



Solano Local Agency Formation Commission

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STAFF REPORT

DATE: March 25, 2019

TO: Local Agency Formation Commission

FROM: Michelle McIntyre

SUBJECT: **LAFCO Project No. 2018-05: Pacific Flyway Annexation to the City of Fairfield** with concurrent annexation to the Fairfield Suisun Sewer District, and detachment from the Cordelia Fire Protection District and the Solano County Lighting Service Area, located east of Interstate 680 and Ramsey Road, south of the Gold Hill Road freeway overpass and Lopes Road. Approximately 273 acres, APNs: 046-050-300 and 046-100-260.

A. Introduction

Applicant

The City of Fairfield, as the applicant, has submitted a resolution requesting reorganization of approximately 273 acres with concurrent actions including: annexations to the City of Fairfield and the Fairfield Suisun Sewer District, and detachments from the Cordelia Fire Protection District and Solano County Lighting Service Area.

The following analysis measures the subject proposed reorganization against the Cortese-Knox-Hertzberg (CKH) Act and the Solano LAFCO’s adopted policies and standards. The staff report below includes six sections (A-F); A) Introduction; B) Statutory requirements; C) Local policies and written standards; D) Summary of findings and determinations; E) Summary of conditions of approvals; and, F) Staff recommendation.

Project Purpose

The purpose of the reorganization is to facilitate the development of the Pacific Flyway Education Center. The Pacific Flyway Fund, a non-profit organization, is proposing to develop, restore, and enhance the site as an open space land preserve and wildlife conservation area with an educational facility and interpretative nature center.

Commissioners

Jim Spering, Chair • Nancy Shopay, Vice-Chair • Harry Price • Ron Rowlett • John Vasquez

Alternate Commissioners

Ron Kott • Shawn Smith • Skip Thomson

Staff

Rich Seithel, Executive Officer • Michelle McIntyre, Sr. Analyst • P. Scott Browne, Legal Counsel

Project Location

The project site is located east of Interstate 680, Ramsey Road, and the City of Fairfield City limits, south of the Gold Hill Road freeway overpass and Lopes Road, west of Cordelia Slough and the Suisun Marsh in unincorporated Solano County. A vicinity map is provided for reference.



A map and geographic description, which has been reviewed by the Solano County Surveyor, are attached to the draft LAFCO Resolution 19-04 as Exhibit A.

B. Statutory Requirements – (Rev and Tax Code, and CKH Act)

CA Revenue and Tax Code - Exchange of Property Tax

The City and Solano County have agreed use the Master Property Tax Transfer Agreement as authorized pursuant to California Revenue and Tax Code Section 99(d); letters reflecting the agreement, County Resolution 2000-72, and City Resolution 2000-88 are enclosed as Attachment B.

Municipal Service Review and Sphere of Influence

On December 10 2018 the Commission adopted the City’s Focused Municipal Service Review (MSR) and Sphere of Influence (SOI)¹ update and amendment for the Pacific Flyway Education Center. The City’s adopted SOI (exhibit enclosed as Attachment C) identifies the proposal area as within the voter approved urban limit line (ULL) and SOI of the City.

Staff Recommended Determination: The Commission determines the proposal is consistent with the City’s adopted focused MSR, SOI, and within the City’s urban limit line.

¹ Final Focused Pacific Flyway MSR/SOI can be found via this link <http://solanolafco.com/studies.htm>

Factors To Be Considered:

The Commission is required consider factors pursuant to §56668 (a-q) in their review of a proposal. The following analyses are provided as required:

a.

<p>Land area and land use</p>	<p>The two parcels proposed for development encompass 280 acres. Approximately 200 acres are made up of Primary Management Area marshland while the remaining eighty acres is made up of Secondary Management Area uplands. Planned development of the education center is located in the upland portion of the site.</p> <p>The site was historically used by the Garibaldi family as a cattle ranch, private waterfowl refuge, and for hunting and fishing. In the 1940s the site was a duck club, and later became incorporated into the Suisun Marsh wetlands.</p> <p>The site is presently vacant with the exception of an airplane hangar that is used as a utility and storage shed, an airport landing strip, and various out-buildings. Ramsey Road, which is within city limits, provides ingress and egress to the site.</p>
<p>Assessed Valuation</p>	<p>Total assessed valuation is \$986,600 per the Solano County Assessor’s Office dated 12/3/2018.</p>
<p>Natural boundaries</p>	<p>Cordelia Slough and the Suisun Marsh is located east of the proposal area.</p>
<p>Drainage basins</p>	<p>A drainage swale is located on the south side of the old Ramsey Road that crosses east to west through the site to Cordelia Slough. The project will not alter the drainage pattern of the Cordelia Slough.</p>
<p>Topography</p>	<p>Elevations range from zero to twenty feet above mean sea level sloping downward from west to east towards the Cordelia Slough.</p> <p>The buildings and construction of impervious services are proposed on the upland Secondary Management Area encompassing 8.3 acres or 3% of the total proposal area. The environmental analysis states the site has a 100 year flood plain elevation of 10 feet and engineers evaluated risk for sea level rise at 3 feet of sea level rise. The “Walk in the Marsh” will be created with materials that can</p>

	<p>withstand floods and seasonal periods of inundation. In the event of encroachment by sea level rise and hydromorphology of the site, the boardwalks and pathways can be re-routed.</p> <p>The design elevation of the finished floor of the building complex is 20 feet, well above the projected 100 year flood plain elevation with the estimated sea level rise.²</p>
<p>Proximity to other populated areas</p>	<p>Existing single-family homes are located west of the proposal site and Interstate 680.</p>
<p>Likelihood of significant growth in the area and in adjacent areas during the next 10 years</p>	<p>It is highly unlikely the areas north, south, and east of the proposal site will experience significant growth in the next ten years as these areas are outside the City’s SOI, ULL, and are located within the Suisun Marsh.</p> <p>The City’s General Plan pertaining to the ULL states, “all land located beyond the ultimate urban limit line as approved in the areawide plan, shall not be included in the City’s sphere of influence and shall not be annexed by the City in the future.”</p>

b. The need for organized services, the present cost and adequacy of governmental services and controls in the area, probable future needs for those services and controls, probable effect of the proposed reorganization, alternative courses of action on the cost and adequacy of services and controls in this area and adjacent areas. “Services,” as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

The City provides municipal services including fire protection, law enforcement, storm drainage, and sewer in conjunction with the Fairfield Suisun Sewer District. These services are more thoroughly analyzed in the City’s recently adopted Focused Municipal Service Review. Below is a summary of fundamental municipal services to be provided to the project; however, a more thorough analysis can be found within the contents of the Commission’s adopted Focused Municipal Service Review and Sphere of Influence study.

- **Fire protection** – The proposal area is currently within the boundaries and jurisdiction of the Cordelia Fire Protection District (CFPD), upon annexation to the City, the proposal area will be within the jurisdiction of the city fire

² See Pacific Flyway Center Final Initial Study and Mitigated Negative Declaration, pages 35-37. Entire document attached as Attachment E to the LAFCO staff report

department. Two parcels east of the proposal site will remain in unincorporated Solano County and within the jurisdiction of the CFPD. These two parcels will not be annexed as it is located outside the ULL, SOI, and within the Primary Management Area of the Suisun Marsh.

The City and CFPD have an existing automatic aid agreement (Attachment D). The two parties agreement states, “upon receipt of an alarm or request for service included within the scope of this Agreement, the Dispatch center of the Party responding as first responder to the alarm or call for service, hereinafter referred to as the “Responding Party,” shall dispatch the closest appropriate unit from Responding Party’s jurisdiction and immediately transfer the call to the dispatch center of the Party whose jurisdiction the alarm or call was received.” [Emphases added]

The closest fire station to the proposal site and the adjacent properties is the City of Fairfield Fire Department Station No. 35 located on 600 Lopes Road approximately 2.5 miles to the northwest. The second closest fire station is the Cordelia Fire Protection District on 2155 Cordelia Road, approximately 3.8 miles from the proposal site. Based on the long standing mutual aid agreement between the two parties, it is reasonable to assume the Fire Department is presently the unit dispatched upon receipt of a request and will continue to be the first responding party upon annexation.

Solano County Supervisor Monica Brown submitted a letter (Attachment D) expressing concerns that the proposed project will create unfunded mandates for the CFPD, as the District will be required to respond to emergencies at the Flyway Education Center with no clear funding allocated to cover their costs. Supervisor Brown requested this issue be re-examined one year after the Flyway Center is operating in order to determine if the CFPD has incurred any expenses. In order address the above concerns, staff recommends the Commission include the following condition of approval:

Staff Recommended Condition of Approval: Detachment from the Cordelia Fire Protection District is approved on the condition that the City Fire Department and/or the Cordelia Fire Protection District will provide the Solano LAFCO call-data information for the Pacific Flyway Education Center proposal area in the spring of 2021, approximately one year after groundbreaking of Phase One of the project.

CFPD also submitted a letter (Attachment E) expressing concerns regarding access via the existing roadway to the north of the proposal site for access the parcels east of the proposed annexation site. On March 13, 2018 CFPD and the Pacific Flyway Fund reached an agreement with respect to two primary roads whereby the Pacific Flyway Fund agrees to maintain and improve the two

primary roadways and provide Knox box access to the CFPD on any gates which may be installed. (Email Attachment F)

Staff Recommended Condition of Approval: Detachment from the Cordelia Fire Protection District is approved on reliance on the agreement between the Pacific Flyway Fund and the CFPD whereby the Pacific Flyway Fund agrees to improve and maintain the two primary roadways to allow access for the District when called upon for emergencies and additionally, the Pacific Flyway Fund will provide Knox box access to the CFPD on any gates which may be installed on their property.

- **Law enforcement** – The proposal area is currently served by the Solano County Sheriff’s Office, upon annexation the proposal will be served by the Fairfield Police Department. According to the City’s adopted Final Initial Study/Mitigated Negative Declaration (IS/MND), “in 2016 the Police Department’s average response time was 4 minutes, 8 seconds from dispatch to arrival for emergency calls. The General Plan calls for a service ratio of sworn officers to population to be in the range of 1.13 to 1.20 officers per one thousand residents. The City currently meets this General Plan requirement, and the project is not proposed to increase residential population. Therefore, the project will not result in a significant impact to police service ratios or response times, which would require additional police staff or facilities.”³ (IS/MND enclosed as Attachment G) The Chief of Police also provided a letter stating the potential for law enforcement service needs will not negatively impact the Police Department’s ability to fulfill its mission. (Letter enclosed as Attachment H).

Law enforcement in the Suisun Marsh – The Solano County Sheriff’s Department provides law enforcement on waterways in the County, including the Suisun Marsh, and is designated the “scene manager” for any disaster, from hazardous materials spills to major flood activity. Emergency response can be carried out utilizing vehicles or boats depending on the location’s accessibility, predicted response time, and availability of resources. In addition, the Solano County Sheriff’s Department has Marine Patrol which is a program providing public safety resources to recreational boats and commercial vessels operating on the navigable waterways in the County. The Marine Patrol Program is staffed with four full-time deputies and operates ten hours a day, seven days per week, year round.⁴

- **Potable Water** – Potable water for municipal use will be available to the proposed Education Center via a connection to the City of Fairfield’s water transmission line located under Ramsey Road. As part of the project’s

³ See City of Fairfield Final Initial Study and Mitigated Negative Declaration (IS/MND) page 44, entire document attached as Attachment E to the LAFCO staff report.

