

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

January 12, 2022
Agenda Item 9

January 12, 2022 (Agenda)

<u>LAFCO 21-10</u>	Contra Costa County Fire Protection District (CCCFPD) Sphere of Influence (SOI) Amendment to include the East Contra Costa Fire Protection District (ECCFPD)
<u>APPLICANT</u>	<p>CCCFPD – Resolution No. 2021/8, adopted by the CCCFPD Board of Directors on September 14, 2021</p> <p>Both CCCFPD and ECCFPD adopted substantially similar resolutions initiating proceedings to dissolve ECCFPD and annex ECCFPD into CCCFPD.</p>
<u>ACREAGE & LOCATION</u>	<p>The applicant proposes to expand CCCFPD’s SOI by 249± square miles to include ECCFPD.</p> <p>The subject area includes the cities of Brentwood and Oakley, and the unincorporated areas of Discovery Bay, Bethel Island, Knightsen, Byron, Marsh Creek, and Morgan Territory - see attached map (Exhibit A). The applicant also submitted a corresponding proposal to annex the subject area and dissolve ECCFPD.</p>
<u>PURPOSE</u>	The purpose of the proposal is to improve efficiency, effectiveness, and the economy of fire protection services in East Contra Costa County, and to better meet the fire, rescue, and emergency medical services (EMS) of the residents of the proposed reorganized district.
<u>BACKGROUND</u>	<p>ECCFPD was formed in 2002 through the consolidation of Bethel Island Fire District, East Diablo Fire District, and Oakley Fire District. ECCFPD encompasses 249± square miles and serves approximately 139,000 people.</p> <p>ECCFPD provides structural fire suppression, wildland firefighting, basic life support EMS and rescue services, deploying its apparatus and personnel from three fire stations. ECCFPD contracts with Cal Fire for winter staffing of a 3-person engine located near Morgan Territory on Marsh Creek Road. ECCFPD’s Fire Prevention Bureau provides inspections, code enforcement, plan reviews, fire investigations, and various public education programs. The Bureau also conducts inspections of public and private properties for compliance with its weed abatement ordinance.</p> <p>ECCFPD employs 37 uniformed and non-uniformed personnel, including 10 firefighters, nine engineers, nine Fire Captains, four Battalion Chiefs, one Fire Marshal, one Fire Chief, and administrative and support staff.</p> <p>ECCFPD relies heavily on CCCFPD for automatic and mutual aid assistance on a daily basis due to reduced staffing levels of ECCFPD. The lack of adequate fire and EMS resources within the ECCFPD service area leads to an overdependence on aid and support from CCCFPD which, in turn, places a burden on CCCFPD to provide support to East Contra Costa County.</p>

LAFCO Municipal Service Reviews (MSRs) – In 2009, LAFCO completed a comprehensive MSR covering fire and EMS. At that time, ECCFPD operated eight fire stations. The 2009 MSR identified significant governance, service, and fiscal issues for ECCFPD which needed to be addressed. The MSR also identified governance structure options for ECCFPD, including dissolution of ECCFPD and annexation to CCCFPD.

In 2016, LAFCO completed its 2nd round MSR covering fire and EMS. The 2016 MSR provided updates to the 2010 MSR and focused primarily on the two most distressed fire districts - ECCFPD and Rodeo Hercules FPD (RHFPD).

The 2016 MSR noted significant financial, service and governance deficiencies, and concluded that annexation of the ECCFPD into CCCFPD would provide improved levels of service, strengthen firefighter training programs, reduce response times, and improve efficiency and service delivery. Specific 2016 MSR findings included the following:

