



Solano Local Agency Formation Commission

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STAFF REPORT

DATE: August 12, 2019

TO: Local Agency Formation Commission

FROM: Michelle McIntyre

SUBJECT: **LAFCO Project No. 2019-02: Fruitvale Annexation to the City of Vacaville.** Concurrent annexation to the City of Vacaville, and detachment from: Vacaville Fire Protection District, Solano Irrigation District, and the Solano County Lighting Service Area. Located north of Fruitvale Road and east of North Orchard Avenue, 8.26 acres. APNs: 0124-143-020, -030, -040, -050, -080, -090, -100, -110, -240, -250

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 determinations; E) Summary of conditions of approvals; and, F) Staff recommendation.

A. Introduction

Project Background

The City has submitted a resolution requesting reorganization of approximately eight acres with the following concurrent actions: annexation to the City of Vacaville, and detachments from the Vacaville Fire Protection District, Solano Irrigation District, and Solano County Lighting Service Area.

Project Purpose

The purpose of the reorganization is to annex the proposal site to the City of Vacaville (City) and eliminate an unincorporated island that is substantially surrounded by the City. The City can provide ten existing rural residential homes municipal services principally: water, sewer, fire, and law enforcement services.

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 north of Fruitvale Road and east of North Orchard Avenue in unincorporated Solano County. The project site is surrounded by Vacaville city limit, including the area south of Fruitvale Road known as the Farmstead Annexation project which was recently approved by LAFCO.



Maps and Geographic descriptions which have been reviewed and corrected by the County Surveyor is attached as Exhibit A to the Draft LAFCO Resolution No. 19-08 (Attachment A). A map exhibit is provided on this page for reference only.

B. Statutory Requirements – CA Rev and Tax Code and CKH Act

California Revenue and Tax Code 99 - 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 including County Resolution 2000-72 and City Resolution 2000-32 are enclosed as Attachment B.

Municipal Service Review and Sphere of Influence

On May 8, 2017 LAFCO updated the City’s Municipal Service Review/Comprehensive Annexation Plan (MSR/CAP), and Sphere of Influence (SOI)¹. The City’s SOI exhibit (enclosed as Attachment C) identifies that the proposal area is within their sphere of influence and within the Near Term Annexation area.

Staff Recommended Determination: The Commission determines the proposal consistent with the City’s MSR/CAP and SOI and is located within the City’s Near Term Annexation area. Furthermore, the Commission, through the CAP/MSR and SOI studies determined the City has the capability and capacity to extend services as well as sufficient revenues to provide services to the areas within their Near Term Annexation areas.

¹ City of Vacaville’s 2017 MSR/CAP can be accessed via this link <http://solanolafo.com/studies.htm>

Factors To Be Considered:

The Commission is required consider all of the factors pursuant to §56668 (a-q).

a. (Factor “a” includes all elements in the table below)

Population and population density	Based on the County’s General Plan Housing Element ² , there are twenty eight residents within the proposal area based on 2.8 persons per household in unincorporated Solano County.
Assessed Valuation	Per the Solano County Assessor’s Office, the assessed value is \$3,873,303 as of 3/25/2019. (Attachment D)
Topography	The proposal site is generally flat and elevation is approximately 210 feet above mean sea level per USGS topographical map.
Natural boundaries	There are no natural boundaries adjacent to the site.
Land area and land use	There are ten existing rural residences and no new development is proposed.
Proximity to other populated areas	Existing single-family homes are located east, west, and north of the proposal site. The recently approved Farmstead project is located south of the proposal site and will be developed with 130 residential units.
Drainage basins	There is not a drainage basin directly adjacent to the proposal area; however, there is an existing open ditch located south east of the proposal site that was annexed to the City as part of the recently approved Farmstead Annexation. The ditch conveys city storm water from the proposal area as well as areas north of the subject parcels. (See ‘56668b stormwater” below)
Likelihood of significant growth in the area and in adjacent areas during the next 10 years	With the exception of the Farmstead site, there is not a likelihood of significant growth in the adjacent areas as these areas are already developed.

² Solano County General Plan Housing Element updated May 12, 2015 see page A-5, complete document may be accessed via this link https://www.solanocounty.com/depts/rm/planning/general_plan.asp

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 a full range of municipal services directly or via contract including: fire protection, law enforcement, public works, stormwater, wastewater, water, animal control, parks and recreation, and solid waste. These services are detailed in the City’s CAP/MSR; however, below is a summary of some of the proposed City services:

- **Fire protection** – The proposal area is currently served by the Vacaville Fire Protection District (VFPD). Upon annexation, it will be under the jurisdiction of the Vacaville Fire Department (VFD). VFD and VFPD have mutual aid and automatic aid agreements. (Attachment E)

The closest station to the proposed project site is Vacaville Fire Department Station 71 located on 111 South Orchard Avenue which is approximately 0.7 miles south of the site. The second closest station is the Vacaville Fire Protection District (VFPD) station on 420 Vine Street located 1.5 miles northeast of the site. Given the proximity of the proposal site to the two fire stations, it is reasonable to expect the fire response standards can be met at the project site and that both agencies have and will most likely continue to respond to the proposal area.

Note: Mitigation for the Vacaville Fire Protection District is discussed under Section C Local Policies, Standard 11.

- **Law enforcement** – The proposal area is currently served by the Solano County Sheriff’s Office. Upon annexation the proposal site will be served by the Vacaville Police Department (VPD). VPD standards for average response times are: six minutes and one second for Priority I calls and sixteen minutes and twenty eight seconds for Priority II calls. The VPD has an average response time of six minutes for Priority I calls and fifteen minutes for Priority II calls.³ Additionally, the 2017 CAP/MSR states that VPD employs 103 sworn officers and fifty three non-sworn full time personnel. At the time the CAP/MSR was updated, there was one full-time sworn officer for every 855 residents. Through the City’s General Plan Update, the City projected that by year 2035, 9,680 new dwelling

³ City of Vacaville General Plan EIR is available via this link: <https://www.ci.vacaville.ca.us/government/community-development/advanced-planning/adopted-plans/general-plan/general-plan-and-energy-and-conservation-action-strategy-eir/general-pla>

units will be developed increasing the residents by 26,500. In order to maintain the City's existing staffing ratio and adopted response time standards, the City anticipate they will need thirty additional officers to serve the General Plan planning areas. The additional estimated twenty-eight residents for this specific proposal who will now be served by VPD will have negligible impacts to the department.

- **Public Works/Roads** - Upon annexation, the City will enhance and maintain Fruitvale Road consistent with the Subdivision Vesting Tentative Map for the Farmstead at North Orchard Subdivision (Farmstead Annexation) and City standards. More specifically, the Farmstead developer is required to extend the existing curb, gutter, and five foot sidewalk on the south side of Fruitvale Road.
- **Stormwater** – Storm drains within the City are required to convey the 10-year design flows. In order to accommodate surface drainage, the City requires that streets and public rights-of-way be designed to provide overland release of runoff for 100-year storm conditions. The Farmstead development, via the vesting tentative map agreement, will be constructing an underground drainage system that will tie into the existing City storm drainage system at Eldredge Avenue, downstream from the proposal area.

On February 21, 2019 the City Public Works Director met with the landowners/residents of the ten subject parcels. The residents expressed concerns regarding the runoff during storm events that comes from the properties north of the proposal site. Upon annexation, Public Works staff committed to follow up and consider what, if any, storm drain improvements might be effective and/or feasible along the north side of Fruitvale Road to improve the current drainage system. This communication from March 8, 2019 is included as Attachment F to this staff report.

