

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

Thursday, November 19, 2020

PRESENT:

ABSENT:

RESOLUTION NO. 2020-XX

**RESOLUTION APPROVING ANNEXATION NO. 81 TO THE CITY OF SAN LUIS OBISPO
(FIERO EAST-WEST AREAS)**

The following resolution is now offered and read:

WHEREAS, on October 7, 2020, the Executive Officer filed a Certificate of Filing regarding a request to consider a proposal for Annexation No. 81 to the City of San Luis Obispo (Fiero East-West Areas); 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;

WHEREAS, the matter was set for public hearing at 9:00 a.m. on November 19, 2020, and the public hearing was duly conducted and determined and a decision was made on November 19, 2020; 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 person's 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 determined that the environmental review documentation adopted by the City of San Luis Obispo meets the requirements of the California Environmental Quality Act (CEQA); 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

therein, the determinations set in the Executive Officer's Staff report dated November 19, 2020, said determinations being 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 territory to the City of San Luis Obispo 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 A and B 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. 81 to the City of San Luis Obispo is hereby approved with the following conditions:
 - A. The County and City agree to allow the County to complete or transfer all outstanding permits filed with the County within the annexation area including building and planning permits. The County and City shall work together to resolve any permitting issues.
 - B. Prior to filing the Certificate of Completion with the State Board of Equalization, the proponent shall submit revised legal descriptions and map revisions to be reviewed and approved by the County Surveyor.
 - C. The applicant shall defend, indemnify and hold harmless LAFCO to the fullest extent allowed by law, at the sole expense of the applicant, against any and all claims.

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

AYES:

NAYS:

ABSTAINING:

The foregoing resolution is hereby adopted.

Tom Murray, Chair
Local Agency Formation Commission

Date

ATTEST:

Mike Prater
LAFCO Executive Officer

Date

APPROVED AS TO FORM AND LEGAL EFFECT:

Brian Pierik
LAFCO Legal Counsel

Date

DRAFT