a “preferred scenario” will be constructed from these three alternatives.

The draft preferred scenario will go through a series of committee reviews and refinement. In September 2016, ABAG and MTC will be asked to adopt the final preferred scenario at a joint meeting. All of this work, in turn, will form the foundation for Plan Bay Area 2040, to be adopted in summer 2017.

The area proposed for annexation is within the City’s SOI and UGB, and is not within a designated “Priority Conservation Area” or a designated “PDA.” The annexation has been anticipated by, and is consistent with, the San Ramon General Plan 2035; including, but not limited to, the Growth Management, Air Quality and Greenhouse Gas elements and City Adopted Climate Action Plan (CAP). By definition, the CAP is consistent with the goals of AB 32 and SB 375. Additionally, the annexation will help move the City closer to its desired jobs-housing balance, which is critical to reducing Vehicle Miles Traveled (VMT) and a key objective of the Plan Bay Area strategy.

#### 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 actions:

**Option 1** Approve the reorganization as proposed including annexation to the City of San Ramon and detachment from CSAs P-6.

- A. Certify LAFCO has reviewed and considered the information contained in the various CEQA documents prepared and adopted by the County, including the MND in conjunction with County General Plan and Specific Plan Amendments and the County Development Plan for modifications to Gale Ranch Phases 3 and 4 to accommodate the Bella Vista Elementary School (February 2014); Addendum to the DV Draft EIR entitled "Gale Ranch Phase IV Final Development Plan & Vesting Tentative Subdivision Map DV – San Ramon (January 2005); Final Subsequent EIR (1996); and the Final EIR for the DV General Plan Amendment and Specific Plan (1992); Mitigation Monitoring and Reporting Program (1992), and Findings, Recommendations and a Statement of Overriding Conditions (1996).
- B. Adopt this report and approve the proposal, to be known as **Dougherty Valley Reorganization #17: Annexation to the City of San Ramon and Corresponding Detachment from CSA P-6** 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 agency.
  2. Allow the overlap of the City and CSA M-29.
  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 inhabited. Should the Commission receive an objection from any affected landowner or registered voter within the subject area, LAFCO will conduct a protest hearing. Absent any objection received before the conclusion of the commission proceedings on October 12, 2016, the Commission will waive the protest proceedings.

### **Option 2**

- A. Certify it has reviewed and considered the information contained in the EIR and related environmental documents as prepared and adopted by the County.
- 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 – Approve the reorganization as proposed.**

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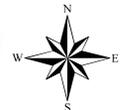
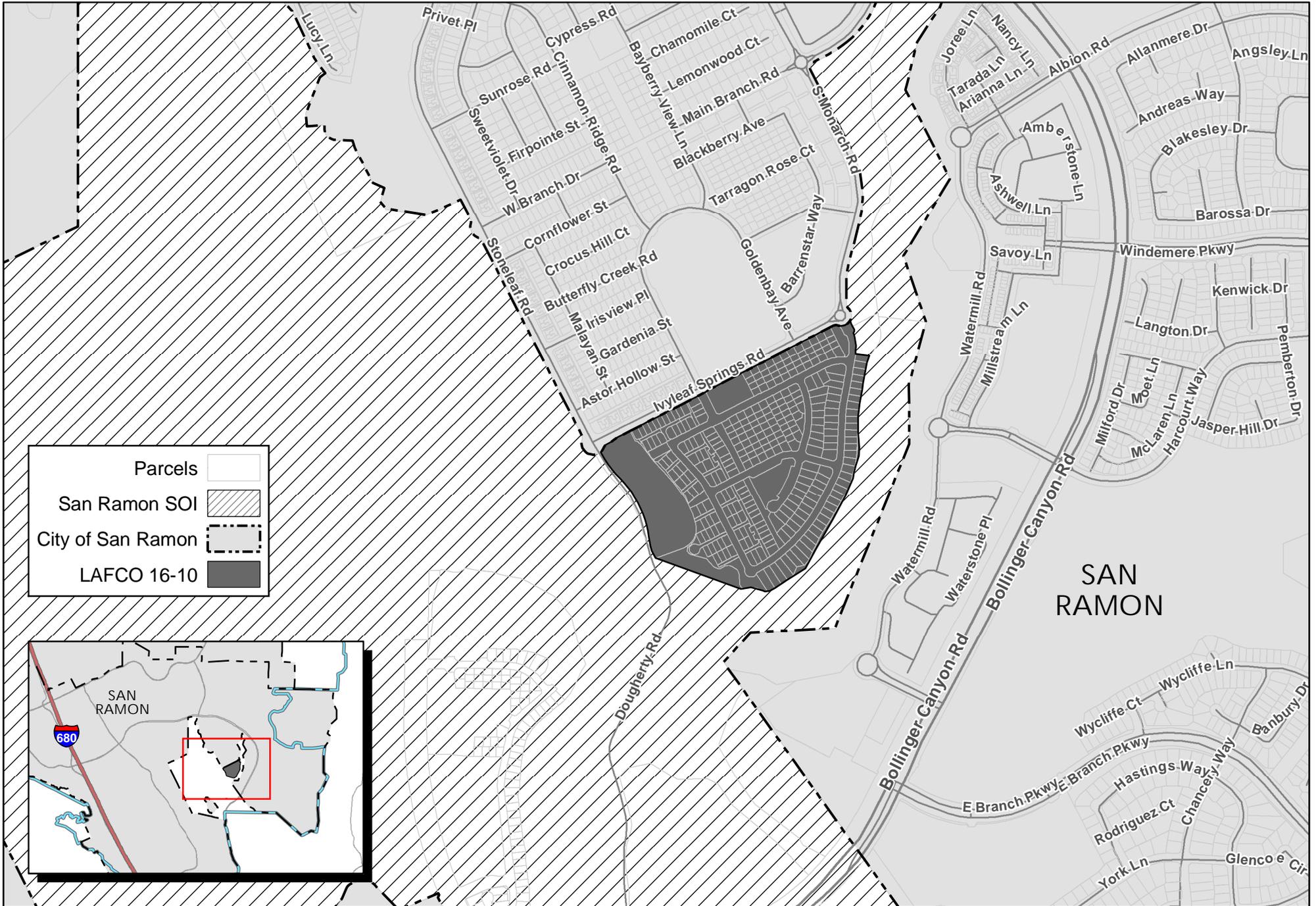
LOU ANN TEXEIRA, EXECUTIVE OFFICER  
CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