Wastewater – The City's General Plan and 2017 MSR determined that the Easterly Waste Water Treatment Plant has capacity for the Near Term SOI planned annexation areas, including the proposed project. Upon annexation, any of the ten parcels that desire to connect to city sewer (and water) will be allowed to do so, subject to payment of applicable City fees⁴. The City has committed to allowing affected property owners to continue to use their septic system as long as it remains viable. Per the City (see Attachment F), in the event that the existing septic fails to the point that it would require a new leach field, a new septic tank, or the installation of a new engineered or package septic system in order to be viable, the City will not issue a permit for such repair/replacement and the individual properties will be required to connect to the City system.

⁴ Affected property owners should contact the City of Vacaville Public Works Department at 707-449-5170 for information on applicable fees.

- Water** – The City of Vacaville prepared an update to their Urban Water Management Plan (UWMP) in 2015. The UWMP confirms the City’s water supply meets their projected demand for their General Plan Planning Areas, including the subject proposal. Specifically, the UWMP states, “groundwater and surface water supplies are projected to meet or exceed projected water demands even during extended drought conditions. Demonstrated reliability of the City’s conjunctive water supply strategy, future water supply will be adequate to offset future water demands during normal, single, and multiple dry years.” (City of Vacaville, UWMP, 2015, page 7-10)

Currently the ten parcels within the proposal site rely on wells for their potable water needs. In addition, four parcels (see table below) currently receive agricultural/non-potable water from the Solano Irrigation District (SID).

Item	Address	APN	Acres	Water Source
1	325 Fruitvale Rd	0124-143-020	1.46	SID, Well
2	331 Fruitvale Rd	0124-143-030	0.74	Well
3	337 Fruitvale Rd	0124-143-040	0.73	Well
4	343 Fruitvale Rd	0124-143-050	1.18	SID, Well
5	355 Fruitvale Rd	0124-143-080	0.48	Well
6	601 N Orchard Ave	0124-143-090	0.25	Well
7	607 N Orchard Ave	0124-143-100	0.25	Well
8	611 N Orchard Ave	0124-143-110	1.04	Well
9	319 Fruitvale Rd	0124-143-240	0.55	SID, Well
10	349 Fruitvale Rd	0124-143-250	0.48	SID, Well

On April 4, 2019, SID staff via email (Attachment G) stated that SID may enter into an “Out of District” water contract with the affected property owners to bridge the gap between detachment from SID and the extension of City of Vacaville water. Since SID provides non-potable water only to four of the subject parcels, an out of district contract is exempt from the LAFCO process under Government Code Section 56133 *et seq.*; thus, the individual property owners can enter into a contract with SID directly should they choose to continue receiving non-potable water from SID during the gap period.

Comparable to sewer services, upon annexation any property wishing to connect to City water service will be allowed to do so subject to applicable City fees. The property owners will be able to use their wells solely, City water service solely, or

a combination of both well and City water (with the installation of a backflow device). Similar to their septic systems, once their existing wells fail, the individual property owners will be required to connect to the City system.

Wastewater/Water Infrastructure Improvements:

Upon successful completions of the subject reorganization and the Farmstead reorganization, the subject ten property owners will realize substantial financial savings for infrastructure improvements. Per the Farmstead Subdivision Vesting Tentative Map Agreement, the developer will be reconstructing much of Fruitvale Road and modifying the utilities within Fruitvale Road and will be installing water and sewer laterals from the main to the property line of the seven properties fronting Fruitvale. The City has also agreed for the installation of water and sewer laterals to the property line of the three houses fronting North Orchard Avenue. The construction of the North Orchard Avenue laterals will be completed in conjunction with the rehabilitation of that segment of the roadway, anticipated in two to three years. (Please see Attachment F, letter from the City to Fruitvale Residents outlining their discussion and applicable fees. Questions from affected property owners should be directed to the Vacaville Public Works Department)

- **Animal control** – No anticipated changes, see 2017 MSR/CAP for more information.
- **Parks and recreation** - No anticipated changes, see 2017 MSR/CAP for more information.
- **Solid waste** - No anticipated changes, see 2017 MSR/CAP for more information.
- **Groundwater Management**
 The Sustainable Groundwater Management Act (SGMA) applies to basins or sub-basins that Department of Water Resources (DWR) designates as medium or high priority basins. The proposal site is located within the Solano Sub-basin which was ranked medium priority. SGMA required that groundwater sustainability agencies (GSAs) do be designated. The City and SID are GSAs and currently the proposal area is within SID’s GSA. Upon completion of the reorganization, the proposal site should instead be included within the City’s GSA.

Recommended Condition of Approval: Upon completion of the subject reorganization, the City and SID, as Groundwater Sustainable Agencies (GSA) shall modify their respective GSA boundaries with the Department of Water Resources (DWR) to reflect the reorganization.

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.⁵ There is no other nearby municipality that could provide services to the proposal area.

In May 2017 the Commission approved the City's MSR/CAP and SOI and determined the City is able to provide services to the proposal area which is located within the near term annexation 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 GC Section 56377.

- The proposal area was identified in the City's 2017 MSR/SOI as likely be annexed within five years.
- The proposal area is developed with ten existing rural residential homes and therefore does not meet the prime agricultural lands definition.
- Annexation of ten parcels would create a logical extension of the city's boundary and municipal services, and would remove the existence of an illogical boundary and unincorporated island.

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

Not applicable; the proposal site does not contain agricultural lands.

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.

Maps and geographic descriptions, Exhibit A to the draft resolution of the subject reorganization, has been reviewed and corrected by the Solano County Surveyor.

The proposal site is substantially surrounded by the City of Vacaville. An area that is substantially surrounded by a city(ies) is an unincorporated island or corridor of unincorporated territory. Extending municipal services such as fire, law enforcement, water, sewer, and other services, to an unincorporated island, where adjacent properties are already receiving municipal services, promotes efficient government services.

⁵ See Solano County General Plan https://www.solanocounty.com/depts/rm/planning/general_plan.asp

Staff Recommended Determination: The Commission determines annexation of the proposal area promotes the logical extension of municipal services and efficient government services because it is an unincorporated island that is substantially surrounded by the City of Vacaville.

g. A regional transportation plan adopted pursuant to GC §65080.

This factor is not applicable because the proposal site is developed; however, a regional transportation plan has been adopted and can be accessed via this link

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

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

The City's Ordinance Number 1938 determined that the proposal is internally consistent with the goals, objectives, and policies of the City's General Plan, the Zoning Ordinance, and the Development Code.

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 City and no other City can serve the proposal site.

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

Solano Irrigation District (SID) – On October 16, 2018, SID adopted their Resolution 18-40 requesting LAFCO detach the Eldredge Property/Farmstead, the proposal site consisting of ten parcels, the nearby open ditch east, and a small area along Fruitvale road to create a logical boundary for the district. SID requested LAFCO include various conditions of approval to satisfy their Board Policies. These conditions were subsequently included in the approved Farmstead Annexation to Vacaville (LAFCO Resolution 19-06). No additional condition of approval is required.

Vacaville Fire Protection District (VFPD) – VFPD was notified of this project and VFPD has reached an agreement with the Developer to mitigate impacts, this is also discussed in Section C Local Policies, Standard 11 below.

Staff Recommended Condition of Approval: The Reorganization is approved in reliance on the expected compliance by the Developer with the terms of the Vacaville Fire Protection District Mitigation Agreement, Attachment H to the Staff Report.

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 City's CAP/MSR provides a thorough analysis of the municipal services to be extended to the city's sphere of influence near term annexation areas including the proposed project. The CAP/MSR determined the City has the capability and capacity to extend services as well as sufficient revenues to provide services to the areas within the near term annexation areas.

The City and the developer of Farmstead have entered into an agreement via the Vesting Tentative Map Agreement which includes financing the infrastructure improvements needed and extension of City services. Municipal services will also be financed through a variety of sources including monthly water and sewer charges, and other fees for services through the City.

