

RESOLUTION NO. 1290

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION
OF THE COUNTY OF SAN MATEO
ADOPTING THE MUNICIPAL SERVICE REVIEW FOR THE CITY OF EAST PALO ALTO,
EAST PALO ALTO SANITARY DISTRICT,
AND WEST BAY SANITARY DISTRICT AND
REAFFIRMING EXISTING SPHERE OF INFLUENCE DESIGNATIONS**

RESOLVED, by the Local Agency Formation Commission of the County of San Mateo, State of California, that

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, set forth in Government Code Section 56000 et seq., governs the organization and reorganization of cities and special districts by local agency formation commissions established in each county, as defined and specified in Government Code Section 56000 et seq.,

WHEREAS, Government Code Section 56425 et seq. requires the Local Agency Formation Commission (LAFCo or Commission) to develop and determine the sphere of influence of each local governmental agency within the County; and

WHEREAS, the Commission conducted a Municipal Service Review pursuant to Government Code Section 56430 for the City of East Palo Alto, East Palo Alto Sanitary District, and West Bay Sanitary District;

WHEREAS, the Executive Officer prepared a written report of the Municipal Service Review that was provided to the Commission and affected agencies; and

WHEREAS, the Executive Officer set a public hearing date for June 15, 2022, for the consideration of the final Municipal Service Review and caused notice thereof to be posted, published and mailed at the times and in the manner required by law at least twenty-one (21) days in advance of the date; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public hearing held on June 15, 2022; and

WHEREAS, a public hearing by this Commission was held on the report and at the 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 an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report; and

WHEREAS, the Commission is required pursuant to Government Code Section 56430 to make statement of written determinations with regards to certain factors; and

WHEREAS, the Commission is required pursuant to Government Code Section 56425 and local Commission policy to make statement of written determinations

WHEREAS, based on the results of the MSR, staff has determined that the SOIs for the City of East Palo Alto, East Palo Alto Sanitary District, and West Bay Sanitary District are reaffirmed;

WHEREAS, the Municipal Service Review is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) under Section 15303, Class 6, which allows for basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. The Municipal Service Review collects data for the purpose of evaluating municipal services provided by an agency. There are no land use changes or environmental impacts created by this study.

The Municipal Service Review also is exempt from CEQA under the section 15061(b)(3), the common-sense provision, which states that CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it is certain that the activity will have no possible significant effect on the environment, the activity is exempt from CEQA; and

NOW, THEREFORE, the Local Agency Formation Commission of the County of San Mateo DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

Section 1. By Resolution, the Commission accepts the Executive Officer’s Report dated June 15, 2022, Final Municipal Service for the City of East Palo Alto, East Palo Alto Sanitary District, and West Bay Sanitary District, and all written comments and attachments incorporated herein and contained in attached “Exhibit A.”

Section 2. Pursuant to Government Code Section 56430, the Commission adopts the Municipal Service Review determinations set forth in “Exhibit B” which is attached and hereby incorporated by reference

Section 3. Pursuant to Government Code Section 56425(i), the Commission adopts an inventory of active services for East Palo Alto Sanitary District and West Bay Sanitary District contained in “Exhibit C.”

Section 4. The Commission adopts the sphere of influence determinations contained in "Exhibit D" and reaffirms the Sphere of Influences for the City of East Palo Alto, the East Palo Alto Sanitary District, and the West Bay Sanitary District.

Regularly passed and adopted this 15th day of June 2022.

Ayes and in favor of said resolution:

Commissioners: Don Horsley
Ric Lohman
Kati Martin
Harvey Rarback
Warren Slocum
Ann Draper, Vice Chair
Mike O'Neill, Chair

Noes and against said resolution:

None

Commissioners Absent and/or Abstentions:

Commissioners: None

Michael O'Neil

Chair
Local Agency Formation Commission
County of San Mateo
State of California

ATTEST:

Roberto J. Bartolif

Executive Officer
Local Agency Formation Commission

Date: 6/15/2022

I certify that this is a true and correct copy of the resolution above set forth.

Date: _____

Clerk to the Commission
Local Agency Formation Commission