⁴ See Final Focused City of Fairfield MSR and SOI Update 2018, page 7-23 which can be located via this link <http://solanolafo.com/studies.htm>

construction and building activities, a water pipe will be installed from the Visitor's Center to the City's connection under Ramsey Road.⁵

The City's IS/MND along with the Focused Municipal Service Review and Sphere of Influence studies prepared for the Pacific Flyway Center evaluates potential impacts the development of the Center could have on the City's water services. The Pacific Flyway Education Center is expected to need 300 acre-feet annually (AFA), classifying the project as a Water Intensive Industry (WII) for commercial purpose. The current water supply assessment has 10,000 AFA set aside for the WII classification of which 3,500 AFA is allocated to Anheuser-Busch, leaving 6,500 AFA currently unallocated to any specific need or project. According the City, utilizing 300 AFA from this category of planned water usage is appropriate and will not negatively affect the City's ability to potentially serve large industrial water users in the future. The analyses conclude the City has adequate water supplies available to serve the Pacific Flyway Education Center.

Non-Potable Water – There is an existing on-site operational agricultural well on the property which provides 15 gallon-per-minute (gpm) which, along with natural rain water and slough water will continue to be used as a supplemental water supply for the permanent on-site ponds. Potentially, raw water from the City of Fairfield via a contract with the City of Benicia will mostly be an additional source of raw water. As noted, the project involves creating, restoring, and enhancing wetlands within the "Walk in the Marsh" component. Additionally, the proponents will be utilizing a weir system in order to maintain high circulation rates and consistent water levels in the ponds.⁶

- **Wastewater** – The Fairfield-Suisun Sewer District (FSSD) provides wastewater, water recycling, and storm water management services to the areas of the City of Fairfield and Suisun. FSSD currently serves approximately 44 square miles and approximately 140,400 residents. This service area includes unincorporated areas of Cordelia, parts of Suisun Valley, and the cities of Suisun and Fairfield including Travis Air Force Base.⁷

The City's Initial Study prepared for the Pacific Flyway Education Center evaluates potential impacts the development of the project could have on the provision of sewer services. The FSSD's recent capacity upgrades to the WWTP coupled with the City of Fairfield's requirement for new development to indicate how growth will be accommodated, suggests the FSSD (and the City) has adequate sewer capacity to meet future growth within its boundaries including planned annexations by the cities of Fairfield and Suisun.

⁵ See City of Fairfield Focused MSR/SOI pages 7-24 through 7-31 and Pacific Flyway Final Initial Study and Mitigated Negative Declaration (IS/MND) attached as Attachment E to this staff report.

⁶ See Pacific Flyway IS/MND pages 34-36.

⁷ For more information and analysis for the Fairfield Suisun Sewer District, see District's MSR adopted by LAFCO in 2017 via this link <http://www.solanolafco.com/studies.htm>

The City's IS/MND document demonstrates that FSSD has excess treatment and infrastructure capacity in the vicinity of the Pacific Flyway Education Center.⁸ The City and FSSD anticipates that 250,000 visitors per year as well as employees proposed for the Pacific Flyway Project could generate a maximum daily flow of sewage of 27,500 gpd, based on FSSD design standards for flow projections. The City's CEQA document concludes that the Project's anticipated flow is within the capacity of FSSD and will not negatively affect FSSD's ability to meet the demands of the provider's existing commitments. FSSD has issued a will-serve letter for the proposal as required by the Commission's policy.

c. The effect of the proposed action and of alternative actions, on local governmental structure of the county.

The proposed development cannot receive municipal services from Solano County per the Solano County General Plan and Measure T.⁹ There is no other nearby municipality that could provide services to the proposal area.

On December 10, 2018 the Commission approved the City's focused MSR and SOI, and determined the City is able to provide services to the proposal area.

d. The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377.

In summary GC §56377 requires the Commission to consider two policies and priorities. The first is that the Commission shall guide development away from existing prime ag lands toward areas containing non-prime ag lands unless such action would not promote the planned, orderly, efficient development of an area. The second consideration is development of areas that are within the agency's SOI should be encouraged prior to development of other areas outside an agency's SOI.

Consistent with the CKH Act and LAFCO's policy, the Commission approved the SOI Update for the City of Fairfield in December 2018, expanding the City's SOI to include the proposal site. As part of the environmental analysis for the SOI study and the

⁸ Fairfield's 2018 CEQA document states that project engineer, Frank Bellecci, using FSSD design standards for flow projections, determined that 89 units would have an estimated design maximum flow totaling 59,217 gallons- per-day (gpd) (Fairfield, 2018d). It is interesting to compare this maximum flow to average daily flow by assuming that the average equivalent dwelling unit (EDU) would generate 240 gallons per day of wastewater based on the following calculation: 1200 square foot home x 0.20 gallons/square foot/day = 240 gpd. Based on this calculation, 89 EDUs could generate an average daily flow of 21,360 gpd. Using the maximum daily flow numbers calculated by Bellecci, the proposed project would generate a maximum flow that is less than the FSSD facility's capacity, indicating that FSSD does have sufficient capacity to serve the proposed project.

⁹ See Solano County General Plan https://www.solanocounty.com/depts/rm/planning/general_plan.asp

subject reorganization, LAFCO requested the City provide analysis with respect to the lands that could meet the definition of prime ag lands under the CKH Act. The City's IS/MND states that the area was previously used by the Garibadi family as a working cattle ranch, but that grazing, levee construction, development and management of waterfowl habitat, construction of various out-buildings, an aircraft landing strip, and an aircraft hangar have modified the natural conditions of the site.

More recently, as part of the Grizzly Wildlife Area, the site has been managed as habitat for migratory birds and other wildlife. Numerous wetlands exist on-site, and a majority of the site was designated as Primary Management Area of the Suisun Marsh. (This designation is more thoroughly explained below under Local Policies) As such, extensive agriculture is no longer appropriate or feasible on the site.

In addition to requesting analysis on prime agricultural lands, LAFCO also requested the City conduct analysis on the impacts on open-space lands. The City's analysis notes that given the unique educational aspects of the Pacific Flyway Education Center, and the project's emphasis on the natural environment of the Suisun Marsh and the Pacific Flyway, there are very few locations in the greater San Francisco Bay area that could accommodate the project. Additionally, the City determined the education facility is considered an ancillary use, and is not a use that is possible at another site located within the City's boundary that is also adjacent to the Suisun Marsh and the Pacific Flyway.

Upon annexation to the City, the site will be designated, "Open Space Conservation" under the City's General Plan and Zoning Ordinance. Accordingly, the site will meet the definition of "Open Space Land" under Government Code 65560(h) subsection (3) which states, "open space for outdoor recreation, including, but not limited to, areas of outstanding scenic, historic, and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas that serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors."

e. The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

This factor is not applicable as GC §56016 requires consideration of lands currently used for the purpose of producing an agricultural commodity for commercial purposes, land left fallow under a crop rotational program, or land enrolled in an agricultural subsidy or set aside program.

f. The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

The proposed boundary does not create an island or corridors of unincorporated territory. The proposal area is east of the City's existing city limits and existing infrastructure, and also proposes to annex the entire area already approved for inclusion within the City's SOI.

g. A regional transportation plan adopted pursuant to Section 65080.

GC §65080 states, "each transportation planning agency shall prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system, including, but not limited to, mass transportation, highway, railroad, maritime, bicycle, pedestrian, goods movement, and aviation facilities and services." A regional transportation plan has been adopted and includes transportation projects throughout the region including Interstates 680 and 80. The plan can be accessed via this link:

<https://mtc.ca.gov/our-work/plans-projects/plan-bay-area-2040/transportation-2035>

A Transportation Impact Report was prepared for the IS/MND and is enclosed to this staff report as Attachment I. As noted in the report, Solano Transportation Authority's (STA) Travel Demand Model was used to provide future traffic projections given its proximity to the I-80/I-680/SR 12 Interchange.

The traffic study analyzed conditions comparable to other museums. For example, many museums are geared toward children, open at a later time in the mornings (most likely 10 am), and the highest peak hour of trip generation occurs on Saturday afternoons according to trip generation surveys of museums. The study forecasts that the Pacific Flyway project will generate about 165 vehicles per hour during the busiest Saturday afternoon peak hour.

The study analyzed four intersections that will most likely be affected by the proposed project. These intersections are:

- 1) Gold Hill Road at Lopes Drive
- 2) Gold Hill Road at the I-680 Southbound Ramps
- 3) Gold Hill Road at the I-680 Northbound Ramps
- 4) Gold Hill Road at Ramsey Road

The traffic analysis concludes that the above study intersections would continue to operate at acceptable conditions (LOS D or better) during both the weekday and weekend AM peak hours with the exception of the I-680 Northbound Ramps at Gold Hill Road which would continue to operate at LOS F during the weekday AM peak hour. Furthermore, in all of the scenarios evaluated in the traffic report, none of the four

intersections evaluated experienced LOS levels below acceptable conditions during PM peak hours. Per the City of Fairfield, the project does not conflict with the City's General Plan objective that measures the performance and effectiveness of the circulation system and therefore there are no significant LOS impacts.¹⁰

h. The proposal's consistency with city or county general plan and specific plans.

The City's Ordinance 2018-07 (enclosed as Attachment J) approved on November 20, 2018 pre-zoned the proposal site to Open Space Conservation (OSC) Zone consistent with the goals, policies, and actions of the City's General Plan.

i. The sphere of influence of any local agency which may be applicable to the proposal being reviewed.

The proposed reorganization is not within the SOI of another municipality, and no other City could provide municipal services to the proposal area.

j. The comments of any affected local agency or other public agency.

Fairfield- Suisun Sewer District (FSSD) issued a will-serve letter (Attachment K) to the proposed development consistent with District ordinances provided that the property is fully annexed into the City and all aspects of the project are approved by agencies having jurisdiction. In addition, the District requires all capacity fees must be paid and all sewer impacts must be mitigated by the project sponsor prior to the provision of District sewer service.

k. The ability of newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

The recently adopted Focused Municipal Service Review (MSR) for the Pacific Flyway provides a thorough analysis of the services to be extended to the proposal site. The MSR determined the City has the capability and capacity to extend services as well as sufficient revenues to provide services to the development. The Pacific Flyway Fund via the development agreement will pay all costs associated with extending sewer, water utility services, and maintaining and improving Ramsey Road. The City is also requiring the proposal site to annex into a Community Facilities District that funds the cost of public safety (police and fire services) and park maintenance. Furthermore, municipal services will be financed through a variety of sources including sales tax, monthly water and sewer charges, and fees for services.

¹⁰ City of Fairfield IS/MND for the Pacific Flyway Education Center pages 46-51 and Transportation Impact Report, Appendix E to the IS/MND prepared January 10, 2018.

l. Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.

As part of the project's construction and building activities, a potable water pipe will be installed to the proposed Education Center building from the City's water transmission line located under I-680.

m. The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of the Title 7.

This factor is not applicable because there is no proposed housing.

n. Any information or comments from the landowner or landowners, voters, residents of the affected territory.

Staff has received a letter of support for annexation from the Pacific Flyway Fund.

o. Any information relating to existing land use designations.

The County's General Plan currently designates the site as Natural Resources with a Resource Conservation Overlay. It is designated as Marsh Protection (MP) District according to the County's Zoning Map.