- **Financing** - For the most part, Contra Costa County fire service providers have the financial ability to deliver appropriate service levels, with the exception of ECCFPD and RHFPD.
- **Growth and Service Demand** - Continued population growth, job creation, and changes in health care services affect the volume and location of service calls, creating needs for new facilities and staff resources in order to sustain services.
- **Service Levels** – ECCFPD and RHFPD are unable to meet “Best Practices” for response times and staffing due to their current and possible future lack of personnel and equipment resources. The current three-station configuration of ECCFPD demonstrates the impacts of inadequate staffing and personnel to provide adequate fire suppression services. Longer response times for fire service and reduced emergency medical response are all outcomes of reductions in personnel that have occurred in recent years.
- **Disadvantaged Communities** - Several disadvantaged communities fall entirely within the current SOI of the ECCFPD. Areas include Bethel Island, and an area to the east of Brentwood that includes the community of Knightsen. Those two areas experience among the worse response times in the ECCFPD of 13:37 minutes and 18:18 minutes respectively (90% of responses fall within those times), which fall significantly below overall ECCFPD response times, and well below national standards for “Best Practices.”
- **Accountability** - In response to the MSR, agencies demonstrated accountability based on standard measures, which generally remains true. The ECCFPD, however, suffers from a number of accountability issues due to limited revenue.

The 2016 MSR identified two SOI options for ECCFPD including a “zero” SOI and a “provisional” SOI both signaling a future reorganization, and requiring ECCFPD to provide periodic updates to LAFCO on its progress in addressing the fiscal, governance and service challenges identified in the MSR. The Commission adopted a “provisional” SOI for ECCFPD in 2016.

2021 CCCFPD Annexation Study/Focused MSR – In July 2021, CCCFPD presented the *Fire District Annexation Feasibility Study/Focused MSR* to its Board of Directors. The study/MSR is available online at <https://www.cccfpd.org/annexation>. The study/MSR analyzed annexation of ECCFPD and RHFPD to CCCFPD. RHFPD voted to defer action regarding annexation to CCCFPD. Both CCCFPD and ECCFPD voted to move forward with applications to LAFCO and adopted substantially similar resolutions.

The feasibility study analyzed revenue (recurring, non-recurring, existing and future), and service level costs (current, future, contractual, indirect, cost allocations, contractual obligations, etc.). The study concluded that annexation of ECCYPD into CCCYPD is feasible and viable. The annexation study also includes LAFCO municipal service review and SOI analysis pursuant to Government Code (“GC”) sections 56425 and 56430.

A summary of the annexation study presentation including findings, financial analysis, fiscal sustainability of the proposed annexations, recommendations, and enhancements is provided in Attachment 1.

DISCUSSION The Cortese-Knox-Hertzberg Act (CKH Act) authorizes LAFCO to develop and determine the SOI of each local agency within the County, and to enact policies designed to promote the logical and orderly development of areas within the spheres.

A SOI is defined as *a plan for the probable physical boundaries and service area of a local agency, as determined by LAFCO* (GC section 56076). The intent of a SOI is to identify the most appropriate area for an agency’s extension of services in the foreseeable future (e.g., 10-20 year horizon). Accordingly, territory included in an agency’s SOI is an indication that the probable need for service has been established, and that the subject agency has been determined by LAFCO to be the most logical service provider for the area.

Pursuant to GC section 56425, when amending a SOI for a local agency, LAFCO is required to prepare a written statement of determinations regarding the following factors:

1. ***The present and planned uses in the area, including agricultural and open space lands***
2. ***The present and probable need for public facilities and services in the area***
3. ***The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide***
4. ***The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency***
5. ***Nature, location, extent, functions & classes of services to be provided (districts only)***

LAFCO’s determinations on the five factors specified in GC section 56425 are set forth in the LAFCO Sphere of Influence Resolution No. 21-10 (Attachment 2).

Environmental Impact of the Proposal – CCCYPD, as Lead Agency, found the project categorically from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15320(b) (Class 20) – *Changes in Organization of Local Agencies*.

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** Adopt LAFCO Sphere of Influence Resolution No. 21-10 (Attachment 2) approving the proposed expansion of CCCFPD's SOI by 249± square miles to include the ECCFPD as depicted on the attached map (Exhibit A).
- A. Find, as a responsible agency, that the proposed expansion of CCCFPD's SOI is categorically exempt from CEQA pursuant to CEQA Guidelines section 15320(b) (Class 20) – *Changes in Organization of Local Agencies*
 - B. Adopt this report and amend CCCFPD's SOI as described herein and shown on the attached map (Exhibit A).