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

The City's Urban Water Management Plan confirms the City's water supply meets their projected demand, see section 56668a above.

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 GC §65580) of Chapter 3 of Division 1 of the Title 7.

This factor is not applicable as the site is developed with existing residences.

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

As of the writing of this report, LAFCO does not have any active letters of opposition from landowners, voters, or residents of the affected territory.

At the time the Commission considered the Farmstead Annexation proposal, several property owners of the subject proposal (Fruitvale) submitted letters opposing the Farmstead project as well as the annexation of their properties. Since the LAFCO Farmstead hearing, all of the affected landowners and registered voters who submitted written opposition have subsequently submitted letters rescinding their opposition, these letters are included as Attachment I to this staff report.

o. Any information relating to existing land use designations.

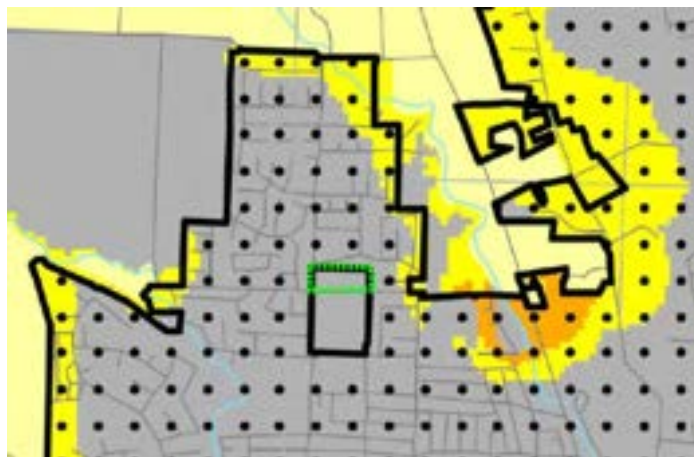
Solano County's 2008 General Plan designates the area as residential.

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 or will not promote environmental justice.

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 GC 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 (FHSZ) for Solano County. The project site is not located within a Very High FHSZ which is depicted with a color red, High FHSZ (orange), or Moderate FHSZ (yellow). The proposal site is bounded in green on the map exhibit.



Should the need for fire services arise, given the proximity of the two closest fire stations, 0.7 miles for Vacaville Fire Dept. Station 71 and 1.4 miles for Vacaville FPD's station, it is reasonable to assume both of these agencies are able to respond within their required response times.

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

Consistent with noticing requirements, the following actions were taken:

- A public hearing notice for the City Council public hearing was published in *The Reporter*, a newspaper of general circulation, on December 29, 2018; and notices were mailed to property owners within 600-feet of the proposal site and notices were placed on the site on December 28, 2018.
- Landowners and registered voters within the proposal area were noticed via first class mail and UPS on July 19, 2019, at least 21 days prior to the public hearing consistent with CKH.
- Landowners and registered voters within a 600-foot radius of the exterior boundary of the proposal area were noticed via first class mail on July 19, 2019, consistent with CKH requirement of 300-foot radius of the exterior boundary and at least 21 days prior to the public hearing.
- Published Legal Advertisement in *The Reporter* on July 20, 2019, at least 21 days prior to the public hearing consistent with CKH.

Under the provisions of GC §56663, the Commission is able to waive Conducting Authority Proceeding or Protest Hearing if the Commission does not receive written opposition to the subject proposal from any of the landowners and registered voters within the affected territory by the conclusion of the public hearing.

Should the Commission receive written opposition from any of the affected landowners or registered voters, the Commission must hold a Conducting Authority Proceeding for the reorganization pursuant to GC §57000. Under these provisions, the Commission may delegate its authority to the Executive Officer to perform the functions under the subject Government Code. At the conclusion of the public comment period, the Commission will be able to adopt one of the options for staff's recommended determinations below.

Staff Recommended Determination:

Option 1: The Commission waives the Conducting Authority Proceeding/Protest Proceeding consistent with GC §56663 and GC §57000 *et seq.*

Option 2: The Commission delegates its authority to conduct the Conducting Authority Proceeding pursuant to GC §57000 *et seq.* to the LAFCO Executive Officer. The Executive Officer shall report the outcome to the Commission at its next regular meeting.

C. Local Policies and Written Standards

The Commission has adopted eleven written standards as required by GC §56375 which are summarized below.

Standard 1

Consistency with the Sphere of Influence

As discussed in prior sections, the proposal is consistent with the City's adopted MSR/CAP and SOI.

Standard 2

Standard Two only applies to proposals located outside the City's SOI.

Standard 3

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

The City determined the reorganization is consistent with the Vacaville General Plan via City Ordinance Number 1938, included as Attachment J.

Standard 4

Standard Four only applies to proposals located outside the City's SOI.

Standard 5

Requirement for Pre-Approval

On January 22, 2019 the Vacaville City Council adopted Resolution Number 2019-06 (Attachment K) requesting LAFCO initiate a reorganization of the Fruitvale property consistent with the City's 2015 General Plan which designated the proposal site as existing residential development within the City's Urban Growth Boundary. Furthermore, the City Council adopted the following findings:

Finding: The 2017 Vacaville Comprehensive Annexation Plan, a part of the Vacaville Municipal Service Review, identifies the proposal site as a near term annexation.

Finding: Here, the applicant is the City of Vacaville desiring to comply with the purpose of the Cortese-Knox-Hertzberg Act and directives therein to encourage orderly growth and to ensure contiguous district boundaries. Approval would initiate annexation application to be submitted to Solano Local Agency Formation Commission.

Finding: The site is not within a Specific Plan or Policy Plan. The annexation does not include any new development as the site is currently developed as residential.

Standard 6

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

The proposed subject reorganization is consistent with the City's General Plan and the development assumption that existing residential uses will remain on the properties as analyzed in the Vacaville General Plan Update. Additionally, the proposal area was included in analysis for the City's Near Term Annexation Areas in their MSR/CAP and SOI studies. The proposal is considered Exempt from CEQA per Section 15319

because the properties are currently developed residential lots containing private structures allowed by the current zoning in the County with no proposed changes to the existing facilities.

Standard 7

Relationship to Established Boundaries

Approval of the subject reorganization is a logical extension of the City’s boundary, and promotes municipal service and local government efficiencies. The proposal area is substantially surrounded by the City and directly adjacent to existing City infrastructure. As previously noted, consistent with the County’s General Plan and Measure T, the County does not provide municipal services such as water and sewer. These services are provided by the cities thus requiring annexation.

Standard 8

Likelihood of significant growth and effect on adjacent areas

This Standard is not applicable as the proposal site is already developed with existing residences. The proposal area is substantially surrounded by the City of Vacaville and with the exception of the recently approved Farmstead Annexation project, the areas surrounding the Fruitvale proposal is developed.

Standard 9

Protection of Prime Agricultural Land

This Standard is not applicable as the proposal site developed.

Standard 10

This Standard only applies to changes of organizations or reorganizations that were initiated by petition.

Standard 11

Local Government Mutual Social and Economic Interest

Vacaville Fire Protection District

The developer has reached an agreement with the Vacaville Fire Protection, (enclosed as Attachment H) whereby the landowners will mitigate for twenty five years of the District’s share of the ad valorem for the current tax roll. This equates to \$5,877.04 x 25= \$149,926.00. The developer has agreed to pay the mitigation in two lump sum payments. The first payment of \$73,463.00 will occur on December 13, 2019 and the second payment on December 11, 2020.

Staff Recommended Condition of Approval: The Reorganization is approved in reliance on the expected compliance by the Developer with the terms of the Vacaville Fire Protection District Mitigation Agreement, Attachment H to the Staff Report.