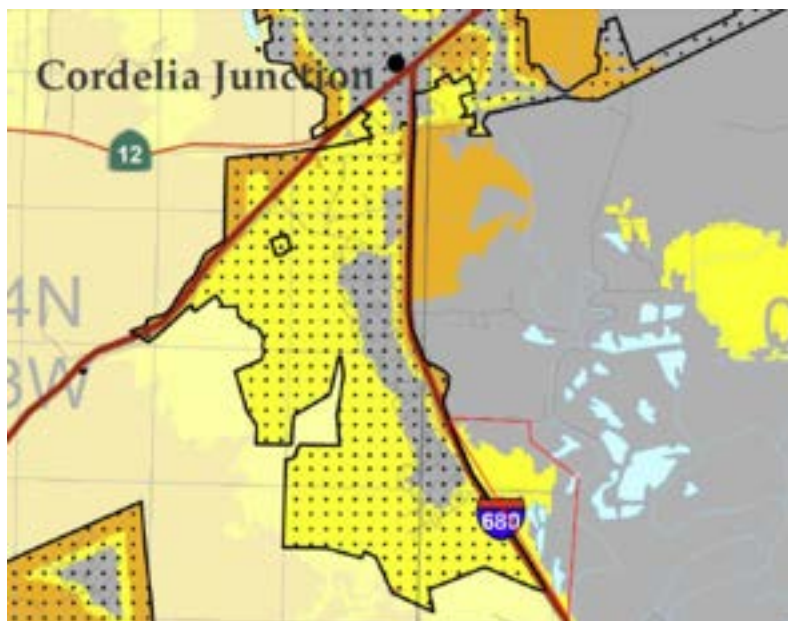
p. The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

There is no evidence the proposal will/will not promote environmental justice.

56668 continues below

q. Information contained in the local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determine that such information is relevant to the area that is subject of the proposal.

CalFire has prepared a Fire Hazard Severity Zone for Solano County. A closer look at the area indicates the project site is located within the Moderate Fire Hazard Zone, but not in a Very High Fire Hazard Zone. Given the proximity of the two closest fire stations; 2.5 miles for Station 35 and 3.8 miles for Cordelia FPD, it is reasonable to assume both of these agencies are able to respond within their required timelines when needed.



The Fire Hazard Zone maps may be accessed in their entirety via CalFire’s website via this link:

http://www.fire.ca.gov/fire_prevention/fhsz_maps_solano

Staff Recommended Determination: The Commission has considered the factors in the review of a proposal pursuant to GC §56668 a-q.

Notice and Hearing, and Conduction Authority Proceeding

Pursuant to GC §56662, the Commission is able to waive notice and hearing, and the Conducting Authority Proceeding because the proposal meets the following criterion: the proposal consists of annexations and detachments only, the site is “uninhabited,” and the Commission has received 100% consent from landowners for the reorganization.

Staff Recommended Determination: The Commission waives the Conducting Authority Proceeding pursuant to GC §56662.

C. Local Policies and Written Standards

Local Policies: Suisun Marsh Preservation Act of 1977 - Marsh Protection Plan

The California Legislature passed the Suisun Marsh Preservation Act of 1977. This legislation serves to protect the Marsh by adopting provisions of the Suisun Marsh Protection Plan as prepared by the Bay Conservation and Development Commission (BCDC). The Act divides the Suisun Marsh into the Primary Management Area, consisting of waterways, managed wetlands, tidal marshes and lowland grasslands; and the Secondary Management Area, consisting of upland grasslands and agricultural areas. The Preservation Act requires local governments and districts with jurisdiction over the Marsh to prepare a Local Protection Program for the Marsh consistent with the provisions of the Preservation Act and policies of the Protection Plan. In addition, the Act and Plan ensure appropriate marsh preservation policies are incorporated into local plans and ordinances. The City of Fairfield, Solano County, Solano LAFCO, and the San Francisco Bay Conservation and Development Commission along with other local agencies have policies to protect the Suisun Marsh habitat of which the proposed Pacific Flyway project site is included.

As part of the City's adopted IS/MND, the City conducted analysis with respect to the proposal's consistency with the City's and LAFCO's Local Protection Programs (LPP) for the Suisun Marsh. (Analyses enclosed as Attachment L) The analysis indicates the proposal is consistent with LAFCO's LPP for the following reasons:

- 1) Within the primary management areas existing land uses will continue. As noted above, the buildings and construction of impervious services are proposed on the upland Secondary Management Area encompassing 8.3 acres or 3% of the total proposal area.
- 2) Within the upland grasslands/secondary management areas, agricultural uses are consistent with the protection of the Marsh, such as grazing and grain production should be maintained within this area. As noted above, the proposal area has not had agricultural activities for several decades and no agricultural uses are proposed.
- 3) The Commission's Policy urges cities to detach lands within their boundaries that are located within the Marsh where it is no longer possible to develop such lands for urban purposes. While the City is proposing to extend municipal services to the proposal site, municipal sewer and water will only be extended to the educational facility and interpretive nature center. In addition, the City has rezoned the proposal site with their General Plan designation of Open Space Conservation (OSC), the most restrictive land use designation within the City. This designation will restrict the site to passive-nature oriented recreation rather than agriculture or urban uses. Furthermore, a deed restriction has been recorded on the project site to restrict its use to open space land preserve with an ancillary education facility and interpretive nature center. The deed

restriction, (Attachment M) guarantees the long term use of the site as passive nature-oriented use and will help protect the Marsh from urban encroachment.

- 4) The Commission's Policy limits special assessments against agricultural and wildlife lands for the provision of public services. There are no proposed special assessments on agriculture and wildlife lands; therefore, this policy is not applicable.
- 5) The Commission's Policy prohibits extending SOI's to the Marsh unless there is a need and lands within an agency's SOI shall be designated as permanent open space. As noted, the Commission approved extension of the City's SOI to include the proposal site. However, as noted above a deed restriction has been recorded restricting the proposal area's use to open space land preserve with an ancillary education facility and interpretive nature center guaranteeing the long term use as passive nature-oriented thus helping to protect the Marsh from further urban encroachment.
- 6) The Commission's Policy allows for urban utilities and municipal services into the Marsh only to serve existing uses and other uses consistent with the protection of the Marsh, such as agriculture. While urban utilities will be extended to provide services to the site, it will only be extended to the buildings on the upland Secondary Management Area encompassing 8.3 acres or 3% of the total proposal area. More importantly, the purpose of the Pacific Flyway Education Center is to educate the public and increase awareness on the importance of the Marsh to ensure its long term protection. Furthermore, the proposal also includes preserving and enhancing the marsh habitat on approximately 124 acres of the proposal site.
- 7) In the Marsh, only existing uses or uses otherwise consistent with the Suisun Marsh Protection Plan should be allowed to use the treatment capacity of the Fairfield Sub-regional Waste Water Treatment Plant. The Fairfield Suisun Sewer District confirmed via a will-serve letter that their agency has capacity to adequately serve the proposal area. Analyses with respect to the District's capability and capacity is included within the District's adopted MSR dated 2017 and the City's Focused MSR for the Pacific Flyway Education Center dated 2018.
- 8) As provided in the Suisun Marsh Preservation Act, only provisions to insure protection of riparian habitat and limits upon grading and erosion control may be applied to the area west of I-680 and outside the city limits of the City of Fairfield. This Policy is not applicable as the proposal site is located east of I-680.

<p>Staff Recommended Determination: The Commission determines the proposed reorganization is consistent with the Commission's Suisun Marsh Local Protection Program.</p>

Written Standards – Gov’t Code Section 56375

The Commission has adopted eleven written standards as required by GC §56375. The Commission’s policy requires analysis with respect to the proposal’s consistency with the Commission’s adopted standards, these are outlined below.

Standard 1

Consistency with the Sphere of Influence

The proposal is consistent with Standard One; the Commission adopted a SOI update in December 2018.

Standard 2

Standard Two is not applicable; it only applies to proposals located outside the City’s SOI.

Standard 3

Consistency with City General Plans, Specific Plan, and Zoning Ordinance

The proposal is consistent with the requirements of Standard Three. The City’s Ordinance 2018-07 (Attachment J) approved on November 20, 2018 pre-zoned the proposal site to Open Space Conservation (OSC) Zone consistent with the goals, policies, and actions of the City’s General Plan.

Standard 4

Standard Four is not applicable; it only applies to proposals located outside the City’s SOI.

Standard 5

Requirement for Pre-Approval

The proposal is consistent with Standard Five; the Fairfield City Council adopted the following ordinances and resolution supporting the proposal:

1. Ordinance 2018-07 (Attachment J) approved on November 20, 2018 pre-zoned the proposal site to Open Space Conservation (OSC) Zone.
2. Ordinance 2018-08 (enclosed as Attachment N) approved on November 20, 2018 approved the development agreement between the City of Fairfield and the Pacific Flyway Fund.
3. Resolution 2018-266 (enclosed as Attachment O) approved on October 16, 2018 adopted the Final Initial Study/Mitigated Negative Declaration (IS/MND) for the subject proposal, and requested LAFCO to take proceedings for the annexation of territory as authorized and consistent with the CKH Act.

Standard 6

Effect on Natural Resources – California Environmental Quality Act (CEQA)

The proposal is consistent with Standard Six; the City adopted the IS/MND on October 16, 2018 (State Clearing House #2018072043) via City Resolution 2018-266. LAFCO,

the Responsible Agency, will consider the CEQA documents prepared by the Lead Agency. Consistent with CEQA Guidelines, the Commission adopts the Lead Agency's IS/MND.

The complete IS/MND and related CEQA documents in their entirety are provided electronically for the Commission's review via this link:

http://www.fairfield.ca.gov/gov/depts/cd/pacific_flyway_center.asp

Standard 7

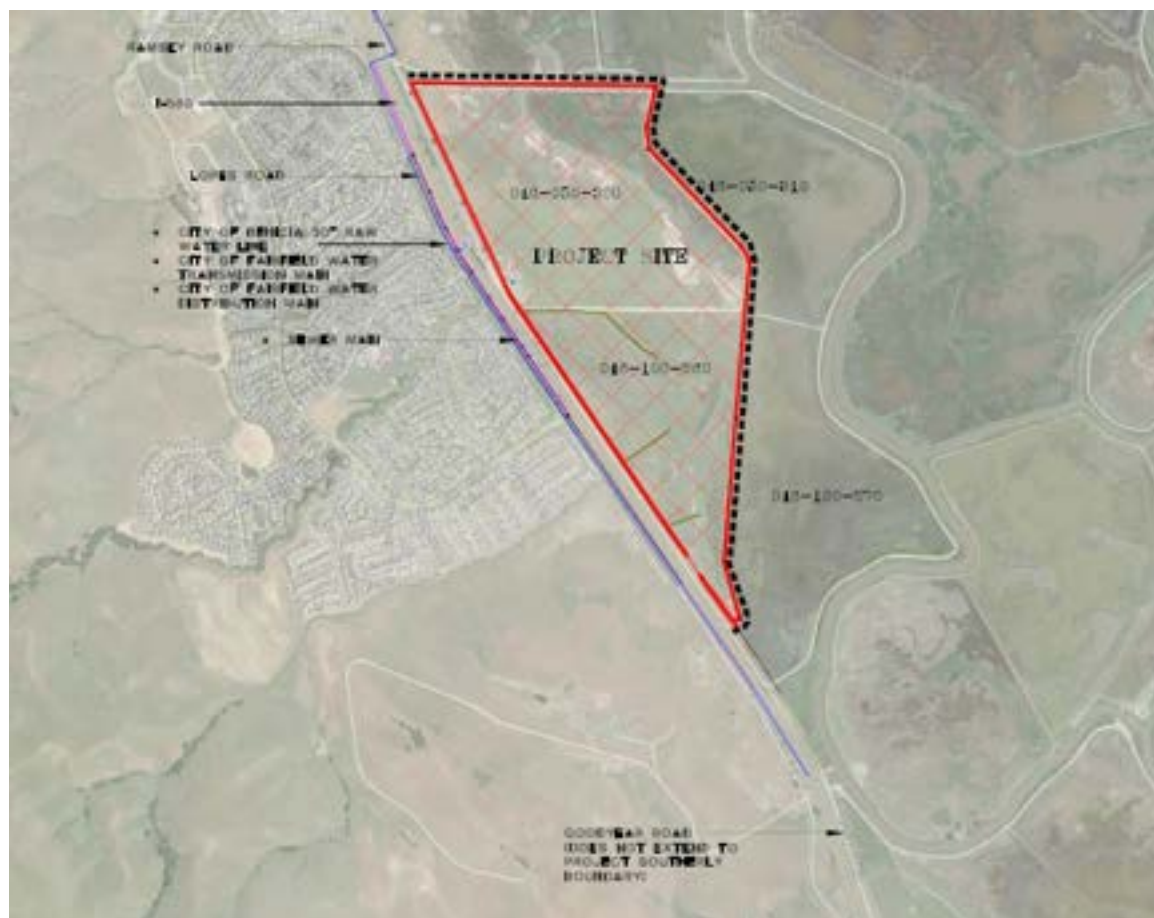
Relationship to Established Boundaries

The proposal is consistent with Standard Seven; the proposal will not result in any islands or disconnected areas. The proposal site is an extension of the City's existing city limits and utility lines.