Option 2 Adopt this report and DENY the proposal.

Option 3 If the Commission needs more information, CONTINUE this matter to a future meeting.

RECOMMENDATION **Option 1 – approve the SOI amendment as proposed.**

If LAFCO amends CCCFPD's SOI as proposed (Option 1), the proposal to dissolve the ECCFPD and annex the ECCFPD territory into the CCCFPD will be presented to LAFCO for its consideration at a subsequent meeting.

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

Exhibit A - Map – Proposed CCCFPD SOI Amendment

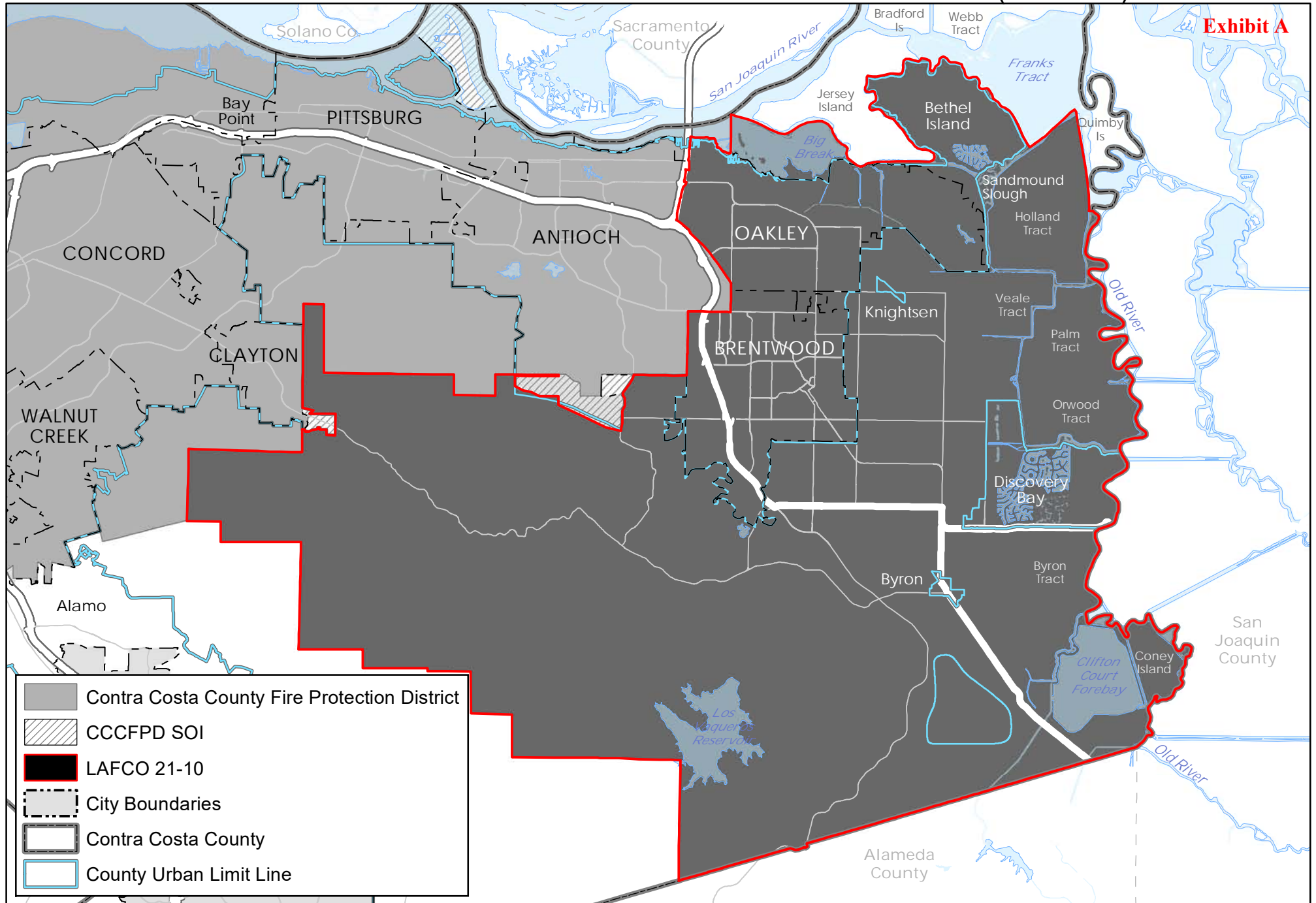
Attachment 1 – Annexation Study Summary

Attachment 2 – Draft LAFCO Resolution – CCCFPD SOI Amendment

c: Lewis Broschard, Fire Chief, CCCFPD
Brian Helmick, Fire Chief, ECCFPD
Distribution

LAFCO 21-10: Contra Costa County Fire Protection District (CCCFPD) – Sphere of Influence Amendment to include East Contra Costa Fire Protection District (ECCFPD)

Exhibit A





Attachment 1

**Contra Costa County FPD
East Contra Costa FPD
Rodeo-Hercules FPD**

FIRE DISTRICT ANNEXATION STUDY



AP TRITON

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Introduction

AP Triton, LLC (Triton) was retained to conduct a two-phase study. Phase One, which was completed in November of 2020, included Triton's review and comparison of the conceptual annexation of East Contra Costa Fire Protection District (ECCFPD) by Contra Costa County Fire Protection District (CCCFPD), utilizing projected operational costs provided by CCCFPD and historical and projected revenue data from ECCFPD to include:

- Sources of recurring and non-recurring revenue, including property taxes
- Existing revenue and projections for the next 3–6 years
- Costs of existing levels of service and projections for the next 3–6 years
- Contractual services provided to the district by CAL FIRE
- Indirect costs, cost allocations, and contractual obligations

Introduction *continued...*

The analysis conducted during Phase One concluded with a preliminary determination that the annexation of East Contra Costa Fire Protection District into Contra Costa County Fire Protection District was feasible and viable.

Introduction *continued...*

