

**RESOLUTION NO. 23-11**

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
MAKING DETERMINATIONS AND APPROVING ACTIVATION OF LATENT POWERS  
OF COUNTY SERVICE AREA R-7 (Street Landscape Maintenance, Fund Services of the  
Alamo Municipal Advisory Council, and Acquire, Construct, Improve, Operate and Maintain  
Community Facilities in the Alamo area)**

**WHEREAS**, Section 56824.12 of the Cortese-Knox-Hertzberg Local Government Reorganization Act requires that a proposal to provide a new or different function or class of services within all or part of the jurisdictional boundaries of a special district, pursuant to Section 56654(b), shall be made by the adoption of a resolution of application by the legislative body of the special district and shall include all of the matters specified for a petition in Section 56700 (except paragraph (6) of subdivision (a)), and be submitted with a plan for services prepared pursuant to Section 56653; and

**WHEREAS**, the above-referenced proposal to activate certain latent powers of County Service Area R-7 was filed with the Executive Officer of the Contra Costa Local Agency Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (§56000 et seq. of the Government Code); and

**WHEREAS**, the Executive Officer 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 gave notice of the Commission's consideration of the proposal; and

**WHEREAS**, the Executive Officer reviewed available information and prepared a report including her recommendations therein, and the report and related information were presented to and considered by the Commission; and

**WHEREAS**, at a public hearing held on November 8, 2023, 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 recommendations, the environmental documents and determinations, spheres of influence, and related factors and information including those contained in Gov. Code §56668; and

**WHEREAS**, the applicant delivered to LAFCO an executed indemnification agreement providing for the applicant to indemnify LAFCO against any expenses arising from any legal actions to challenge the activation of latent powers; and

**WHEREAS**, the Local Agency Formation Commission determines the proposal to be in the best interest of the affected area and the 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 is a Responsible Agency under the California Environmental Quality Act (CEQA), and in accordance with CEQA, finds the proposed change of organization is exempt

- from review under CEQA pursuant to CEQA Guidelines sections 15061, subdivision (b)(3), 15262, 15301, subdivision (h), and 15304, subdivision (b).
2. The Commission approves the activation of the following latent powers for CSA R-7: provide street landscape maintenance services; funding for the services of the Alamo Municipal Advisory Council; and acquire, construct, improve, operate and maintain community facilities, including but not limited to a community center within the district boundaries. The latent power pertaining to community facilities is conditioned adequate financing.
  3. The boundary of the subject area is found to be definite and certain as approved and set forth in Exhibit A, attached hereto and made a part hereof.
  4. The subject area is inhabited.
  5. There is no protest proceeding or election in conjunction with activation of latent powers.
  6. All subsequent proceedings in connection with the activation of latent powers shall be conducted in compliance with the Commission’s approval and any terms and conditions specified in this resolution.

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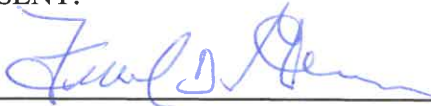
PASSED AND ADOPTED THIS 8<sup>th</sup> day of November 2023, by the following vote:

AYES:

NOES:

ABSTENTIONS:

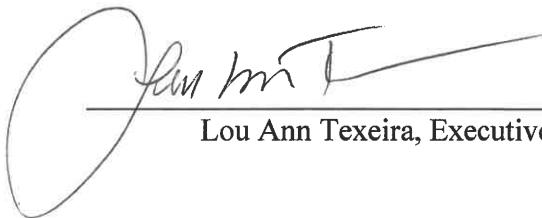
ABSENT:



FEDERAL GLOVER, 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: November 8, 2023

  
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Lou Ann Texeira, Executive Officer