Standard Seven requires several maps and exhibits for the Commission's review. As noted, the map and geographic description is attached as Exhibit A to the proposed resolution. This Standard requires a map showing lands that are under a Williamson Act Contract. The proposal site is not currently under Williamson Act; however, all unincorporated lands in the surrounding areas are under Williamson Act. Given the uniqueness of the project, there is no evidence that annexation of the proposal site will encourage or discourage other property owners from altering their existing Williamson Act contracts. As noted, the properties to the north, east, and south of the proposal site are outside the ULL and SOI.



Standard 7 continues below



Standard Seven also requires the applicants to produce an exhibit showing the location of existing roadways, sewer mains, and other public facilities. To comply with this Standard, the applicant has produced the above exhibit. As shown, existing municipal services and utility lines are located to the west of the property and annexation of the proposal site is a logical extension of the city limits and services, and does not create an illogical boundary. The map also shows the existing City of Benicia raw water line that is a potential source of non-potable water for the “Walk in the Marsh” areas of the project.

Standard 8

Likelihood of significant growth and effect on adjacent areas

This Standard requires analysis and data mostly related to LAFCO’s charge of discouraging the premature conversion of undeveloped/underdeveloped lands and encouraging orderly growth boundaries based on local conditions and circumstance. For example, Market Studies related to market absorption rates and building permit activities are typically required of applicants. However, given the unique circumstance of this project, these studies are not applicable. However, a few of the elements required for this Standard applies to the Pacific Flyway and these elements are outlined below.

Standard Eight requires analysis of all lands currently within the city's jurisdiction which are intended for, or committed to similar land uses and how the proposal relate to them. The City considers the educational facility an Ancillary Use under their Zoning Ordinance. There are no other areas in the City's jurisdiction with this Use. More importantly, given the unique educational aspects of the Pacific Flyway Education Center, and the project's site-specific emphasis on the natural environment of the Suisun Marsh and the Pacific Flyway, there are very few locations in the Greater San Francisco Bay Area and no other site within Fairfield's jurisdiction that could accommodate this site as the purpose is to educate the public about the migratory birds of the Pacific Flyway and the importance of conserving their habitat including the Marsh.

Standard Eight requires that the development will occur within a 10-year period of time. The proposal is consistent this requirement. According to the Pacific Flyway Fund, upon annexation, they will be eligible to apply for permits through BCDC, the US Army Corp of Engineers, and other regulatory agencies. Groundbreaking for Phase One, which consists of the temporary parking lot, site utilities, and the initial site grading for the "Walk in the Marsh" component, will commence in the spring of 2020. The Pacific Flyway fund anticipates that construction of the first smaller building may not begin until 2021 and that construction of the larger building may not begin until 2025.

Finally, Standard Eight also requires the applicant to submit a copy of the development agreement; this is enclosed as Attachment P to the staff report. The Pacific Flyway Education Center is funded by private donations and grants. It is not funded by the City, County, or via taxation of local City and County residents.

Standard 9

Protection of Prime Agricultural Land

As noted discussed above, some of the lands within the proposal site meets the definition of Prime Ag Land. The Commission's policy encourages development of vacant lands within the city's jurisdiction and development of non-prime ag-lands within the City's existing SOI prior to development of Prime-Ag lands. However, as discussed the proposal site has not had agricultural uses for a number of decades and due to the unique circumstance of the proposal, no other lands within the City limits or SOI would be suitable for the proposed project.

Standard 10

This Standard is not applicable; it only applies to changes of organizations or reorganizations that have been initiated by petition.

Standard 11

Local Government Mutual Social and Economic Interest

Analysis and conditions of approval for the Cordelia Fire Protection District and Fairfield Suisun Sewer District is included above.

Airport Land Use Commission (ALUC) and Travis Air Force Base (TAFB) Land Use Compatibility Plan

The TAFB Airport Land Use Compatibility Plan sets forth land use compatibility policies applicable to future development in the vicinity of TAFB. These policies are designed to ensure that future land uses in the surrounding area will be compatible with existing and future aircraft activity at the base, including the potential for bird strike hazards to be created.

On October 11 2018 the ALUC held a public hearing (Attachment R) and made the following determinations with respect to the proposal:

- 1) The Pacific Flyway Project covers a geographic area which lies entirely within Compatibility Zone D¹¹.
- 2) The Pacific Flyway Project do not permit structures taller than 81 feet, so airspace review standards in Zone D are satisfied.
- 3) Since the project lies outside the Outer Perimeter of the Wildlife Hazard Area, there are no requirements in the Travis Plan which impact the project.
- 4) The Pacific Flyway Project is consistent with the Travis Air Force Base Land Use Compatibility Plan

Staff Recommended Determination: The Commission has reviewed the Airport Land Use Commission’s (ALUC) Travis Land Use Compatibility Consistency Analysis for the Pacific Flyway Education Center reorganization and supports ALUC’s determination that the proposal is consistent with the Travis Air Force Base Land Use Compatibility Plan.

Staff Recommended Determination: The Commission determines the Pacific Flyway Education Center reorganization is consistent with the Commission’s adopted written Standards One through Eleven.

D. Summary of Staff recommended Determinations

1. The Commission determines the proposal is consistent with the City’s adopted Focused Municipal Service Review for the Pacific Flyway Education Center and Sphere of Influence, and is within the City’s voter-approved Urban Limit Line.
2. The Commission has considered the Factors in the review of a proposal pursuant to Government Code Section 56668a-q.

¹¹ There are no land use limitations within Compatibility Zone D; only “Height Limitations and Other Development Conditions” including height review for objects in excess of 200 feet in height, wind turbines in excess of 100 feet in height, and projects within either the Bird Strike Hazard Zone or the Outer Perimeter Area.]

3. The Commission waives the Conducting Authority Proceeding pursuant to Government Code Section 56662.
4. The Commission determines the Pacific Flyway Education Center reorganization is consistent with the Commission's adopted Suisun Marsh Local Protection Program.
5. The Commission has reviewed the Airport Land Use Commission's (ALUC) Travis Land Use Compatibility Consistency Analysis for the Pacific Flyway Education Center reorganization and supports ALUC's determination that the proposal is consistent with the Travis Air Force Base Land Use Compatibility Plan.
6. The Commission determines the Pacific Flyway Education Center reorganization is consistent with the Commission's adopted written Standards One through Eleven.

E. Summary of Staff Recommended Conditions of Approval

1. Detachment from the Cordelia Fire Protection District is approved on the condition that the City Fire Department and/or the Cordelia Fire Protection District will provide the Solano LAFCO call-data information in the spring of 2021, approximately one year after groundbreaking of Phase One of the project.
2. Detachment from the Cordelia Fire Protection District is approved on reliance on the agreement between the Pacific Flyway Fund and the CFPD whereby the Pacific Flyway Fund agrees to improve and maintain the two primary roadways to allow access for the District when called upon for emergencies and additionally, the Pacific Flyway Fund will provide Knox box access to the CFPD on any gates which may be installed on their property.

Staff Recommendation

Staff recommends the Commission approve the proposed Pacific Flyway Annexation to the City of Fairfield adopting the enclosed Draft Resolution 19-05 making findings and determinations, and adding conditions of approval.

Attachments to Staff Report:

- Attachment A – Draft LAFCO Resolution 19-05
 - Exhibit A – Map and Geographical Description
- Attachment B – Property Tax Transfer Agreement between County and City
- Attachment C – SOI Exhibit for the City of Fairfield
- Attachment D – Letter from Solano County Supervisor Brown
- Attachment E – Letter from Cordelia Fire Protection District
- Attachment F – Email from Pacific Flyway Fund to Cordelia Fire Protection District re agreement on road maintenance and District access

[The following are available upon request]

- Attachment G – Final Initial Study and Mitigated Negative Declaration
- Attachment H – Letter from City of Fairfield Police Chief
- Attachment I – Transportation Impact Report (Appendix to IS/MND)
- Attachment J – Fairfield Ordinance 2018-07
- Attachment K – Fairfield Suisun Sewer District Will-Serve Letter
- Attachment L- Suisun Marsh Local Protection Program consistency analyses for City of Fairfield and LAFCO (Supporting documents to IS/MND)
- Attachment M – Deed Restriction for proposal site
- Attachment N – City of Fairfield Ordinance 2018-08 approve Development Agreement
- Attachment O – Resolution 2018-266 Adoption of Final IS/MND request to LAFCO for reorganization
- Attachment P – Final recorded Development Agreement
- Attachment Q – ALUC staff report/analysis dated October 11 2018

LAFCO RESOLUTION NO. 19-05

**RESOLUTION MAKING DETERMINATIONS, ADDING CONDITIONS, AND
APPROVING**

**Pacific Flyway Education Center Annexation to the City of Fairfield
(LAFCO PROJECT 2018-05)**

WHEREAS, a resolution making application for the annexation of certain territory to the City of Fairfield was filed with the Executive Officer of this Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act, commencing with Section §56000, et seq. of the Government Code by the City of Fairfield; and

WHEREAS, the Executive Officer has examined the proposal and certified that it is complete and has accepted the proposal for filing as of March 19, 2019; and

WHEREAS, the proposal is exempt from the requirements for notice and hearing pursuant to Government Code §56662 because it consists of annexations and detachments only, is uninhabited, and 100% of landowners have given their written consent to the proposal; and

WHEREAS, the Executive Officer, pursuant to Government Code §56665 has reviewed this proposal and prepared a report including his recommendations, and has furnished a copy of this report to each person entitled to a copy; and

WHEREAS, the City of Fairfield, as lead agency for The Pacific Flyway Education Center Annexation has adopted a Mitigated Negative Declaration (State Clearing House #2018072043) on October 16 2018 City of Fairfield Resolution 2018-266. LAFCO as the responsible agency, has considered the environmental documents prepared and approved by the City of Fairfield including the Initial Study Questionnaire, Final Initial Study, Mitigated Negative Declaration, and related documents; and

WHEREAS, the Commission has received, heard, discussed and considered all oral and written testimony related to the proposal, including but not limited to comments and objections, the Executive Officer's report and recommendation, the environmental document and determination, plans for providing service, municipal service review studies, spheres of influence study, and applicable general plans;

WHEREAS, the Commission does hereby make the following findings and determinations regarding the proposal:

1. The Commission determines the proposal is consistent with the City's adopted Focused Municipal Service Review for the Pacific Flyway Education Center and Sphere of Influence, and is within the City's voter-approved Urban Limit Line.