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 April 11 the ALUC held a public hearing to make determinations with respect to the proposal’s compliance with the Travis Airport Land Use Compatibility Plan. The proposal is within Compatibility Zone D⁶ which has no land use limitations, but includes height limitations and other development conditions.

Staff Recommended Determination: The Commission has reviewed the Airport Land Use Commission’s (ALUC) Travis Land Use Compatibility Consistency Analysis for the Fruitvale Annexation project 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 that upon adoption of conditions of approval including financial mitigation for the Vacaville Fire District, the proposal is consistent with its adopted written Standards One through Eleven.

D. Summary of Staff Recommended Determinations

1. The Commission determines the proposal consistent with the City’s MSR/CAP and SOI and is located within the City’s Near Term Annexation area. Furthermore, the Commission, through the CAP/MSR and SOI studies determined the City has the capability and capacity to extend services as well as sufficient revenues to provide services to the areas within their Near Term Annexation areas.
2. The Commission determines annexation of the proposal area promotes the logical extension of municipal services and efficient government services because it is an unincorporated island that is substantially surrounded by the City of Vacaville.
3. The Commission has considered the factors in the review of a proposal pursuant to GC §56668 a-q.

⁶ 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. |

4. **Option 1:** The Commission waives the Conducting Authority Proceeding/Protest Proceeding consistent with GC §56663 and GC §57000 *et seq.*

Option 2: The Commission delegates its authority to conduct the Conducting Authority Proceeding pursuant to GC §57000 *et seq.* to the LAFCO Executive Officer. The Executive Officer shall report the outcome to the Commission at its next regular meeting.

5. The Commission has reviewed the Airport Land Use Commission's (ALUC) Travis Land Use Compatibility Consistency Analysis for the Fruitvale Annexation project and supports ALUC's determination that the proposal is consistent with the Travis Air Force Base Land Use Compatibility Plan.
6. Commission determines that upon adoption of conditions of approval including financial mitigation for the Vacaville Fire District, the proposal is consistent with its adopted written Standards One through Eleven.

E. Summary of Staff Recommended Conditions of Approval from Staff Report

1. Upon completion of the subject reorganization, the City and SID, as Groundwater Sustainable Agencies (GSA) shall modify their respective GSA boundaries with the Department of Water Resources (DWR) to reflect the reorganization.
2. The Reorganization is approved in reliance on the expected compliance by the Developer with the terms of the Vacaville Fire Protection District Mitigation Agreement, Attachment H to the Staff Report.

F. Staff Recommendation

Staff recommends the Commission approve the proposed Fruitvale Annexation to the City of Vacaville adopting the enclosed Draft Resolution 19-09 making determinations, and adding conditions of approval.

Attachments:

- Attachment A – Draft LAFCO Resolution 19-08 with Exhibit A – Maps and Geographical Descriptions
- Attachment B – Property Tax Transfer Agreement between County and City
- Attachment C – City SOI Exhibit
- Attachment D – Assessed Value Calculation
- Attachment E – Auto/Mutual Aid Agreement between City of Vacaville Fire Department and Vacaville Fire Protection District
- Attachment F – Letter from City Public Works Department to affected residents dated March 8, 2019
- Attachment G – SID email to LAFCO dated April 4, 2019
- Attachment H – Signed Vacaville Fire Protection Mitigation Agreement
- Attachment I – Letters from affected landowners rescinding their opposition to the subject reorganization
- Attachment J – City Ordinance No. 1938: General Plan Consistency Determination
- Attachment K – City Resolution No. 2018-138: Request LAFCO Initiate Reorganization

LAFCO RESOLUTION NO. 19-08

RESOLUTION MAKING DETERMINATIONS, ADDING CONDITIONS, AND APPROVING

**FRUITVALE ANNEXATION TO THE CITY OF VACAVILLE
(LAFCO PROJECT 2019-02)**

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

WHEREAS, the Executive Officer has examined the proposal and certified that it is complete and has accepted the proposal for filing as of August 5, 2019; and

WHEREAS, consistent with the CKH Act, landowners and registered voters within the proposal area were noticed via first class mail and UPS on July 19, 2019, Landowners and registered voters within a 600-foot radius of the exterior boundary of the proposal area were noticed via first class mail on July 19, 2019, and a legal advertisement was published in *The Reporter*, a newspaper of general circulation, on July 20, 2019 at least 21 days prior to the public hearing; and

WHEREAS, the Executive Officer, pursuant to GC §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 Vacaville and Solano County have agreed use the Master Property Tax Transfer Agreement as authorized pursuant to California Revenue and Tax Code Section 99(d); and has provided LAFCO letters reflecting the agreement, County Resolution 2000-72, and City Resolution 2000-32; and

WHEREAS, the City of Vacaville, as lead agency determined the proposal is Exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15319 of the CEQA Guidelines because the proposed subject reorganization is consistent with the City's General Plan and the development assumption that existing residential uses will remain on the properties as analyzed in the Vacaville General Plan Update. Additionally, the proposal area was included in analysis for the City's Near Term Annexation Areas in their MSR/CAP and SOI studies. Finally the proposal consists of currently developed residential lots containing private structures allowed by the current zoning in the County with no proposed changes to the existing facilities; 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, petitions, and objections; the Executive Officer's report and recommendation; the environmental documents and determination; plans for providing

service; municipal service review; spheres of influence; and applicable general plans; and

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

1. The Commission determines the proposal consistent with the City's MSR/CAP and SOI and is located within the City's Near Term Annexation area. Furthermore, the Commission, through the CAP/MSR and SOI studies determined the City has the capability and capacity to extend services as well as sufficient revenues to provide services to the areas within their Near Term Annexation areas.
2. The Commission determines annexation of the proposal area promotes the logical extension of municipal services and efficient government services because it is an unincorporated island that is substantially surrounded by the City of Vacaville.
3. The Commission has considered the factors in the review of a proposal pursuant to GC §56668 a-q.
4. **Option 1:** The Commission waives the Conducting Authority Proceeding/Protest Proceeding consistent with GC §56663 and GC §57000 *et seq.*

Option 2: The Commission delegates its authority to conduct the Conducting Authority Proceeding pursuant to GC §57000 *et seq.* to the LAFCO Executive Officer. The Executive Officer shall report the outcome to the Commission at its next regular meeting.

5. The Commission has reviewed the Airport Land Use Commission's (ALUC) Travis Land Use Compatibility Consistency Analysis for the Fruitvale Annexation project and supports ALUC's determination that the proposal is consistent with the Travis Air Force Base Land Use Compatibility Plan.
6. Commission determines that upon adoption of conditions of approval including financial mitigation for the Vacaville Fire District, the proposal is consistent with its adopted written Standards One through Eleven.