In December of 2020 and based on the positive results from the Phase One study, Triton was engaged to move forward with Phase Two of the study. Phase Two added the Rodeo Hercules Fire Protection District (RHFPD) and includes a comprehensive analysis of each district's financial, staffing, support programs, and operational capabilities related to the feasibility of annexation of ECCFPD & RHFPD into CCCFPD.

The study also includes Contra Costa County's Local Agency Formation Commission (LAFCO) Service and Sphere Review Requirements found in CGC sections 56430 and 56425.

Overview of All Agency Findings

- All three districts currently participate in a Regional Communications center. An opportunity exists to reduce operating and administrative costs through the proposed annexation while increasing service levels significantly.
- There are no deployment-related impediments to annexation.
- Combined projected recurring revenues are sufficient to provide for combined currently projected recurring expenses and anticipated expansion of services in CCCFPD and ECCFPD through the fiscal projection period identified in the project scope of work.

Overview of All Agency Findings

- Annexation will enhance and standardize training throughout the area.
- Annexation is projected to result in cost savings due to combining technology infrastructure, fleet maintenance, and other administrative functions.
- Command and control of multi-company incidents will be improved as a result of annexation.
- Annexation will enhance and standardize public education outreach.

Overview of Findings *continued...*

- Each fire district has a comprehensive and extensive training program; however, training emphasis was inconsistent between organizations.
- There appears to be minimal differences between the three organizations relating to specific code enforcement.
- Through existing reserves and future development fees, funding and other non-recurring receipts exists to provide for fire station construction, apparatus acquisition, and debt service on existing obligations on a combined basis through the fiscal projection period identified in the project scope of work.
- Combined projected reserve balances never fall below 35% (\$76,000,000) through the fiscal projection period identified in the project scope of work.