2. The Commission has considered the Factors in the review of a proposal pursuant to Government Code Section 56668a-q.
3. The Commission waives the Conducting Authority Proceeding pursuant to Government Code Section 56662.
4. The Commission determines the Pacific Flyway Education Center reorganization is consistent with the Commission's adopted Suisun Marsh Local Protection Program.
5. The Commission has reviewed the Airport Land Use Commission's (ALUC) Travis Land Use Compatibility Consistency Analysis for the Pacific Flyway Education Center reorganization and supports ALUC's determination that the proposal is consistent with the Travis Air Force Base Land Use Compatibility Plan.
6. The Commission determines the Pacific Flyway Education Center reorganization is consistent with the Commission's adopted written Standards One through Eleven.

NOW, THEREFORE, BE IT HEREBY RESOLVED AND ORDERED as follows:

1. The Pacific Flyway Education Center Annexation to the City of Fairfield is approved, subject to conditions listed below:
 - A. Detachment from the Cordelia Fire Protection District is approved on the condition that the City Fire Department and/or the Cordelia Fire Protection District will provide the Solano LAFCO call-data information for the Pacific Flyway Education Center proposal area in the spring of 2021, approximately one year after groundbreaking of Phase One of the project.
 - B. Detachment from the Cordelia Fire Protection District is approved on reliance on the agreement between the Pacific Flyway Fund and the CFPD whereby the Pacific Flyway Fund agrees to improve and maintain the two primary roadways to allow access for the District when called upon for emergencies and additionally, the Pacific Flyway Fund will provide Knox box access to the CFPD on any gates which may be installed on their property.
2. Said proposal is assigned the following short form designation:

Pacific Flyway Education Center Annexation to the City of Fairfield

3. Pursuant to Section 15096 of the CEQA Guidelines, LAFCO has considered the environmental documents adopted by the Lead Agency.
4. Said territory is annexed as proposed and as set forth and described in the attached descriptive map and geographical description marked "Exhibit A" and by this reference incorporated herein.
5. The following concurrent actions are hereby approved:

Annexation to the City of Fairfield
Annexation to the Fairfield Suisun Sewer District
Detachment from the Cordelia Fire Protection District
Detachment from the Solano County Lighting Service Area

6. The proposal area shall be removed from the spheres of influence of the: City of Fairfield, the Cordelia Fire Protection District, and Solano County Lighting Service Area concurrent with the subject reorganization.
7. All subsequent proceedings in connection with this reorganization shall be conducted only in compliance with the approved boundaries, conditions, and terms specified in this resolution.
8. The Executive Officer is hereby directed to file a Notice of Determination in compliance with the California Environmental Quality Act.
9. The effective date of said reorganization shall be the date of recording of the Certificate of Completion.

The foregoing resolution was duly passed and adopted by the Local Agency Formation Commission of Solano County at a regular meeting, held on the 25th day of March, 2019, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Spering, Chair
Presiding Officer Solano Local Agency
Formation Commission

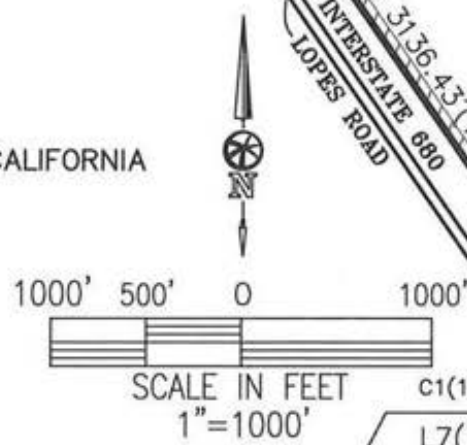
ATTEST:

Michelle McIntyre, Clerk to the Commission

Line Table		
Line #	BEARING	DISTANCE
L1	S13°15'51"W	503.14'
L2	S7°03'22"E	249.79'
L3	S31°34'38"E	191.33'
L4	S15°41'14"E	680.22'
L5	S59°36'07"W	85.04'
L6	N36°06'38"W	607.61'
L7	N32°22'51"W	72.12'
L8	N34°50'58"W	572.16'

Curve Table			
Curve #	Delta	Radius	Length
C1	2°28'07"	6030.00'	259.81'

COUNTY OF SOLANO, STATE OF CALIFORNIA



- (#) COURSE NUMBER
- EXISTING CITY OF FAIRFIELD CITY LIMIT LINE
- PROPOSED BOUNDARY REORGANIZATION



ANNEXATION AREA: 272.63 ACRES±
 ANNEXATION APN: 0046-050-300, 0046-100-260
 BEING A PORTION OF SECTION 19 & 30, TOWNSHIP 4 NORTH, RANGE 2 WEST,
 MOUNT DIABLO BASE AND MERIDIAN SOLANO COUNTY, STATE OF CALIFORNIA

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.

Bellecci & Associates, inc.
 Civil Engineering • Land Surveying
 2290 Diamond Boulevard, Suite 100 Concord, CA 94520
 Phone (925) 685-4569 Fax (925) 685-4638

DATE: 1/07/19	SCALE: PER GRAPHIC SCALE
PROJECT NO.: 17046	SHEET 1 OF 1
LAFCO PROJECT No. 2018-05 PACIFIC FLYWAY CENTER BOUNDARY REORGANIZATION	

January 7, 2019

**LAFCO PROJECT No. 2018-05
PACIFIC FLYWAY CENTER
BOUNDARY REORGANIZATION**

**(Annexation to the City of Fairfield and the Fairfield Suisun Sewer District
and
Detachment from the Cordelia Fire Protection District and the Solano Lighting Service Area)**

GEOGRAPHIC DESCRIPTION

All that certain property situate in a portion of both Section 19 and Section 30, Township 4 North, Range 2 West, Mount Diablo Base and Meridian, in the County of Solano, State of California, described as follows;

All of Assessor's Parcel No. 046-050-300 lying within Section 19 and Assessor's Parcel No. 046-100-260 lying within Section 30 as described in the Grant Deed to the State of California recorded March 30, 1998 as instrument No. 1998-00022081 Solano County Records, further described as follows;

Beginning at a point on the City limit line of the City of Fairfield as said limit line is described in the *Resolution of the Local Agency Formation Commission of Solano County Approving the Annexation of Lands to the City of Fairfield 6th Annexation District of 1971*, said resolution was regularly introduced, passed and adopted by said commission at a regular meeting thereof held November 1, 1971, also being a point on the easterly line of the State Highway leading from Cordelia to Benicia, which point is 1,184.70 feet east of the West Quarter Corner and along the Quarter Section Line of said Section 19, having California State Plane Coordinate System values: North 1826962.26, East 6523888.96 (CCS83, Zone II- EPOCH 2011.00);

thence, from said point of beginning and leaving said City limit line along said Quarter Section Line said line also being the South line of land of D. Cereda between S. & O. Land Surveys No. 451 and 438

(1) South 89°19'43" East 2,883.36 feet; thence leaving last said Quarter Section Line southerly along the westerly boundary of that certain parcel as described in the Grant Deed to the State of California recorded December 30, 1986 as instrument No. 1986-76850 Solano County Records the following eight (8) courses;

(2) South 13°15'51" West 503.14 feet; thence

(3) South 7°03'22" East 249.79 feet; thence

(4) South 43°15'11" East 1,575.20 feet; thence

(5) South 31°34'38" East 191.33 feet; thence

November 8, 2018

(6) South 5°03'47" West 1,857.60 feet; thence

(7) South 4°34'26" West 1,696.44 feet; thence

(8) South 15°41'14" East 680.22 feet; thence

(9) South 59°36'07" West 85.04 feet to a point on said east line of said State Highway also being a point on said City of Fairfield City limit line, thence along said east line of the State Highway and said City of Fairfield City limit line the following six (6) courses:

(10) North 36°06'38" West 607.61 feet; thence

(11) North 32°22'51" West 72.12 feet to the beginning of a non-tangent curve concave to the southwest and having a radius of 6030.00 feet, a radial line to the beginning of said curve bears North 57°37'04" East; thence

(12) northwesterly 259.81 feet along said curve through a central angle of 2°28'07"; thence

(13) North 34°50'58" West 572.16 feet; thence

(14) North 34°07'30" West 3136.43 feet; thence

(15) North 25°02'58" West 2,745.12 feet to the **Point Of Beginning.**

Containing 272.63 acres of land, more or less.

All distances shown are ground distances.

End of description.

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.



BIRGITTA E. CORSELLO
County Administrator
becorsello@solanocounty.com
(707) 784-6100
NANCY HUSTON
Asst. County Administrator
nlhuston@solanocounty.com
(707) 784-6107

COUNTY ADMINISTRATOR'S OFFICE



**SOLANO
COUNTY**

675 Texas Street, Suite 6500
Fairfield, CA 94533-6342
(707) 784-6100
Fax (707) 784-7975
www.solanocounty.com

February 28, 2019

Rich Seithel, Executive Director
Solano LAFCO
675 Texas St, 6th Floor
Fairfield, CA 94533

Re: LAFCO PROJECT NO. 2018-05
Pacific Flyway Education Center

Dear Rich:

The County is in receipt of LAFCO Application No. 2018-05 proposing to annex the Pacific Flyway Education Center to the City of Fairfield.

For purposes of your determination under Cal. Government Code section 56658 and Rev. & Tax Code section 99(b)(6), enclosed is a copy of County Resolution 2000-72 approving the Master Property Tax Transfer Agreement, as authorized under Cal. Rev. & Tax Code section 99(d), between the County of Solano and the seven cities in the County that is still in effect and would apply to this annexation.

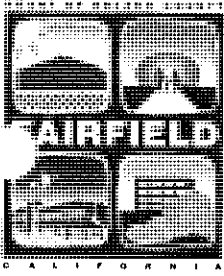
Please do not hesitate to contact me if you have any questions or required additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy L. Huston".

Nancy L. Huston
Assistant County Administrator

Enc.



CITY OF FAIRFIELD

Founded 1856

Incorporated December 12, 1903

City Manager's Office

January 31, 2019

Home of
Travis Air Force Base

COUNCIL

Mayor
Harry T. Price
707.428.7395
Vice-Mayor
Pam Berlani
707.429.6298
Councilmembers
707.429.6298

Catherine Moy
Chuck Timm
Rick Vaccaro

City Manager
David A. White
707.428.7400

City Attorney
Gregory W. Stepanich
707.428.7419

City Clerk
Karen L. Rees
707.428.7384

City Treasurer
Arvinda Krishnan
707.428.7036

DEPARTMENTS

City Manager's Office
707.428.7400

Community Development
707.428.7461

Finance
707.428.7036

Fire
707.428.7375

Human Resources
707.428.7394

Parks & Recreation
707.428.7465

Police
707.428.7362

Public Works
707.428.7485

Rich Seithel
Executive Officer
Solano LAFCO
675 Texas Street, Suite 6700

Re: Property Tax Exchange Agreement – Pacific Flyway Center Annexation

Dear Rich:

This letter is being sent in response to your December 24, 2018 letter to Amy Kreimeier regarding the proposed Pacific Flyway Center Annexation. In the letter, you requested a property tax exchange agreement per Revenue and Taxation Code Section 99. This letter provides the agreement.

In 2000, the City of Fairfield and Solano County entered into a Master Property Tax Transfer Agreement regarding jurisdictional changes. Section 2.c of the Agreement authorizes either party to exclude an annexation from the terms of the Agreement, and to seek a separate agreement regarding tax transfer. Such separate agreement may be requested "in an annexation that would create significant impacts due to the shift in service costs or lost revenue."