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

The Fruitvale Annexation to the City of Vacaville is approved, subject to conditions listed below:

1. Said proposal is assigned the following short form designation:

Fruitvale Annexation to the City of Vacaville

2. 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.
3. The following concurrent actions are hereby approved:

Annexation to the City of Vacaville
Detachment from the Solano Irrigation District
Detachment from the Vacaville Fire Protection District
Detachment from the Solano County Lighting Service Area

4. The proposal area shall be removed from the spheres of influence of the: City of Vacaville, the Vacaville Fire Protection District, the Solano Irrigation District, and Solano County Lighting Service Area concurrent with the subject reorganization.
5. Upon completion of the subject reorganization, the City and SID, as Groundwater Sustainable Agencies (GSA) shall modify their respective GSA boundaries with the Department of Water Resources (DWR) to reflect the reorganization.
6. The Reorganization is approved in reliance on the expected compliance by the Developer with the terms of the Vacaville Fire Protection District Mitigation Agreement, Attachment H to the Staff Report.
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 proponent shall pay applicable County, State Board of Equalization, and LAFCO fees related to processing the subject reorganization.
9. The Executive Officer is hereby directed to file a Notice of Exemption in compliance with the California Environmental Quality Act.
10. 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 12th day of August, 2019, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Nancy Shopay, Vice-Chair
Presiding Officer Solano Local Agency
Formation Commission

ATTEST:

Michelle McIntyre, Clerk to the Commission

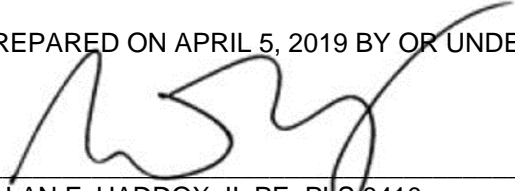
**LAFCO PROJECT NO: 2019-__
FRUITVALE PARCELS ANNEXATION
TO THE CITY OF VACAVILLE**

DESCRIPTION CONSISTS OF 1 PAGE (EXHIBIT A)
EXHIBIT CONSISTS OF 1 PAGE (EXHIBIT B)

SURVEYOR'S STATEMENT

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

PREPARED ON APRIL 5, 2019 BY OR UNDER THE DIRECTION OF



ALLAN F. HADDOX, II, PE, PLS 8410
HADDOX CONSULTING ENGINEERS, INC.



COUNTY SURVEYOR'S STATEMENT

THIS DESCRIPTION AND EXHIBIT MEETS THE REQUIREMENTS OF THE STATE BOARD OF EQUALIZATION, THE SOLANO COUNTY ASSESSOR / RECORDER'S OFFICE AND CONFORMS TO THE LINES OF ANNEXATION.

DATED: _____, 2019

DANIELLE L. GOSHERT PLS 8491
ACTING SOLANO COUNTY SURVEYOR

APPROVAL BY LOCAL AGENCY FORMATION COMMISSION:

DATED: _____, 2019

RICH SEITHEL, EXECUTIVE OFFICER
SOLANO LAFCO

EXHIBIT A

LAFCO PROJECT NO 2019___
FRUITVALE PARCELS ANNEXATION
TO THE CITY OF VACAVILLE
GEOGRAPHIC DESCRIPTION

REAL PROPERTY SITUATE IN THE COUNTY OF SOLANO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

A PORTION OF SECTION 18 TOWNSHIP 6 NORTH, RANGE 1 WEST, MOUNT DIABLO BASE AND MERIDIAN THAT LIES WEST OF THE WESTERLY LINE OF THAT ANNEXATION KNOWN AS "ORCHARD AVENUE / FRUITVALE ROAD ANNEXATION NUMBER 14", AS DESCRIBED IN THE CITY OF VACAVILLE RESOLUTION NUMBER 1973-L, EAST OF THE EASTERLY LINE OF THAT ANNEXATION KNOWN AS "ORCHARD AVENUE ANNEXATION NUMBER 2", AS DESCRIBED IN THE CITY OF VACAVILLE RESOLUTION NUMBER 1971-E-2, SOUTH OF THE SOUTHERLY LINE OF SAID ORCHARD AVENUE ANNEXATION, AND NORTH OF THE SOUTHERLY LINE OF FRUITVALE AVENUE, SOLANO COUNTY ROAD NO. 428 (50'), AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:


BEGINNING AT THE SOUTHEAST CORNER OF SAID ORCHARD AVENUE ANNEXATION NO.2; HAVING A CALIFORNIA STATE PLANE COORDINATE SYSTEM, ZONE 2 COORDINATE OF 1896573.41 NORTH, 6561273.78 EAST, SAID POINT ALSO BEING ON THE WESTERLY LINE OF SAID ORCHARD AVENUE / FRUITVALE ROAD ANNEXATION NO.14; THENCE ALONG SAID WESTERLY LINE, (L01) SOUTH 00° 32' 48" WEST, 394.66 FEET TO THE NORTHERLY LINE OF THE ANNEXATION KNOWN AS "BURTON ESTATES ANNEXATION, ANNEXATION NUMBER 105, AS DESCRIBED IN THE CITY OF VACAVILLE RESOLUTION NUMBER 1981-N-5; THENCE ALONG SAID NORTHERLY LINE, (L02) NORTH 89° 27' 24" WEST, 1.76 FEET TO THE NORTHWEST CORNER OF SAID BURTON ESTATES ANNEXATION, SAID POINT ALSO BEING ON THE SOUTHERLY LINE OF SAID FRUITVALE AVENUE SOLANO COUNTY ROAD NO. 428; THENCE ALONG SAID SOUTHERLY LINE, (L03) NORTH 89° 27' 24" WEST, 910.12 FEET TO THE EASTERLY LINE OF SAID ORCHARD AVENUE ANNEXATION; THENCE ALONG SAID LINE, (L04) NORTH 00° 32' 44" EAST, 394.67 FEET; THENCE, (L05) SOUTH 89° 27' 21" EAST, OF 911.89 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 8.26 ACRES, MORE OR LESS

SEE PLAT TO ACCOMPANY LEGAL DESCRIPTION WHICH IS ATTACHED HERETO AND MADE A PART HEREOF. THIS DESCRIPTION AND PLAT OF THE ANNEXATION BOUNDARY IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS A BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED. IT IS FOR ANNEXATION PURPOSES ONLY.

END OF DESCRIPTION

THIS DESCRIPTION WAS PREPARED BY OR UNDER THE DIRECTION OF:

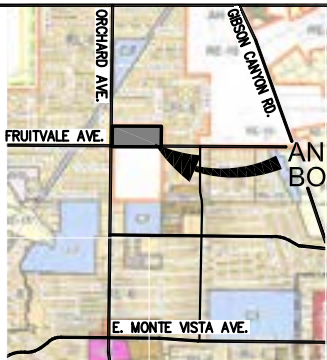
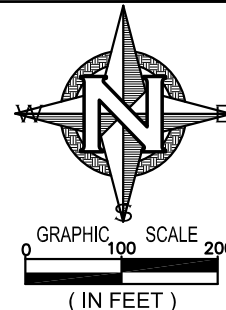