Financial Analysis

History of East Contra Costa & Rodeo-Hercules

East Contra Costa Fire Protection District

Summary of Page 20, Figure 11

	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20
Recurring Revenues	12,482,422	14,190,374	14,962,781	16,590,390	16,288,788
Non-Recurring Revenues	-	-	703,186	408,349	4,408
Special Restricted	168,524	169,161	172,916	175,881	392,587
Total Revenues	12,650,946	14,359,535	15,838,883	17,174,620	16,685,773

Financial Analysis

History of East Contra Costa & Rodeo-Hercules

Rodeo-Hercules Fire Protection District

Summary of Page 23, Figure 14

	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20
Recurring Revenues	5,794,164	5,937,178	5,408,365	6,324,504	6,373,816
Non-Recurring Revenues	1,093,555	555,204	23,917	-	-
Special Restricted	65,000	65,000	2,429,756	2,608,977	2,581,957
Total Revenues	6,952,719	6,557,382	7,862,038	8,933,481	9,055,773

Fiscal Sustainability of the Proposed Annexations

Combined Operations

Summary of Page 158/159, Figure 140/141, Recurring Revenues and Recurring Expenses

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Recurring Revenues	189,012,142	195,340,123	202,503,042	210,255,420	218,346,910
Recurring Expenses	167,916,948	180,189,434	190,433,310	201,294,915	212,777,124
Increase (Decrease)	21,095,194	15,150,689	12,069,732	8,960,506	5,569,785
Beginning Operating Reserve	-	21,095,014	36,245,883	48,315,615	57,276,121
Ending Operating Reserve	21,095,194	36,245,883	48,315,615	57,276,121	62,845,906

Fiscal Sustainability of the Proposed Annexations

Combined Special Revenues & Capital Expenditures

Summary of Page 161/162, Figure 142/143, Non-Recurring Revenues and Non-Recurring Expenditures

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Non-Recurring Revenues	318,087	7,318,087	318,087	318,087	318,087
Special Revenues	392,578	7,411,200	422,054	441,147	460,489
Debt Service	17,794,203	3,747,468	4,489,468	4,532,468	4,010,251
Capital Outlay	1,385,520	8,622,744	9,231,026	1,164,482	1,110,616
Increase (Decrease)	(18,479,058)	2,359,075	(11,980,354)	(4,937,716)	(4,342,291)
Beginning Capital Reserve	56,000,000	37,520,942	39,880,017	27,899,663	22,961,948
Ending Capital Reserve	37,520,942	39,880,017	27,899,663	22,961,948	18,619,656

Fiscal Sustainability of the Proposed Annexations

Combined Operating and Capital Reserve Balances
Summary of Page 163, Figure 144

	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Beginning Reserves	56,000,000	58,616,136	76,125,900	76,215,278	80,238,068
Net Operations	21,095,194	15,150,689	12,069,732	8,960,506	5,569,785
Net Capital (Decrease)	(18,479,058)	2,369,075	(11,980,354)	(4,937,716)	(4,342,291)
Ending Reserves	58,616,136	76,125,900	76,215,278	80,238,068	78,818,681

Recommendations

Recommendation 1: ECCFPD, RHFPD, and CCCFPD should move forward with annexation.

Based on the analysis, annexation will increase both the effectiveness and efficiency of the service delivery system and the efficiency of the administrative functions.

Recommendations

Recommendation 2: Municipal Services Review Update

It is recommended that LAFCO review and adopt the proposed determinations associated with this MSR update at a public hearing.

Recommendations

Recommendation 3: Adopt Resolutions for Reorganization

Should the three districts decide to pursue annexation, the districts should adopt substantially similar resolutions initiating the reorganization, including provision for Sphere of Influence amendments of all three districts as outlined in the Sphere of Influence Update to meet LAFCO requirements that SOIs be consistent for any change of organization.

Recommendations

Recommendation 4: ECCFPD, RHFPD & CCCFPD Coordinate with LAFCO

Should the districts choose to move forward with an application for reorganization to LAFCO, it is recommended the agencies coordinate with LAFCO to process the necessary SOI update at a public hearing prior to consideration of the reorganization application, as required by LAFCO policy.