Following notification of the proposed annexation by your office, the County Auditor provided an analysis of tax subject to transfer. This information was provided to you in an email from Rosalyn Mendoza sent to both of us on January 9, 2019.

The City has reviewed the revenue and service shift from the annexation. Based on this review, we do not intend to invoke Section 2c provisions seeking a separate tax transfer agreement. As such, we intend to utilize the current Master Tax Transfer Agreement. A copy of the agreement is attached. Per your direction, we have spoken with Nancy Huston in the County Administrators Office regarding the County's concurrence with using the Master Property Tax Transfer Agreement. Based on conversation with Nancy, we anticipate a letter to be provided to you shortly from the County indicating their intentions regarding this matter.

Letter to Rich Seifel
Re: Property Tax Exchange Agreement – Pacific Flyway Center Annexation
January 31, 2019
Page 2

If you have questions, please contact David Feinstein, Interim Director of Community Development at (707) 428-7448 / dfeinstein@fairfield.ca.gov.

Sincerely,



DAVID A. WHITE
City Manager

Attachments:

- Master Property Tax Transfer Agreement

cc: Brigitta Corselo, County Administrator
David Feinstein, Interim Director of Community Development
Emily Combs, Director of Finance

CITY OF FAIRFIELD

RESOLUTION NO. 2000 - 88

A RESOLUTION OF THE CITY COUNCIL APPROVING A MASTER PROPERTY TAX TRANSFER AGREEMENT BETWEEN THE COUNTY OF SOLANO AND THE SEVEN CITIES OF THE COUNTY FOR ANNEXATIONS

WHEREAS, the County of Solano and the seven cities of Solano County have operated under a Master Property Tax Transfer Agreement since 1993, to be used upon annexation of property by the cities, pursuant to the provisions of Revenue and Taxation Code Section 99(d); and

WHEREAS, said Agreement expired January 1, 2000 and the County of Solano and the seven cities have negotiated a new Agreement, based upon the previous Master Property Tax Transfer Agreement, and updated to reflect changes in distribution of property tax revenues resulting from the State's enactment of the Education Relief Augmentation Fund (ERAF).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FAIRFIELD:

Section 1. The City Council of the City of Fairfield approves the Master Property Tax Sharing Agreement Between Solano County and the seven cities of the County.

PASSED AND ADOPTED this 18th day of April, 2000, by the following vote:

AYES: COUNCILMEMBERS:	<u>BATSON, LESSLER, MACMILLAN, PRICE, PETTYGROVE</u>
NOES: COUNCILMEMBERS:	<u>None</u>
ABSENT: COUNCILMEMBERS:	<u>None</u>
ABSTAIN: COUNCILMEMBERS:	<u>None</u>

George Pettygrove
MAYOR

ATTEST:

Phancy Beckham
CITY CLERK

**MASTER PROPERTY TAX TRANSFER AGREEMENT FOR ALLOCATION
OF PROPERTY TAX BETWEEN THE COUNTY OF SOLANO
AND THE SEVEN CITIES OF THE COUNTY
UPON JURISDICTIONAL CHANGE
[REVENUE AND TAXATION CODE SECTION 99 (d)]**

By Resolution No. 2000-72, adopted by the Board of Supervisors of the County of Solano, and by a Resolution adopted by the City Councils of each of the seven Cities of Solano County, the County of Solano (COUNTY) and the Cities (CITIES) agree as follows:

1. This Agreement is a master property tax transfer agreement, under authority of California Revenue and Taxation Code Section 99 (d), between the COUNTY and the seven CITIES of Solano County for the purpose of specifying the allocation of property tax revenues upon a jurisdictional change in which any one of the CITIES is an affected City and COUNTY is an affected County.

2. Except for the exclusions specified in this Paragraph 2, the jurisdictional changes governed by this Agreement are all those local agency boundary changes defined in Revenue and Taxation Code Section 95 (e) as jurisdictional changes, occurring during the applicable period of the Agreement, where COUNTY is the affected County and one of the CITIES is an affected City. The following types of jurisdictional changes are to be excluded from this Agreement:

a) Boundary changes involving a city incorporation or formations of districts (e.g., reorganizations involving concurrent formation of a special district and annexation to a city);

b) Jurisdictional changes which would result in a special district providing one or more services to an area where such services have not been previously provided by any local agency and to which Section 99.1 of the Revenue and Taxation Code applies.

c) Any one of the CITIES or the COUNTY may notify the other affected party that for any specific annexation proposal, the party providing notice is invoking Paragraph 2 (c) of this Agreement, to exclude the specific annexation proposal from the Agreement. This notice shall state the reason that the Master Agreement is unacceptable, and be provided by the party requesting an exception pursuant to this paragraph 2 within FIFTEEN (15) working days from the date the petition is accepted for filing by the Local agency Formation Commission. The notice shall be provided to either the County Administrator, if instituted by a City, or to the City Manager, if instituted by the County. This provision is designed to provide for a case by case negotiation of specific tax sharing provisions in an annexation that would create significant impacts due to the shift in service costs or lost revenue. Significant impacts based upon lost revenue shall not include revenue anticipated from future development of the annexed area. When this section is invoked by any party, both affected parties agree that they shall negotiate in good faith for an equitable and timely agreement, that shall apply solely to that specific annexation. In no event shall the negotiation period exceed the THIRTY (30) days provided for as the maximum under provisions of Revenue and Taxation Code section 99 (b) (1) (B) (6).

3. The allocations specified in Paragraph 7, herein below, and in Exhibit "A" attached hereto, shall be made for any jurisdictional change governed by this Agreement as specified in Paragraph 2, herein above, if proceedings for the jurisdictional change have been or are completed after March 1, 2000.

4. For any property tax allocation to be made under this Agreement, the Auditor-Controller of Solano County shall first apply Paragraph 7, below, and Exhibit "A", to allocate the property tax revenues thereunder for the fiscal year for which the State Board of Equalization makes the tax rate area change (s) for the jurisdictional change. Such allocation shall continue indefinitely thereafter unless changed by agreement of both affected parties hereto or until changed under the terms of this Agreement upon a subsequent jurisdictional change involving one or more of the tax rate area (s) within the affected territory of the prior jurisdictional change.

5. The following definitions shall apply to this Agreement:

a) "Base tax" shall mean those property tax revenues specified as being subject to allocation in Revenue and Taxation Code section 96 (a) and 96 (d) for fiscal year 1979-80 and Revenue and Taxation Code Section 97 (a) and (b) for fiscal year 1980-81 and all subsequent fiscal years.

b) "Annual tax increment" shall mean those property tax revenue specified as being subject to allocation in Revenue and Taxation Code Section 96 (c) for fiscal year 1979-80 and Revenue and Taxation Code Section 97 (c) for fiscal year 1980-81 and all subsequent fiscal years. Annual tax increment shall include revenues accruing due to the increase in assessed valuation for the preceding fiscal year because of changes of ownership and new construction and because of the inflation adjustment authorized by Section 2 (b) of Article XIII A of the California Constitution

c) "Annual tax increment allocation factor" shall mean the numerical factor, expressed as a percent, that is used to accomplish the proportionate allocation of the annual tax increment, as specified in Revenue and Taxation Code Section 98 (e).

d) "Proceedings" means those actions taken pursuant to Government Code Sections 57000-57090.

e) "Affected territory" shall be as specified in Government Code Section 57015.

f) "Affected City or Cities" shall be as specified in Government Code Section 57011.

g) "Affected County" shall be as specified in Government Code Section 57012.

h) "Affected District" shall be as specified in Government Code Section 57013.

6. Insofar as not inconsistent with the foregoing definitions or any other provisions of the Agreement, the definitions of Section 95 and 2215 of the Revenue and Taxation Code shall apply to this Agreement.

7. For a jurisdictional change for which the allocation of taxes is made under this Agreement, such allocation shall be made in accordance with the following:

(a) Initial Year.

(1) Base tax. Except as provided in Paragraph 7 (a) (3) of this Agreement, an affected CITY shall be allocated the base tax from revenue generated from within the subject territory which would otherwise be allocated to the affected special districts. Annexations or other included changes in organization which occur during the year shall be prorated, utilizing a monthly calculation, between the affected CITY and the affected special districts.

(2) Annual tax increment. Except as provided in Paragraph 7 (a) (3) of this Agreement, each CITY shall have an annual tax increment allocation factor established for each tax rate area in the affected territory equal to that outlined in the table set forth in Exhibit "A", attached hereto, and made a part hereof, and made a part hereof as though set forth fully herein. The COUNTY'S new annual tax increment allocation factor shall be its former factor minus the affected CITY'S factor as derived in the preceding sentence, and shall include the taxes previously allocated to special districts no longer providing services to the affected territory.

(3) For a jurisdictional change in which a special district, such as Solano Irrigation District, which usually detached from incorporated territory does not detached, but continues to provide services within the jurisdiction, the allocation to the affected CITY as specified in Paragraphs 7 (a) (1) (Base tax) and 7 (a) (2) (Annual tax increment) shall be reduced by the base tax and tax rate allocation factor of that special district.

(b) Subsequent years. In each subsequent year, the affected CITY'S and COUNTY'S allocation of property taxes from the affected territory will be made as set forth in Revenue and Taxation Code Sections 97 and 98. Each agency allocated its base tax each year (i.e., the tax allocated to the agency in the preceding year) including the previous year's annual tax increment for the affected territory, such share being calculated by multiplying the tax resulting from growth in assessed valuation in the affected territory during the year times the agency's annual tax increment allocation factor (s) for that territory as determined in Paragraph 7 (a) (2) or 7 (a) (3), above. The result (i.e., base plus increment) becomes the base tax for the next year's tax allocation calculations. Each agency's base tax and annual tax increment allocation factors may be subsequently modified only through negotiated exchanges in accordance with Revenue and Taxation Code Sections 99 and/or 99.1 for subsequent jurisdictional changes or as otherwise may be directed by a change in law.

8. For any jurisdictional change in which there are existing sources of taxes as specified in this paragraph exceeding Five Thousand Dollars (\$5,000.00) in the aggregate for any of the three preceding complete fiscal years prior to the filing of the certificate of completion, the COUNTY shall receive that tax, adjusted annually based upon the percentage change in the CPI, plus any increase in the rates of those taxes.

The Five Thousand Dollar (\$5,000.00) base and protected amount shall be increased annually commencing March 1, 2000, based upon the San Francisco Bay Area CPI-U for the preceding year. Those taxes shall be:

- (a) Sales and Use Tax
- (b) Transient Occupancy Tax
- (c) Hazardous Waste License Tax
- (d) Deed Transfer Tax
- (e) Franchise Taxes

This provision shall remain in effect as long as the original source continues to generate at least the base amount. Alternatively, an affected CITY or the COUNTY shall have the option of declaring this Agreement inapplicable to any jurisdictional change which would be subject to this Paragraph 8.

9. It is the intent of the CITY and the COUNTY that the COUNTY continue to receive the same percentage of CHP fines and forfeitures in relation to a CITY as COUNTY received in FY 1983-84, notwithstanding any jurisdictional changes under the provisions of this Agreement. A formula to implement this intent shall be negotiated and agreed to by CITY and COUNTY at the time of the implementation of this Agreement. Should the State adopt legislation prohibiting the COUNTY from collecting and retaining any CHP fines and forfeitures, the CITY may seek to obtain or retain those affected CHP fines and forfeitures from the State, notwithstanding any other provisions of this Agreement.

10. The provisions of this Agreement, relative to allocation of property taxes shall neither apply to, nor supersede, any agreements for the allocation of tax increment funds within any existing redevelopment projects; or any distribution of taxes pursuant to provisions of Health and Safety Code Section 33670.