4/05/2019

ALLAN F. HADDOX, II , PLS 8410

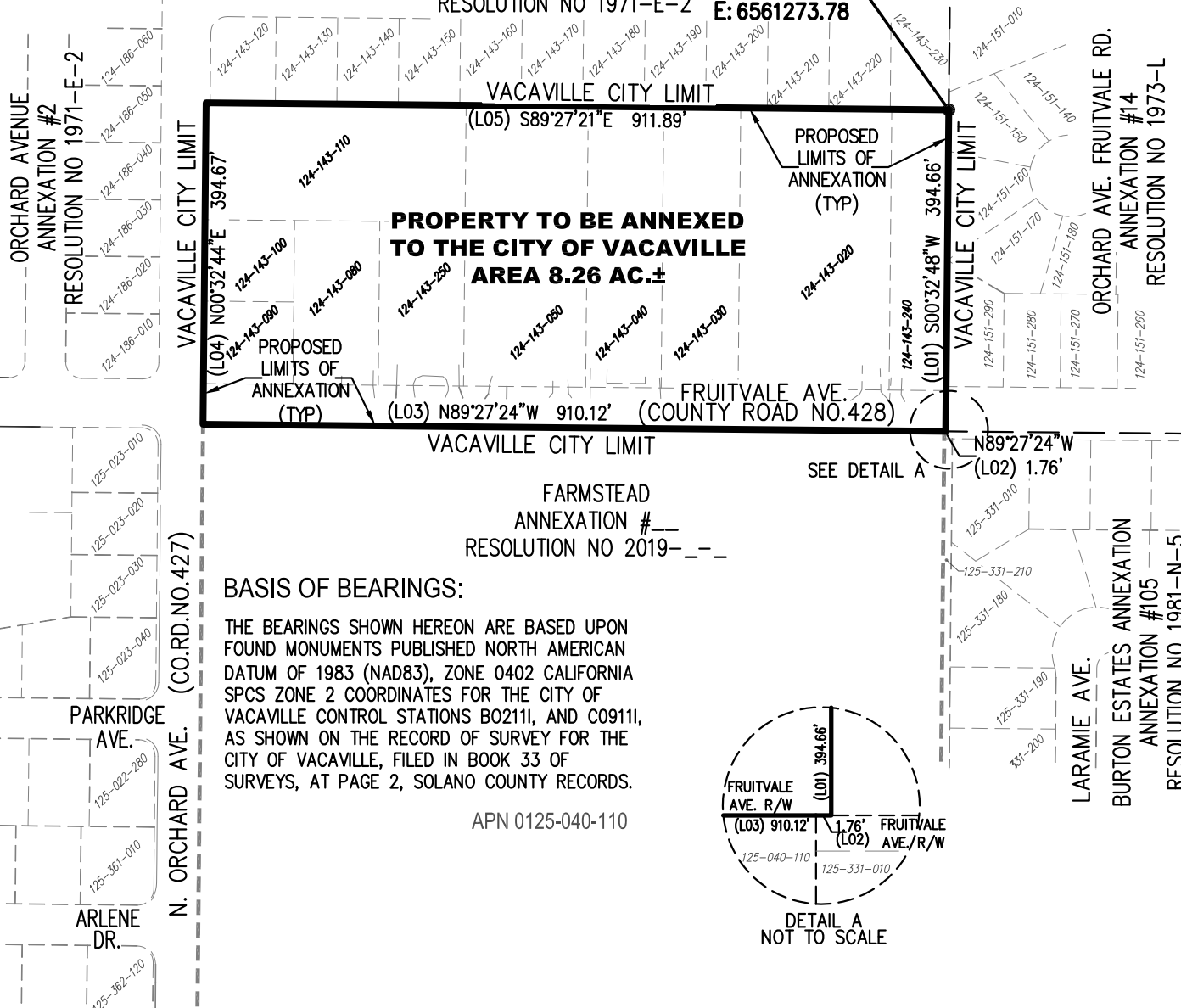
DATE





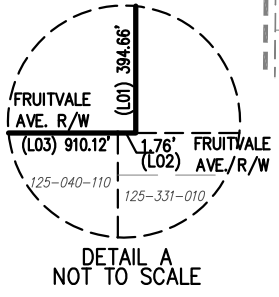
VICINITY MAP

ORCHARD AVENUE
ANNEXATION #2
RESOLUTION NO 1971-E-2
P.O.B.
N: 1896573.41
E: 6561273.78



BASIS OF BEARINGS:
THE BEARINGS SHOWN HEREON ARE BASED UPON FOUND MONUMENTS PUBLISHED NORTH AMERICAN DATUM OF 1983 (NAD83), ZONE 0402 CALIFORNIA SPCS ZONE 2 COORDINATES FOR THE CITY OF VACAVILLE CONTROL STATIONS B02111, AND C09111, AS SHOWN ON THE RECORD OF SURVEY FOR THE CITY OF VACAVILLE, FILED IN BOOK 33 OF SURVEYS, AT PAGE 2, SOLANO COUNTY RECORDS.

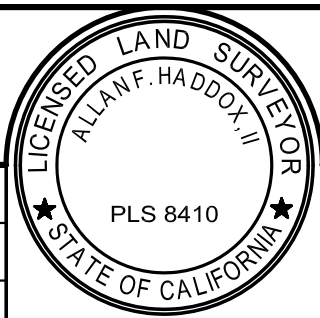
APN 0125-040-110



LAFCO PROJECT NO. 2019-__
EXHIBIT B

SOLANO COUNTY, CA

DATE: 4/05/2019
JOB NO: 170500
FILE NAME: 170500 ANNEXATION



FRUITVALE PARCELS ANNEXATION BOUNDARY
A PORTION OF SECTION 18 T.6N., R.1W.
EXHIBIT B PLAT TO ACCOMPANY GEOGRAPHIC DESCRIPTION



LAFCO PROJECT NO: 2018-___
DETACHMENT NO: 2018-310
FARMSTEAD SUBDIVISION
DETACHMENT FROM SOLANO IRRIGATION DISTRICT

LOCATED IN PORTIONS OF SECTIONS 17 AND 18,
TOWNSHIP 6 NORTH, RANGE 1 WEST, MOUNT DIABLO
BASE AND MERIDIAN, CITY OF VACAVILLE,
COUNTY OF SOLANO, STATE OF CALIFORNIA



DESCRIPTION CONSISTS OF PAGES 2-5 (EXHIBIT A)
EXHIBIT CONSISTS OF PAGE 6 (EXHIBIT B)

SURVEYOR'S STATEMENT

THIS DESCRIPTION AND EXHIBIT OF THE SOLANO IRRIGATION DISTRICT BOUNDARY IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS A BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED. IT IS FOR ANNEXATION PURPOSES ONLY.

PREPARED ON APRIL 5, 2019 BY OR UNDER THE DIRECTION OF

ALLAN F. HADDOX, II, PE, PLS 8410
HADDOX CONSULTING ENGINEERS, INC.



SOLANO IRRIGATION DISTRICT STATEMENT:

THIS LEGAL DESCRIPTION AND EXHIBIT HAVE BEEN REVIEWED AND THE INFORMATION PROVIDED HAS BEEN VERIFIED TO TIE TO APPROVED EXISTING DISTRICT BOUNDARIES, PRIOR ANNEXATIONS AND/OR DETACHMENTS.

DATED: _____, 2019

FRANK WEBER, REAL PROPERTY
ADMINISTRATOR SOLANO
IRRIGATION DISTRICT

COUNTY SURVEYOR'S STATEMENT

THIS DESCRIPTION AND EXHIBIT MEETS THE REQUIREMENTS OF THE STATE BOARD OF EQUALIZATION, THE SOLANO COUNTY ASSESSOR / RECORDER'S OFFICE AND CONFORMS TO THE LINES OF DETACHMENT.

DATED: _____, 2019

DANIELLE L. GOSHERT, PLS 8491
ACTING SOLANO COUNTY SURVEYOR

APPROVAL BY LOCAL AGENCY FORMATION COMMISSION:

DATED: _____, 2019

RICH SEITHEL, EXECUTIVE OFFICER
SOLANO LAFCO

EXHIBIT "A"
LAFCO PROJECT NO. 2018-__
DETACHMENT NO. 2018-310
FARMSTEAD SUBDIVISION
DETACHMENT FROM THE SOLANO IRRIGATION DISTRICT

