

## RESOLUTION 3665

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTE SERENO CONFIRMING ITS REQUEST TO THE SANTA CLARA COUNTY LOCAL AGENCY FORMATION COMMISSION TO INITIATE PROCEEDINGS FOR AMENDING THE CITY OF MONTE SERENO SPHERE OF INFLUENCE AND URBAN SERVICE AREA FOR THE REORGANIZATION OF TERRITORY KNOWN AS LUCKY ROAD INVOLVING APPROXIMATELY 7 ACRES OF PROPERTY IN TOTAL AND 3 PARCELS AS IDENTIFIED IN THE ATTACHED MAP**

WHEREAS, on September 3, 2013, the City Council of the City of Monte Sereno approved Resolution No. 3537, A Resolution Of The City Council Of The City Of Monte Sereno Requesting The Santa Clara County Local Agency Formation Commission Initiate Proceedings For Amending The City Of Monte Sereno Sphere Of Influence And Urban Service Area For The Reorganization Of Territory Known As Lucky Road Involving Approximately 7 Acres Of Property In Total And 3 Parcels As Identified In The Attached Map; and

WHEREAS, on December 4, 2013, the Santa Clara County Local Agency Formation Commission conditionally approved the request provided the City of Monte Sereno annexed its existing urban pockets within one year; and

WHEREAS, the conditional approval expired and the City of Monte Sereno had not annexed its existing urban pockets; and

WHEREAS, on April 19, 2016, the City Council of the City of Monte Sereno approved Resolution No. 3616, A Resolution Of The City Council Of The City Of Monte Sereno Requesting The Santa Clara County Local Agency Formation Commission Initiate Proceedings For Amending The City Of Monte Sereno Sphere Of Influence And Urban Service Area For The Reorganization Of Territory Known As Lucky Road Involving Approximately 7 Acres Of Property In Total And 3 Parcels As Identified In The Attached Map; and

WHEREAS, on June 7, 2017, the Santa Clara County Local Agency Formation Commission denied the request; and

WHEREAS, the City still desires to amend its sphere of influence and urban service area for the territory known as Lucky Road,

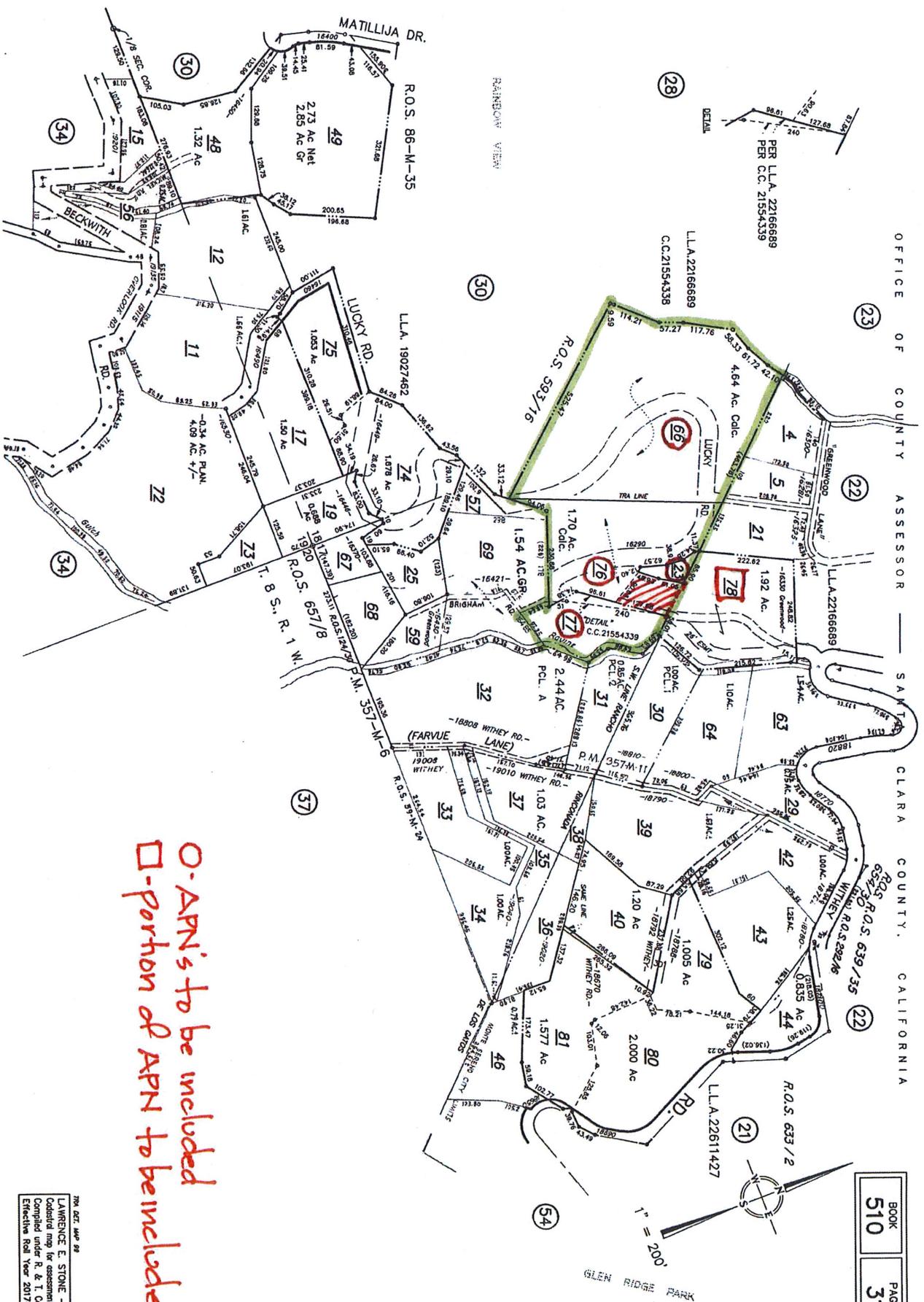
**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONTE SERENO AS FOLLOWS:**