11. Either party may terminate this Agreement upon providing the other party written notice of termination at least ninety (90) days prior to the termination becoming effective. Notice of termination shall be delivered as follows:

COUNTY OF SOLANO

Clerk to the Board
of Supervisors
580 Texas Street
Fairfield, CA 94533

CITY OF BENICIA

City Clerk
City of Benicia
250 East L Street
Benicia, CA 94510

CITY OF DIXON

City Clerk
City of Dixon
600 East A Street
Dixon, CA 95620

CITY OF FAIRFIELD

City Clerk
City of Fairfield
1000 Webster Street
Fairfield, CA 94533

CITY OF RIO VISTA

City Clerk
City of Rio Vista
1 Main Street
Rio Vista, Ca 94571

CITY OF SUISUN CITY

City Clerk
City of Suisun City
701 Civic Center Blvd.
Suisun City, CA 94585

CITY OF VACAVILLE

City Clerk
City of Vacaville
650 Merchant Street
Vacaville, CA 95688

CITY OF VALLEJO

City Clerk
City of Vallejo
555 Santa Clara Street
Vallejo, CA 94590

Such termination shall not act to affect any proposed jurisdictional change for which a Certificate of Filing has been issued by LAFCO or its Executive Officer prior to the termination date.

Dated: _____

COUNTY OF SOLANO, a Political
Subdivision of the State of California

ATTEST:

MAGGIE JIMENEZ, Clerk of the
Board of Supervisors

BARBARA R. KONDYLIS
Chairwoman of the Board
of Supervisors

EXHIBIT A

FUTURE TAX INCREMENT SHARE FOR AFFECTED CITIES

	<u>FY99/2000</u>	<u>FY2000/01 & Beyond</u>
Benicia	16.47%	To be reduced by or increased by an amount equal to property tax shift due to State Budget actions of 2000/01 or beyond.
Dixon	16.32%	
Fairfield	12.45%	
Rio Vista	11.40%	
Suisun	14.47%	
Vacaville	14.94%	
Vallejo	11.23%	

masprop.rev

1 DIRECTORY = A:\AB 8
 2 FILE NAME = CITIESANNEXCALC199900
 3 SHEET = ERAFIMPACTCOCITIES

EXHIBIT A
 NEW

5 DATE 14-Mar-00
 6 TIME 04:10:59 PM

ERAF IMPACTS ON SOLANO COUNTY AND ALL SEVEN CITIES

PROPORTIONATE "SHARING THE PAIN" ERAF ADJUSTMENTS

CITY	FY-1999/00 ERAF ADJUSTMENT	FY-1999/00 AB 8 ALLOCATION	FY-1999/00 CITY ERAF LOSS RATE	FY-1999/00 COUNTY ERAF LOSS RATE	TOTAL COUNTY & CITY ERAF LOSS RATE	FY-1992/93 ADJUSTED ERAF LOSS	AVERAGE ERAF LOSS RATE	FY-1992/93 PROPERTY TAX TRANSFER RATE	REDUCTIONS	NEW ADJUSTED PROPERTY TAX TRANSFER RATE
A	B	C (A/B)	D	E (C+D)	F	G ((E-F)/2)	H	I (GxH)	J (H-I)	
BENICIA	1,440,207	8,475,788	0.169920	0.358514	0.628434	0.105000	0.211717	0.209000	0.044249	0.164751
DIXON	494,176	2,187,745	0.227868	0.358514	0.586482	0.105000	0.240741	0.215000	0.051759	0.183241
FAIRFIELD	2,180,585	10,871,402	0.198752	0.358514	0.557266	0.105000	0.226133	0.161000	0.036407	0.124593
RIO VISTA	110,382	448,132	0.246271	0.358514	0.604785	0.105000	0.248883	0.152000	0.037884	0.114016
SUISUN	218,389	1,885,458	0.129878	0.358514	0.488392	0.105000	0.191548	0.179000	0.034287	0.144713
VACAVILLE	1,793,509	10,885,329	0.164764	0.358514	0.523278	0.105000	0.209139	0.188000	0.039527	0.149473
VALLEJO	2,519,663	11,531,019	0.218512	0.358514	0.577026	0.105000	0.238013	0.147000	0.034694	0.112306

1999/00 E.T.A.F. RATE FOR FUND 1 - GENERAL FUND

1999/00 - ERAF ADJUSTMENT	=	25,570,431	=	0.358514
1999/00 AB 8 ALLOCATION		71,345,778		

This instrument is a
 correct copy of the original
 on file in this office.

ATTEST:

Michael D. Johnson, Clerk of
 the Board of Supervisors of
 the County of Solano, State
 of California

Michael D. Johnson

**MASTER PROPERTY TAX TRANSFER AGREEMENT FOR ALLOCATION
OF PROPERTY TAX BETWEEN THE COUNTY OF SOLANO
AND THE SEVEN CITIES OF THE COUNTY
UPON JURISDICTIONAL CHANGE
[REVENUE AND TAXATION CODE SECTION 99 (d)]**

By Resolution No. 2000-72, adopted by the Board of Supervisors of the County of Solano, and by a Resolution adopted by the City Councils of each of the seven Cities of Solano County, the County of Solano (COUNTY) and the Cities (CITIES) agree as follows:

1. This Agreement is a master property tax transfer agreement, under authority of California Revenue and Taxation Code Section 99 (d), between the COUNTY and the seven CITIES of Solano County for the purpose of specifying the allocation of property tax revenues upon a jurisdictional change in which any one of the CITIES is an affected City and COUNTY is an affected County.

2. Except for the exclusions specified in this Paragraph 2, the jurisdictional changes governed by this Agreement are all those local agency boundary changes defined in Revenue and Taxation Code Section 95 (e) as jurisdictional changes, occurring during the applicable period of the Agreement, where COUNTY is the affected County and one of the CITIES is an affected City. The following types of jurisdictional changes are to be excluded from this Agreement:

a) Boundary changes involving a city incorporation or formations of districts (e.g., reorganizations involving concurrent formation of a special district and annexation to a city);

b) Jurisdictional changes which would result in a special district providing one or more services to an area where such services have not been previously provided by any local agency and to which Section 99.1 of the Revenue and Taxation Code applies.

c) Any one of the CITIES or the COUNTY may notify the other affected party that for any specific annexation proposal, the party providing notice is invoking Paragraph 2 (c) of this Agreement, to exclude the specific annexation proposal from the Agreement. This notice shall state the reason that the Master Agreement is unacceptable, and be provided by the party requesting an exception pursuant to this paragraph 2 within FIFTEEN (15) working days from the date the petition is accepted for filing by the Local agency Formation Commission. The notice shall be provided to either the County Administrator, if instituted by a City, or to the City Manager, if instituted by the County. This provision is designed to provide for a case by case negotiation of specific tax sharing provisions in an annexation that would create significant impacts due to the shift in service costs or lost revenue. Significant impacts based upon lost revenue shall not include revenue anticipated from future development of the annexed area. When this section is invoked by any party, both affected parties agree that they shall negotiate in good faith for an equitable and timely agreement, that shall apply solely to that specific annexation. In no event shall the negotiation period exceed the THIRTY (30) days provided for as the maximum under provisions of Revenue and Taxation Code section 99 (b) (1) (B) (6).

3. The allocations specified in Paragraph 7, herein below, and in Exhibit "A" attached hereto, shall be made for any jurisdictional change governed by this Agreement as specified in Paragraph 2, herein above, if proceedings for the jurisdictional change have been or are completed after March 1, 2000.

4. For any property tax allocation to be made under this Agreement, the Auditor-Controller of Solano County shall first apply Paragraph 7, below, and Exhibit "A", to allocate the property tax revenues thereunder for the fiscal year for which the State Board of Equalization makes the tax rate area change (s) for the jurisdictional change. Such allocation shall continue indefinitely thereafter unless changed by agreement of both affected parties hereto or until changed under the terms of this Agreement upon a subsequent jurisdictional change involving one or more of the tax rate area (s) within the affected territory of the prior jurisdictional change.

5. The following definitions shall apply to this Agreement:

a) "Base tax" shall mean those property tax revenues specified as being subject to allocation in Revenue and Taxation Code section 96 (a) and 96 (d) for fiscal year 1979-80 and Revenue and Taxation Code Section 97 (a) and (b) for fiscal year 1980-81 and all subsequent fiscal years.

b) "Annual tax increment" shall mean those property tax revenue specified as being subject to allocation in Revenue and Taxation Code Section 96 (c) for fiscal year 1979-80 and Revenue and Taxation Code Section 97 (c) for fiscal year 1980-81 and all subsequent fiscal years. Annual tax increment shall include revenues accruing due to the increase in assessed valuation for the preceding fiscal year because of changes of ownership and new construction and because of the inflation adjustment authorized by Section 2 (b) of Article XIII A of the California Constitution

c) "Annual tax increment allocation factor" shall mean the numerical factor, expressed as a percent, that is used to accomplish the proportionate allocation of the annual tax increment, as specified in Revenue and Taxation Code Section 98 (e).

d) "Proceedings" means those actions taken pursuant to Government Code Sections 57000-57090.

e) "Affected territory" shall be as specified in Government Code Section 57015.

f) "Affected City or Cities" shall be as specified in Government Code Section 57011.

g) "Affected County" shall be as specified in Government Code Section 57012.

h) "Affected District" shall be as specified in Government Code Section 57013.

6. Insofar as not inconsistent with the foregoing definitions or any other provisions of the Agreement, the definitions of Section 95 and 2215 of the Revenue and Taxation Code shall apply to this Agreement.

7. For a jurisdictional change for which the allocation of taxes is made under this Agreement, such allocation shall be made in accordance with the following:

(a) Initial Year.

(1) Base tax. Except as provided in Paragraph 7 (a) (3) of this Agreement, an affected CITY shall be allocated the base tax from revenue generated from within the subject territory which would otherwise be allocated to the affected special districts. Annexations or other included changes in organization which occur during the year shall be prorated, utilizing a monthly calculation, between the affected CITY and the affected special districts.

(2) Annual tax increment. Except as provided in Paragraph 7 (a) (3) of this Agreement, each CITY shall have an annual tax increment allocation factor established for each tax rate area in the affected territory equal to that outlined in the table set forth in Exhibit "A", attached hereto, and made a part hereof, and made a part hereof as though set forth fully herein. The COUNTY'S new annual tax increment allocation factor shall be its former factor minus the affected CITY'S factor as derived in the preceding sentence, and shall include the taxes previously allocated to special districts no longer providing services to the affected territory.

(3) For a jurisdictional change in which a special district, such as Solano Irrigation District, which usually detached from incorporated territory does not detached, but continues to provide services within the jurisdiction, the allocation to the affected CITY as specified in Paragraphs 7 (a) (1) (Base tax) and 7 (a) (2) (Annual tax increment) shall be reduced by the base tax and tax rate allocation factor of that special district.

(b) Subsequent years. In each subsequent year, the affected CITY'S and COUNTY'S allocation of property taxes from the affected territory will be made as set forth in Revenue and Taxation Code Sections 97 and 98. Each agency allocated its base tax each year (i.e., the tax allocated to the agency in the preceding year) including the previous year's annual tax increment for the affected territory, such share being calculated by multiplying the tax resulting from growth in assessed valuation in the affected territory during the year times the agency's annual tax increment allocation factor (s) for that territory as determined in Paragraph 7 (a) (2) or 7 (a) (3), above. The result (i.e., base plus increment) becomes the base tax for the next year's tax allocation calculations. Each agency's base tax and annual tax increment allocation factors may be subsequently modified only through negotiated exchanges in accordance with Revenue and Taxation Code Sections 99 and/or 99.1 for subsequent jurisdictional changes or as otherwise may be directed by a change in law.

