

IN THE LOCAL AGENCY FORMATION COMMISSION
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Thursday, November 18, 2021

PRESENT:

ABSENT:

RESOLUTION NO. 2021-XX

**RESOLUTION APPROVING ANNEXATION NO. 90 TO THE CITY OF PASO ROBLES
(GATEWAY)**

The following resolution is now offered and read:

WHEREAS, on _____, the Executive Officer filed a Certificate of Filing regarding a request to consider a proposal for Annexation No. 90 to the City of Paso Robles (Gateway Annexation); and

WHEREAS, the Executive Officer has given the notices required by law and forwarded copies of his report to officers, persons and public agencies prescribed by law; and

WHEREAS, a staff report was prepared, and the public hearing was duly conducted under the Covid-19 modified meetings laws pursuant to the Governor's order;

WHEREAS, the matter was set for public hearing at 9:00 a.m. on _____, and the public hearing was duly conducted and determined and a decision was made on _____; and

WHEREAS, at said hearing this Commission heard and received all oral and written protests, objections and evidence, which were made, presented or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to the proposal and report; and

WHEREAS the Commission as a Responsible Agency determined that the environmental review documentation adopted by the City of Paso Robles meets the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS the Commission determined that the environmental mitigations, the Findings of Fact and Statement of Overriding Considerations adopted by the City of Paso Robles are applicable, and acting as a Responsible Agency LAFCO adopts its own Findings of Fact and Statement of

Overriding Considerations pursuant to the CEQA and as found in Exhibit A; and

WHEREAS, the Commission has considered all factors required to be considered by Government Code Sections 56668 et seq. and adopts as its written statements of determinations and record therein, the determinations set in the Executive Officer's Staff report, attachments and testimony dated _____, and said record is incorporated by reference herein as though set forth in full; and

WHEREAS, the Commission duly considered the proposal and finds that the proposal to annex the area known as the Gateway Annexation to the City of Paso Robles should be approved.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Local Agency Formation Commission of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth hereinabove are true, correct, and valid.
2. That the map and legal description approved by this Commission is attached hereto, marked as Exhibits B and C and incorporated by reference herein as though set forth in full.
3. That the Executive Officer of this Commission is authorized and directed to mail copies of this resolution in the manner provided by law.
4. That Annexation No. 90 to the City of Paso Robles is hereby approved with the following conditions:
 1. Prior to filing the Certificate of Completion with the Clerk Recorder and the State Board of Equalization, the proponent shall submit to LAFCO documentation of a recorded perpetual conservation easement meeting or exceeding LAFCO's 1:1 preservation policy (Policy 12) to offset the approximate 29 acres of prime soils on-site that would be converted to non-agricultural uses.
 2. This condition applies to the extent allowed by law. The applicant agrees to defend, indemnify, hold harmless and release the San Luis Obispo Local Agency Formation Commission (LAFCO), its officers, employees, attorneys, or agents from any claim, action or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul, in whole or in part, LAFCO's action on the proposal or on the environmental documents submitted to or prepared by LAFCO in connection with the proposal. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorneys' fees, and expert witness fees that may be asserted by any person or entity, including the Applicant, arising out of or in connection with the application. In the event of such indemnification, LAFCO

expressly reserves the right to provide its own defense at the reasonable expense of the applicant.

Upon a motion of _____, seconded by Commissioner _____, and on the following roll call vote:

AYES:

NAYS:

ABSTAINING:

The foregoing resolution is hereby adopted.

Robert Enns, Chair Date
Local Agency Formation Commission

ATTEST:

Rob Fitzroy Date
LAFCO Executive Officer

APPROVED AS TO FORM AND LEGAL EFFECT:

Brian Pierik Date
LAFCO Legal Counsel