After due consideration of all evidence presented, the City Council finds as follows:

1. The Council of the City of Monte Sereno desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Government Code Section 56000 *et seq.*, for a reorganization to annex 3 parcels of unincorporated land of approximately 7 acres.
2. The City Council desires to also apply for the changes to the City's Sphere of Influence and the Urban Service Area as may be necessary to effectuate the reorganization.
3. A map of the boundaries of the approximately 7 acres is attached hereto and made a part hereof as Exhibit A.

Based upon the foregoing findings of fact, the City Council further finds and concludes that:

1. The City Council has complied with the requirements of the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 *et seq.*, the CEQA Guidelines, Cal. Code Regulations, tit. 14, Section 15000 *et seq.*, by adopting a mitigated negative declaration for the project by Resolution No. 3535.
2. The City Council has determined that the proposed reorganization will promote the general health, safety and welfare of the community.
3. The City Council has determined that the reorganization, including the annexations, is consistent with and will facilitate the fulfillment of the goals, policies and objectives set forth in the City of Monte Sereno General Plan, as amended.
4. The City Council has determined that the proposed reorganization, including the annexations listed herein, is consistent with Government Code Section 56375.3 and 56757, which provides that, upon approval of the LAFCO, a city may annex unincorporated territory so long as the Sphere of Influence and Urban Service Areas have been modified and said annexation occurs within the Urban Service Area.
5. The City has, prior to the approval of this resolution, adopted an ordinance pre-zoning and establishing general plan land use categories for the subject territory.



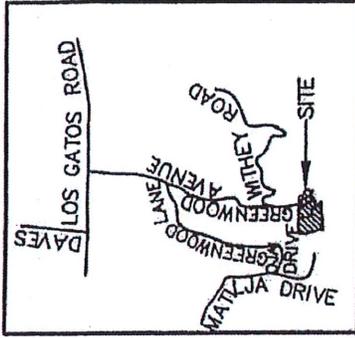
O-APN's to be included  
 □-portion of APN to be included

7th OCT MAP 28  
 LAWRENCE E. STONE - ASSESSOR  
 Consider map for assessment purposes only  
 Compiled under R. & L. Code, Sec. 277  
 Effective Roll Year 2017-2018

**DISCLAIMER:**

FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.