8. For any jurisdictional change in which there are existing sources of taxes as specified in this paragraph exceeding Five Thousand Dollars (\$5,000.00) in the aggregate for any of the three preceding complete fiscal years prior to the filing of the certificate of completion, the COUNTY shall receive that tax, adjusted annually based upon the percentage change in the CPI, plus any increase in the rates of those taxes.

The Five Thousand Dollar (\$5,000.00) base and protected amount shall be increased annually commencing March 1, 2000, based upon the San Francisco Bay Area CPI-U for the preceding year. Those taxes shall be:

- (a) Sales and Use Tax
- (b) Transient Occupancy Tax
- (c) Hazardous Waste License Tax
- (d) Deed Transfer Tax
- (e) Franchise Taxes

This provision shall remain in effect as long as the original source continues to generate at least the base amount. Alternatively, an affected CITY or the COUNTY shall have the option of declaring this Agreement inapplicable to any jurisdictional change which would be subject to this Paragraph 8.

9. It is the intent of the CITY and the COUNTY that the COUNTY continue to receive the same percentage of CHP fines and forfeitures in relation to a CITY as COUNTY received in FY 1983-84, notwithstanding any jurisdictional changes under the provisions of this Agreement. A formula to implement this intent shall be negotiated and agreed to by CITY and COUNTY at the time of the implementation of this Agreement. Should the State adopt legislation prohibiting the COUNTY from collecting and retaining any CHP fines and forfeitures, the CITY may seek to obtain or retain those affected CHP fines and forfeitures from the State, notwithstanding any other provisions of this Agreement.

10. The provisions of this Agreement, relative to allocation of property taxes shall neither apply to, nor supersede, any agreements for the allocation of tax increment funds within any existing redevelopment projects; or any distribution of taxes pursuant to provisions of Health and Safety Code Section 33670.

11. Either party may terminate this Agreement upon providing the other party written notice of termination at least ninety (90) days prior to the termination becoming effective. Notice of termination shall be delivered as follows:

COUNTY OF SOLANO

Clerk to the Board
of Supervisors
580 Texas Street
Fairfield, CA 94533

CITY OF DIXON

City Clerk
City of Dixon
600 East A Street
Dixon, CA 95620

CITY OF RIO VISTA

City Clerk
City of Rio Vista
1 Main Street
Rio Vista, Ca 94571

CITY OF BENICIA

City Clerk
City of Benicia
250 East L Street
Benicia, CA 94510

CITY OF FAIRFIELD

City Clerk
City of Fairfield
1000 Webster Street
Fairfield, CA 94533

CITY OF SUISUN CITY

City Clerk
City of Suisun City
701 Civic Center Blvd.
Suisun City, CA 94585

CITY OF VACAVILLE

City Clerk
City of Vacaville
650 Merchant Street
Vacaville, CA 95688

CITY OF VALLEJO

City Clerk
City of Vallejo
555 Santa Clara Street
Vallejo, CA 94590

Such termination shall not act to affect any proposed jurisdictional change for which a Certificate of Filing has been issued by LAFCO or its Executive Officer prior to the termination date.

Dated: April 4, 2000

ATTEST:

Maggie Jimenez
MAGGIE JIMENEZ, Clerk of the Board of Supervisors

COUNTY OF SOLANO, a Political Subdivision of the State of California

Barbara R. Kondylis
BARBARA R. KONDYLIS
Chairwoman of the Board of Supervisors

This instrument is a correct copy of the original on file in this office.

ATTEST:

Michael D. Johnson, Clerk of the Board of Supervisors of the County of Solano, State of California

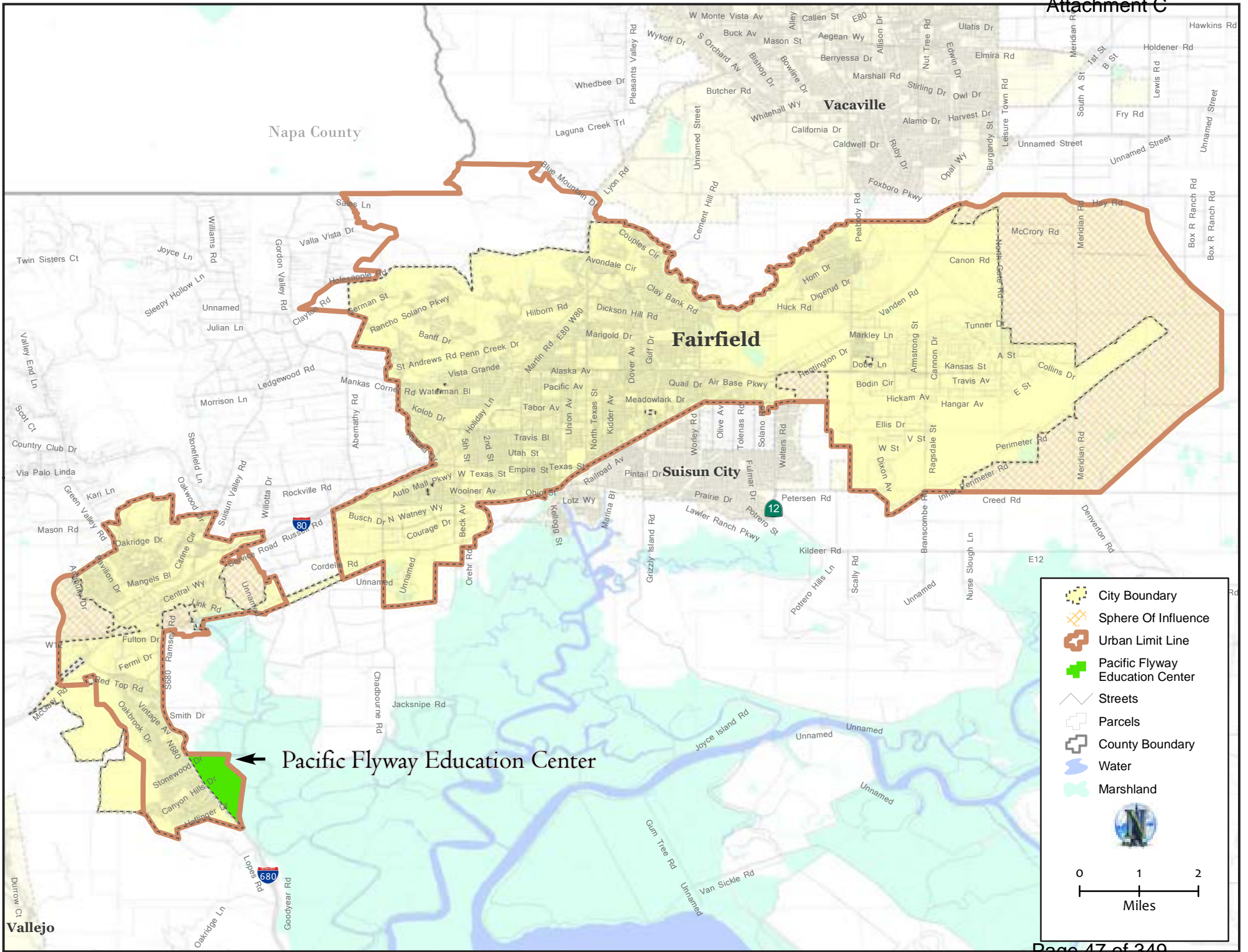
By: M. Johnson

EXHIBIT A

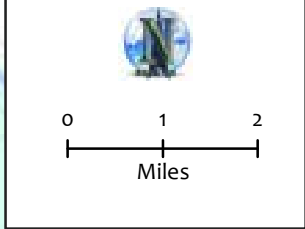
FUTURE TAX INCREMENT SHARE FOR AFFECTED CITIES

	<u>FY99/2000</u>	<u>FY2000/01 & Beyond</u>
Benicia	16.47%	To be reduced by or increased by an amount equal to property tax shift due to State Budget actions of 2000/01 or beyond.
Dixon	16.32%	
Fairfield	12.45%	
Rio Vista	11.40%	
Suisun	14.47%	
Vacaville	14.94%	
Vallejo	11.23%	

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- City Boundary
- Sphere Of Influence
- Urban Limit Line
- Pacific Flyway Education Center
- Streets
- Parcels
- County Boundary
- Water
- Marshland



← Pacific Flyway Education Center

MONICA E. BROWN
Supervisor
mebrown@solanocounty.com
(707) 784-3031
675 Texas Street, Suite 6500
Fairfield, CA 94533-6342
Fax (707) 784-6665

www.solanocounty.com
February 7, 2019

BOARD OF SUPERVISORS
Office of the 2nd District



SOLANO
COUNTY

KELLY DWYER
Board Aide
k_dwyer@solanocounty.com
(707) 784-3004

STEPHEN HALLETT
Board Aide
shallett@solanocounty.com
(707) 784-2974

Local Area Formation Committee (LAFCO)
675 Texas St
Suite 6700
Fairfield, CA 94533

Dear LAFCO Commissioners,

I write this letter to express my serious concerns that the Flyway Center will create unfunded mandates for the Cordelia Fire Protection District. I believe that, despite statements to the contrary, the Cordelia Fire Protection District will be required to respond to emergencies at the Flyway Festival with no clear funding allocated to cover their costs. I would like this issue to be reexamined 1 year after the Flyway Center is operating in order to determine if the Cordelia Fire Protection District has incurred any expenses. Please contact me if you have any questions or concerns.

Sincerely,

A handwritten signature in blue ink that reads "Monica Brown".

Monica Brown
Solano County Supervisor, District 2



CORDELIA FIRE PROTECTION DISTRICT
2155 CORDELIA ROAD, FAIRFIELD, CA 94534

707-864-0468 FAX 707-864-8607

February 25, 2019

Solano LAFCO
Rich Seithel; Executive Officer
675 Texas Street, suite 6700
Fairfield, CA 94533

Attn: Rich

The proposed annexation of parcels (046-050-300 & 046-100-260) for the Pacific Flyway Center is currently protected by the Cordelia Fire Protection District located at 2155 Cordelia Rd. Fairfield, CA 94534. Once the annexation of land in question is complete this property will fall within the Fairfield Fire Departments jurisdiction for all emergency responses. The two parcels will be serviced by Fire Station 35 which is located at 600 Lopes Rd. Fairfield, CA. 94534. The Fairfield Fire Department and the Cordelia Fire Protection District do have an automatic aid agreement that will allow response from both jurisdictions when needed.

The concern that the Cordelia Fire Protection District has lies on the North side of (046-050-300). This is the dirt road that allows access to parcels (046-050-310 & 046-100-270). This dirt roadway will still need to be maintained to allow access for the Cordelia Fire Protection District to service this area during emergencies.

Regards,

A handwritten signature in black ink, appearing to read "Keith Martin", written over a white background.

Keith Martin,
Fire Chief

From: [Erin Beavers](#)
To: keithemartin@sbcglobal.net
Cc: rseithel@solanolafo.com; mmcintyre@solanolafo.com; cgrillo@khhtrust.com
Subject: Ramsey Road
Date: Wednesday, March 13, 2019 11:34:51 AM

Chief Martin, thanks for meeting with me today to discuss the two primary roads that will need to be maintained in order to provide the District reliable access to those areas of the Flyway Project which will remain within the County jurisdictions. The Flyway intends to maintain and improve the two roadways by rockering them and will use them for their own maintenance and recreation needs. Additionally the Flyway understands and commits to providing appropriate Knox box access to the District on any gates which may be installed. Thanks again Erin Beavers Pacific Flyway
Sent from my iPhone