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### **Attachments**

1. Map of Reorganization Area
2. Draft LAFCO Resolution

LAFCO No.16-10 Dougherty Valley Annexation 17 to the City of San Ramon and Detachment from CSA P-6



**RESOLUTION NO. 16-10**

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
MAKING DETERMINATIONS AND APPROVING DOUGHERTY VALLEY  
REORGANIZATION #17: ANNEXATION TO CITY OF SAN RAMON AND  
CORRESPONDING DETACHMENT FROM COUNTY SERVICE (CSA) AREA P-6**

**WHEREAS**, a proposal to annex territory within the Dougherty Valley to the City of San Ramon and detach the same territory from CSA P-6 was filed with Executive Officer of the Contra Costa Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Government Code section 56000 et seq.); and

**WHEREAS**, the Executive Officer has examined the application and executed her certification in accordance with law, determining and certifying that the filing is sufficient; 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 Executive Officer has reviewed available information and prepared a report including her recommendations therein, and the report and related information have been presented to and considered by the Commission; and

**WHEREAS**, at a public hearing held on October 12, 2016, 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 document or determination, consistency with the sphere of influence, contiguity with the City boundary, and related factors and information including those contained in Gov. Code §56668; and

**WHEREAS**, information satisfactory to the Commission has been presented that all the owners of land within the affected territory have given their written consent to the proposal; and

**WHEREAS**, the Local Agency Formation Commission finds the proposal to be in the best interest 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 certifies it reviewed and considered the information contained in the Environmental Impact Reports and related environmental documentation as prepared and certified by the County of Contra Costa (Lead Agency) as identified in the LAFCO staff report, and adopts the County's Findings of Fact and Statement of Overriding Considerations.
2. Said reorganization is hereby approved.
3. The subject proposal is assigned the distinctive short-form designation:

**DOUGHERTY VALLEY REORGANIZATION #17: ANNEXATION TO THE CITY OF  
SAN RAMON AND CORRESPONDING DETACHMENT FROM CSA P-6**

Contra Costa LAFCO  
Resolution No. 16-10

4. Said territory is found to be inhabited. LAFCO will conduct a protest hearing should the Commission receive an objection from any landowner owning land with the subject area, or any registered voter residing with the subject area. Absent any objection received before the conclusion of the commission proceedings on October 12, 2016, the Commission will waive the protest proceedings.
5. The boundaries of the affected territory are found to be definite and certain as approved and set forth in Attachment 1, attached hereto and made a part hereof.
6. The subject territory shall be liable for any existing bonded indebtedness of the annexing agencies, if applicable.
7. The subject territory shall be liable for any authorized or existing taxes, charges, and assessments comparable to properties within the annexing agencies, and shall remain within CSA M-29 following annexation.
8. The City delivered an executed indemnification agreement providing for the City to indemnify LAFCO against any expenses arising from any legal actions challenging the reorganization.
9. All subsequent proceedings in connection with this 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.

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PASSED AND ADOPTED THIS 12<sup>TH</sup> day of OCTOBER 2016, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

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MARY N. PIEPHO, CONTRA COSTA LAFCO

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

Dated: October 12, 2016

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Lou Ann Teixeira, Executive Officer