**LOCATION MAP**



**EXHIBIT B**

PROPOSED ANNEXATION TO  
CITY OF MONTE SERENO  
LUCKY ROAD  
LYING WITHIN

UNINCORPORATED AREA OF  
SANTA CLARA COUNTY, CALIFORNIA  
SCALE: 1" = 100'  
FEBRUARY 20

TRACT NO. 1218  
48 M. 44-1-45

EXISTING  
CITY OF MONTE SERENO  
BOUNDARY

SW LINE RANCHO RINCONADA DE LOS GATOS

POINT OF  
BEGINNING

S 44°30'00" E 670.08 (1)  
APN: 510-31-023  
LANDS OF ZUBILLAGA  
DOC. NO. 19285166  
PARCEL ONE

**LINE TABLE**

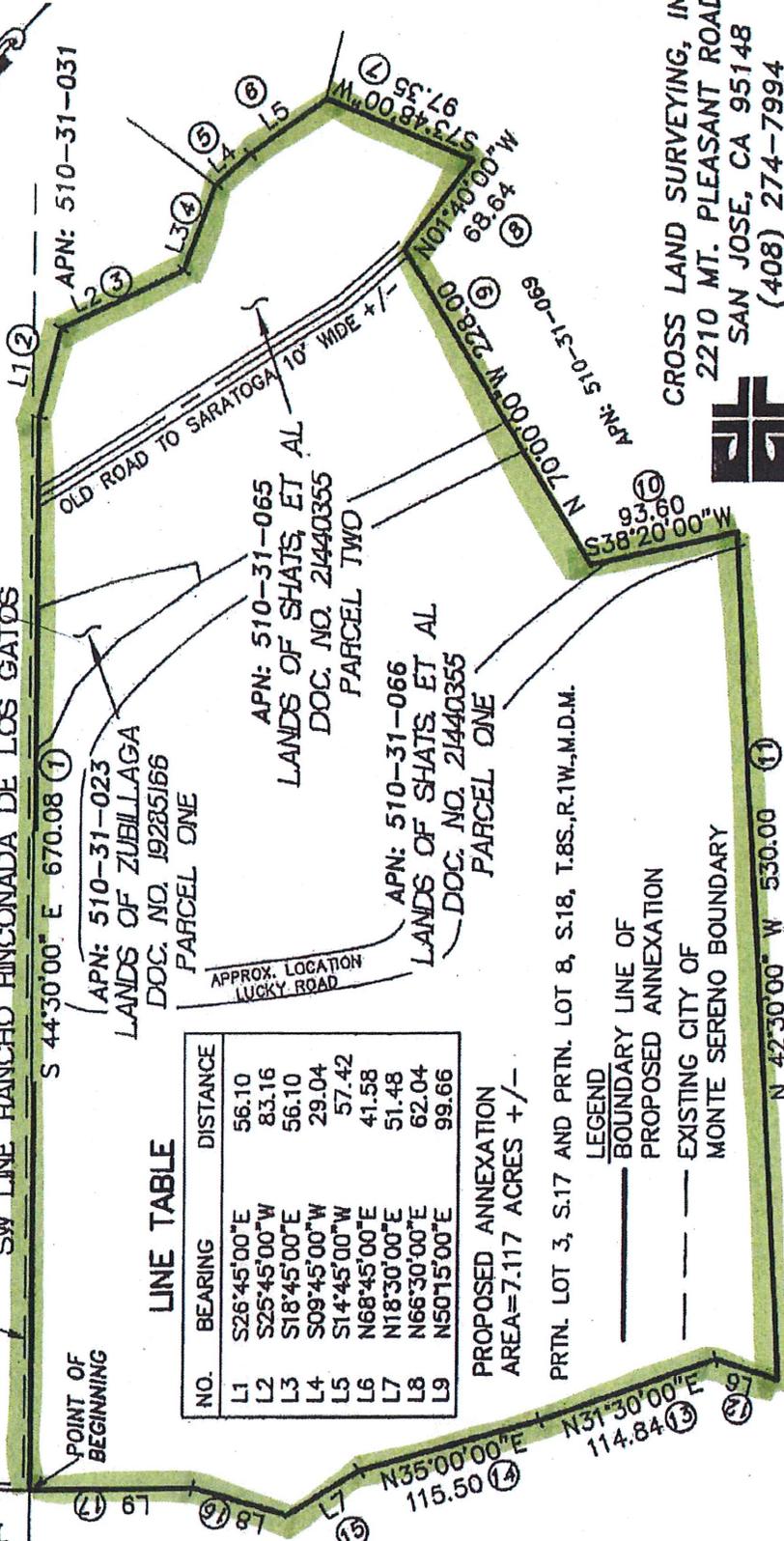
| NO. | BEARING     | DISTANCE |
|-----|-------------|----------|
| L1  | S26°45'00"E | 56.10    |
| L2  | S25°45'00"W | 83.16    |
| L3  | S18°45'00"E | 56.10    |
| L4  | S09°45'00"W | 29.04    |
| L5  | S14°45'00"W | 57.42    |
| L6  | N68°45'00"E | 41.58    |
| L7  | N18°30'00"E | 51.48    |
| L8  | N66°30'00"E | 62.04    |
| L9  | N50°15'00"E | 99.66    |

PROPOSED ANNEXATION  
AREA=7.117 ACRES +/-

PRTN. LOT 3, S.17 AND PRTN. LOT 8, S.18, T.8S., R.1W., M.D.M.

**LEGEND**

- BOUNDARY LINE OF
- PROPOSED ANNEXATION
- - - EXISTING CITY OF
- MONTE SERENO BOUNDARY



CROSS LAND SURVEYING, IN  
2210 MT. PLEASANT ROAL  
SAN JOSE, CA 95148  
(408) 274-7994



PROJECT NO. 13-1