

City Managers

Subject: Annexation Proposals With Tentative Tract Maps

Some recent submittals of final annexation documents indicate that clarification is needed with respect to some of our requirements.

When a Tentative Tract Map has been approved by a city on undeveloped property as an indication that development is imminent, LAFCo typically imposes a condition requiring that satisfactory verification be submitted showing that the city has accepted the Final Map prior to completion of the annexation. Some city councils have adopted resolutions approving the Final Map before the final annexation documents were submitted to our office. This is not correct: the condition only requires that the city staff *accept* the final map. In fact, the city council cannot take action to approve a Final Map until it is within the city's jurisdiction -- that is, *after* the annexation has been completed. What we are looking for is verification that the Final Map has been submitted in a form that the city deems acceptable for processing—not necessarily including the entire packet of improvement plans, etc., but sufficiently complete to demonstrate that the project is moving rapidly toward development, thereby necessitating immediate annexation.

Also, a couple of recent submittals have included City Council resolutions reporting that they have taken action as the Conducting Authority for protest proceedings. Previously, the cities were responsible for protest proceedings but recent changes to LAFCo law contained in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Section 57000) specify that LAFCo shall be the conducting authority for protest proceedings. When protest proceedings are required we will automatically schedule them as part of LAFCo's action approving the annexation.

If you have any questions please give me a call.

Jeff Tweedie, Interim Executive Officer