Recommendations

Recommendation 5: LAFCO Update Sphere of Influence

LAFCO consider and adopt the proposed SOI Update and associated determinations at a public hearing, consisting of Zero SOIs for ECCFPD and RHFPD and an expansion of CCCFPD's SOI to include the territory of the districts to be annexed.

Recommendations

Recommendation 6: Standardize training programs specific to special team response.

Station and apparatus crews will need to be combined with individuals from separate organizations. It will be the responsibility of the Training Division to ensure that all firefighters meet minimum expectations. Individuals from ECCFPD and RHFD will need focused training and certifications to support existing special assignments.

Recommendations

Recommendation 7: Develop a balanced training program.

A combined organization will need to determine a training philosophy and develop a standardized program that meets the community's needs.

Recommendations

Recommendation 8: Increase multi-company training for the annexed areas.

With the potential addition of two new areas to the CCCFPD system, the combined system should emphasize additional multi-company training.

Recommendations

Recommendation 9: Increase training and response capabilities for hazmat incidents.

Due to the large oil refineries in the response areas, a combined organization will need to continue focused training and response to potentially significant hazmat incidents.

Recommendations

Recommendation 10: Develop a standardized public education program throughout the newly annexed areas.

The development of an outreach program that can be documented and measured for effectiveness is essential to quality public outreach. A combined organization should develop a standardized public education program.

Recommendations

Recommendation 11: Develop a company inspection program for high occupancy/high-risk facilities.

AP Triton recommends on-duty engine companies perform building familiarization and pre-plan familiarization. This function supports firefighter safety as well as improved fire ground operations.

Recommendations

Recommendation 12: Reopen ECCFPD Station 55 to improve service.

Funding is increasing with increased tax values and special assessments and should be sufficient to complete and staff Station 55.

Recommendations

Recommendation 13: Acquire and staff a Ladder Company within ECCFPD's service area.

Recommendation 14: Reopen CCCFPD Station 4.

The deployment modeling has identified a gap in the area that would be served by Fire Station 4.

Enhancements

- Standardization of response protocols and service throughout the areas
- Training will be standardized throughout the area
- Standardization of apparatus and purchasing
- Operational consistency and enhanced firefighter safety
- Elimination of duplicative administrative and operational structures

Enhancements

- Reduced legal and auditing costs
- Reduced technology/software costs
- Reduction in insurance costs
- Possible reduction in Board expenses and election expenses
- Addition of Engine and Ladder Companies



QUESTIONS



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SPHERE OF INFLUENCE RESOLUTION NO. 21-10

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND EXPANDING THE SPHERE OF INFLUENCE
OF CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT TO INCLUDE THE
EAST CONTRA COSTA FIRE PROTECTION DISTRICT**

WHEREAS, in conjunction with a recent *Fire District Annexation Feasibility Study/Municipal Service Review* (“the study”) prepared for the Contra Costa County Fire Protection District (CCCFPD), a proposal to expand the sphere of influence (SOI) of CCCFPD and corresponding boundary reorganization proposal were filed with the Contra Costa Local Agency Formation Commission (LAFCO) pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §56425); and

WHEREAS, the Executive Officer has given notice of the Commission’s consideration of the proposed SOI expansion at the time and in the manner required by law; 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 document or determination, SOIs and applicable General and Specific Plans and all testimony, correspondence and exhibits received during the public hearing, all of which are included herein by reference;

NOW, THEREFORE, the Contra Costa LAFCO DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

1. The matter before the Commission is the proposed expansion of CCCFPD’s SOI by 249± square miles to include the East Contra Costa Fire Protection District (ECCFPD).
2. The Commission is a Responsible Agency under the California Environmental Quality Act (CEQA); and in accordance with CEQA, the Commission finds the proposed expansion of CCCFPD’s SOI is categorically exempt from CEQA pursuant to CEQA Guidelines section 15320(b) (Class 20) – *Changes in Organization of Local Agencies*, which is consistent with the determination of CCCFPD, the Lead Agency under CEQA.
3. The Commission has considered the criteria set forth in Government Code §56425 and determines as follows:

The present and planned uses in the area, including agricultural and open space lands – The CCCFPD bounds encompass a variety of land uses in incorporated and unincorporated areas primarily in the central, east central, and northern portions of Contra Costa County. Land uses include residential, commercial, mixed-use, agricultural, recreational, open space, and watershed. CCCFPD has no land use authority. Contra Costa County and city plans include land uses and population growth that may impact CCCFPD’s services. There is Williamson Act land within CCCFPD’s boundary and SOI.

Land uses in the SOI expansion area (ECCFPD) include residential, commercial, mixed-use, agricultural, recreational, open space and watershed uses located throughout ECCFPD. The predominant uses include agricultural and open space, with the agricultural core located west of Discovery Bay and Byron, and pasture lands throughout Morgan Territory, Marsh Creek, Knightsen and northern Bethel Island. The ECCFPD boundary also includes expansive open space including Morgan Territory Regional Park, Vasco Caves Regional Park, Contra Loma Regional Park, Round Valley Regional Preserve, Black Diamond Mines Regional Preserve, and the northern portion of Mount Diablo State Park. Residential and commercial areas are concentrated in the cities of Brentwood and

Oakley, with some residential areas in the unincorporated communities of Discovery Bay and Bethel Island. Future growth is expected in both the CCCFPD and ECCFPD boundaries.

The proposed SOI expansion and pending boundary reorganization will not facilitate new development or changes in land use and will have no impact on agricultural land.

The present and probable need for public facilities and services in the area – Growth within CCCFPD and ECCFPD is anticipated and will increase demand for fire and emergency medical services from the subject agencies which will necessitate enhanced resources to maintain adequate service levels.

The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide – According to the study, CCCFPD currently maintains 30 fire stations throughout the District, of which three stations were closed as of 2021. CCCFPD fire stations have a staffing capacity of approximately 192 personnel and 65 apparatus bays. The study concluded that CCCFPD is a large, well-funded all-risk fire district with a stable and growing revenue stream. Further, that expansion of CCCFPD's SOI and future annexation of ECCFPD will increase both the effectiveness and efficiency of the service delivery system and efficiency of administrative functions.

The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency – Both CCCFPD and ECCFPD include Disadvantaged Communities (DACs). DACs within CCCFPD include San Pablo, portions of Mt. View and Vine Hill, Bay Point, Saranap, and portions of Antioch, Concord and Pittsburg. DACs within ECCFPD include portions of Brentwood and Oakley and Bethel Island. In accordance with LAFCO law, in updating or amending a SOI, LAFCO must consider needs or deficiencies related to sewer, municipal and industrial water, and structural fire protection in any DAC within or contiguous to the subject agency's SOI. There is a present and probable need for structural fire protection services in DACs.

Nature, location, extent, functions & classes of services to be provided – CCCFPD is an all-hazards fire district providing traditional fire service protection, wildland fighting, medical first-response, Advanced Life Support ambulance transport, various special operations (i.e., water rescue, hazardous materials response, marine firefighting, technical rescue), and a comprehensive life-safety and prevention program (i.e., inspections, fire investigation, code enforcement, plan reviews, public education). CCCFPD currently serves a population of 600,000 within 306± square miles including the cities of Antioch, Clayton, Concord, Lafayette, Martinez, Pleasant Hill, Pittsburg, San Pablo and Walnut Creek, and unincorporated communities of Alhambra Valley, Bay Point, Clyde, El Sobrante and Pacheco.

The SOI of CCCFPD is hereby expanded to include the area as shown on the attached map (Exhibit A).

* * * * *

PASSED AND ADOPTED THIS 12th day of January 2022, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

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

Dated: January 12, 2022

Lou Ann Texeira, Executive Officer