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE COUNTY OF SOLANO, STATE OF CALIFORNIA, LOCATED IN PORTIONS OF SECTION 17 AND 18, TOWNSHIP 6 NORTH, RANGE 1 WEST, MOUNT DIABLO BASE AND MERIDIAN AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF THAT CERTAIN REAL PROPERTY DESCRIBED IN THE TRUST TRANSFER DEED FROM MARY E. ELDREDGE, A MARRIED WOMAN, AS HER SOLE AND SEPARATE PROPERTY TO MARY E. ELDREDGE, TRUSTEE OF THE MARY E. ELDREDGE CHARITABLE REMAINDER TRUST, AN UNDIVIDED 35% INTEREST, DATED NOVEMBER 4, 2015 AND FILED FOR RECORD IN THE OFFICE OF THE SOLANO COUNTY RECORDER ON NOVEMBER 10, 2015, AS DOCUMENT NO. 201500102101 (HEREINAFTER REFERRED TO AS ELDREDGE PARCEL), SAID POINT ALSO BEING THE NORTHWESTERLY CORNER OF THAT CERTAIN REAL PROPERTY DESCRIBED IN THE GRANT DEED FROM PIETRO JOSEPH FAZZARE, A MARRIED MAN, AS HIS SOLE AND SEPARATE PROPERTY TO KENNETH M. DOAN AND TERRY J. DOAN, HUSBAND AND WIFE, AS JOINT TENANTS, DATED MARCH 16, 1999 AND FILED FOR RECORD IN THE OFFICE OF THE SOLANO COUNTY RECORDER ON APRIL 1, 1999, AS DOCUMENT NO. 1999-00027998, SAID POINT ALSO LYING ON THE BOUNDARY LINE OF THE SOLANO IRRIGATION DISTRICT (SID), AS ESTABLISHED BY AND BEING THE SOUTHEAST CORNER OF DETACHMENT NO. 87-204, ORCHARD PLACE DETACHMENT FROM SID, LAFCO RESOLUTION NO. 87-27 DATED APRIL 16, 1987, SID RESOLUTION NO. 87-15 DATED APRIL 20, 1987, LAFCO CERTIFICATE OF COMPLETION DATED JUNE 26, 1987 AND FILED FOR RECORD IN THE OFFICE OF THE SOLANO COUNTY RECORDER ON JULY 14, 1987, AT PAGE 96222, AS INSTRUMENT NO. 47469, BOARD OF EQUALIZATION (BOE) LETTER DATED JULY 28, 1987 (HEREINAFTER REFERRED TO AS DETACHMENT NO. 87-204), SAID POINT OF BEGINNING ALSO LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF NORTH ORCHARD AVENUE, HAVING A STATE PLANE COORDINATE SYSTEM VALUE OF N=1895198.46, E=6560348.75, THENCE FROM SAID POINT OF BEGINNING, ALONG THE WESTERLY BOUNDARY LINE OF SAID ELDREDGE PARCEL, SAID SID BOUNDARY LINE, THE EASTERLY BOUNDARY LINE OF SAID DETACHMENT NO. 87-204 AND SAID EASTERLY RIGHT-OF-WAY LINE, (L01) NORTH 00° 32' 44" EAST, 493.84 FEET (NORTH, 493.80 FEET PER SAID DETACHMENT NO. 87-204) TO THE NORTHEASTERLY CORNER OF SAID DETACHMENT NO. 87-204; THENCE LEAVING SAID ELDREDGE PARCEL AND SAID EASTERLY RIGHT-OF-WAY LINE, AND CONTINUING ALONG SAID SID BOUNDARY LINE AND THE NORTHERLY BOUNDARY LINE OF SAID DETACHMENT NO. 87-204, (L02) NORTH 89° 23' 36" WEST (NORTH 89° 56' 20" WEST PER SAID DETACHMENT NO. 87-204), 50.00 FEET TO THE SOUTHEASTERLY CORNER OF PARCEL 1 (NORTH PARK #1) OF DETACHMENT NO. 74-085, NORTH PARK NO. 1 AND NO. 2 DETACHMENT FROM SID, LAFCO RESOLUTION DATED APRIL 1, 1974, SID RESOLUTION DATED JUNE 17, 1974, AND FILED FOR RECORD IN THE OFFICE OF THE SOLANO COUNTY RECORDER ON JUNE 24, 1974, AT PAGE 26071, AS INSTRUMENT NO. 16464 (HEREINAFTER REFERRED TO AS

DETACHMENT NO. 74-085), SAID POINT ALSO BEING THE SOUTHEASTERLY CORNER OF THAT CERTAIN MAP ENTITLED "NORTH PARK, UNIT NO. 1", FILED FOR RECORD IN THE OFFICE OF THE SOLANO COUNTY RECORDER ON FEBRUARY 20, 1973, IN BOOK 27 OF MAPS AT PAGES 22-23 (HEREINAFTER REFERRED TO AS 27 RM 22); THENCE LEAVING SAID DETACHMENT NO. 87-204 AND CONTINUING ALONG SAID SID BOUNDARY LINE, THE EASTERLY BOUNDARY LINES OF PARCEL 1 OF SAID DETACHMENT NO. 74-085 AND SAID 27 RM 22, (L03) NORTH 00° 32' 44" EAST, (NORTH PER SAID DETACHMENT NO. 74-085 AND SAID 27 RM 22) 495.10 FEET TO THE NORTHEASTERLY CORNER OF SAID DETACHMENT NO. 74-085 AND SAID 27 RM 22; THENCE CONTINUING ALONG SAID SID BOUNDARY LINE, THE NORTHERLY BOUNDARY LINES OF PARCEL 1 OF SAID DETACHMENT NO. 74-085 AND SAID 27 RM 22, (L04) NORTH 89° 27' 16" WEST, (WEST PER SAID DETACHMENT NO. 74-085 AND SAID 27 RM 22), 1,056.89 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF THAT CERTAIN MAP ENTITLED "NORTH PARK, UNIT NO. 2", FILED FOR RECORD IN THE OFFICE OF THE SOLANO COUNTY RECORDER ON DECEMBER 26, 1973, IN BOOK 28 OF MAPS AT PAGES 43-46 (HEREINAFTER REFERRED TO AS 28 RM 43), SAID POINT ALSO LYING ON THE EASTERLY BOUNDARY LINE OF PARCEL 2 (NORTH PARK #2) OF SAID DETACHMENT NO. 74-085, THENCE LEAVING SAID NORTHERLY BOUNDARY LINE OF PARCEL 1 OF SAID DETACHMENT NO. 74-085, AND CONTINUING ALONG SAID SID BOUNDARY LINE AND THE EASTERLY AND NORTHERLY BOUNDARY LINES OF PARCEL 2 OF SAID DETACHMENT NO. 74-085 AND SAID 28 RM 43, THE FOLLOWING THREE COURSES:

(L05) NORTH 00° 32' 44" EAST, (NORTH PER SAID DETACHMENT NO. 74-085 AND SAID 28 RM 43), 25.00 FEET; THENCE (L06) NORTH 89° 27' 16" WEST, (WEST PER SAID DETACHMENT NO. 74-085 AND SAID 28 RM 43), 282.91 FEET; THENCE (L07) NORTH 00° 32' 44" EAST, (NORTH PER SAID DETACHMENT NO. 74-085 AND SAID 28 RM 43), 25.00 FEET TO THE SOUTHWESTERLY CORNER OF DETACHMENT NO. 77-106, FRUITVALE MANOR DETACHMENT FROM SID, LAFCO RESOLUTION DATED APRIL 5, 1976, SID RESOLUTION DATED APRIL 18, 1977, CERTIFICATE OF COMPLETION DATED MAY 23, 1977, AND FILED FOR RECORD IN THE OFFICE OF THE SOLANO COUNTY RECORDER ON JUNE 2, 1977, AT PAGE 38676, AS INSTRUMENT NO. 22700, BOE LETTER DATED JUNE 7, 1977 (HEREINAFTER REFERRED TO AS DETACHMENT NO. 77-106), SAID POINT ALSO BEING THE SOUTHWESTERLY CORNER OF THAT CERTAIN MAP ENTITLED "FRUITVALE MANOR", FILED FOR RECORD IN THE OFFICE OF THE SOLANO COUNTY RECORDER ON JUNE 23, 1976, IN BOOK 30 OF MAPS AT PAGES 43-45 (HEREINAFTER REFERRED TO AS 30 RM 43); THENCE LEAVING THE BOUNDARY LINES OF PARCEL 2 OF SAID DETACHMENT NO. 74-085 AND SAID 28 RM 43, AND CONTINUING ALONG SAID SID BOUNDARY LINE, AND THE SOUTHERLY AND EASTERLY BOUNDARY LINES OF SAID DETACHMENT NO. 77-106 AND SAID 30 RM 43 THE FOLLOWING TWO COURSES:

(L08) SOUTH 89° 27' 16" EAST, (EAST PER SAID DETACHMENT NO. 77-106 AND SAID 30 RM 43), 1,339.80 FEET; THENCE (L09) NORTH 00° 32' 44" EAST, (NORTH PER SAID DETACHMENT NO. 77-106 AND SAID 30 RM 43) 344.67 FEET, MORE OR LESS TO A POINT, SAID POINT BEING THE PROJECTION OF THE SOUTHERLY BOUNDARY LINE OF DETACHMENT NO. 74-087, CRESTVIEW ESTATES UNIT #7 DETACHMENT FROM SID, LAFCO RESOLUTION DATED JULY 1, 1974, SID RESOLUTION DATED JANUARY 20, 1975,

AND FILED FOR RECORD IN THE OFFICE OF THE SOLANO COUNTY RECORDER ON JANUARY 28, 1975, AT PAGE 3255, AS INSTRUMENT NO. 02027 (HEREINAFTER REFERRED TO AS DETACHMENT NO. 74-087); THENCE LEAVING SAID SID BOUNDARY LINE, THE EASTERLY BOUNDARY LINES OF SAID DETACHMENT NO. 77-106 AND SAID 30 RM 43, (L10) SOUTH 89° 27' 16" EAST, (EAST PER SAID DETACHMENT NO. 74-087), 50.00 FEET TO A POINT ON THE SID BOUNDARY LINE ESTABLISHED BY AND BEING THE SOUTHWEST CORNER OF SAID DETACHMENT NO. 74-087, SAID POINT ALSO BEING THE SOUTHWESTERLY CORNER OF THAT CERTAIN MAP ENTITLED "CRESTVIEW ESTATES, UNIT NO. 7", FILED FOR RECORD IN THE OFFICE OF THE SOLANO COUNTY RECORDER ON JULY 23, 1974, IN BOOK 28 OF MAPS AT PAGES 94-96 (HEREINAFTER REFERRED TO AS 28 RM 94); THENCE ALONG SAID SID BOUNDARY LINE AND THE SOUTHERLY LINES OF SAID DETACHMENT NO. 74-087 AND SAID 28 RM 94, (L11) SOUTH 89° 27' 21" EAST, 911.89 FEET (EAST 911.91 FEET PER SAID DETACHMENT NO. 74-087 AND SAID 28 RM 94) TO THE WESTERLY BOUNDARY LINE OF DETACHMENT NO. 73-077, THE TIMBERS DETACHMENT FROM SID, LAFCO RESOLUTION DATED JULY 2, 1973, SID RESOLUTION DATED AUGUST 20, 1973, AND FILED FOR RECORD IN THE OFFICE OF THE SOLANO COUNTY RECORDER ON AUGUST 28, 1973, IN BOOK 1849, AT PAGE 338, AS INSTRUMENT NO. 21315 (HEREINAFTER REFERRED TO AS DETACHMENT NO. 73-077), SAID POINT ALSO LYING ON THE WESTERLY BOUNDARY LINE OF THAT CERTAIN MAP ENTITLED "THE TIMBERS", FILED FOR RECORD IN THE OFFICE OF THE SOLANO COUNTY RECORDER ON JULY 24, 1973, IN BOOK 28 OF MAPS AT PAGES 01-03 (HEREINAFTER REFERRED TO AS 28 RM 01); THENCE LEAVING THE SOUTHERLY BOUNDARY LINES OF SAID DETACHMENT NO. 74-087 AND SAID 28 RM 94, AND CONTINUING ALONG SAID SID BOUNDARY LINE AND ALONG THE WESTERLY BOUNDARY LINES OF SAID DETACHMENT NO. 73-077 AND SAID 28 RM 01, (L12) SOUTH 00° 32' 50" WEST, (SOUTH PER SAID DETACHMENT NO. 73-077 AND SAID 28 RM 01) 344.66 FEET TO THE SOUTHEASTERLY CORNER OF SAID DETACHMENT NO. 73-077 AND SAID 28 RM 01, SAID POINT ALSO BEING THE NORTHERLY BOUNDARY LINE OF THE DETACHMENT NO. 83-176, BURTON RANCH DETACHMENT FROM SID, LAFCO RESOLUTION DATED NOVEMBER 7, 1983, SID RESOLUTION DATED JANUARY 23, 1984, CERTIFICATE OF COMPLETION DATED MARCH 20, 1984, AND FILED FOR RECORD IN THE OFFICE OF THE SOLANO COUNTY RECORDER ON MARCH 21, 1984, AT PAGE 22807, AS INSTRUMENT NO. 12058, BOE LETTER DATED MARCH 27, 1984 (HEREINAFTER REFERRED TO AS DETACHMENT NO. 83-176); THENCE LEAVING SAID DETACHMENT NO. 73-077 AND SAID 28 RM 01, AND CONTINUING ALONG SAID SID BOUNDARY LINE AND THE NORTHERLY BOUNDARY LINE OF SAID DETACHMENT NO. 83-176, (L13) NORTH 89° 27' 24" WEST, 1.76 FEET TO THE NORTHWESTERLY CORNER OF SAID DETACHMENT NO. 83-176; THENCE CONTINUING ALONG SAID SID BOUNDARY LINE AND THE WESTERLY BOUNDARY LINE OF SAID DETACHMENT NO. 83-176, (L14) SOUTH 00° 32' 46" WEST, (SOUTH PER SAID DETACHMENT NO. 83-176) 50.00 FEET, MORE OR LESS TO THE NORTHWESTERLY CORNER OF THAT CERTAIN MAP ENTITLED "BURTON RANCH", FILED FOR RECORD IN THE OFFICE OF THE SOLANO COUNTY RECORDER ON NOVEMBER 26, 1984, IN BOOK 44 OF MAPS AT PAGES 65-68 (HEREINAFTER REFERRED TO AS 44 RM 68), SAID POINT ALSO LYING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF FRUITVALE AVENUE; THENCE CONTINUING ALONG SAID SID BOUNDARY LINE AND THE WESTERLY BOUNDARY LINES OF SAID DETACHMENT NO. 83-176 AND SAID 44 RM 68, (L15) SOUTH 00° 32' 46" WEST, 989.19 FEET (SOUTH, 990.00 FEET PER SAID

DETACHMENT NO. 83-176 AND SOUTH 00° 32' 13" WEST, 989.15 FEET PER SAID 44 RM 68) TO THE SOUTHWEST CORNER OF SAID DETACHMENT NO. 83-176 AND SAID 44 RM 68; THENCE LEAVING SAID WESTERLY BOUNDARY LINES OF SAID DETACHMENT NO. 83-176 AND SAID 44 RM 68, AND CONTINUING ALONG SAID SID BOUNDARY AND THE SOUTHERLY BOUNDARY LINE OF SAID ELDREDGE PARCEL, (L16) NORTH 89° 26' 40" WEST, 910.11 FEET TO THE POINT OF BEGINNING AND THE TERMINATION OF THIS DESCRIPTION.


CONTAINING 29.95 ACRES, MORE OR LESS

- ASSESSOR PARCEL NUMBERS:
 - 0125-040-110, 20.55 ACRES – ELDREDGE
 - 0124-143-020, 1.46 ACRES – CHARTER
 - 0124-143-030, 0.74 ACRES – HAWLEY
 - 0124-143-040, 0.73 ACRES – GALLAGHER
 - 0124-143-050, 1.18 ACRES – WALKER
 - 0124-143-080, 0.48 ACRES – HANSEN
 - 0124-143-090, 0.25 ACRES – BEREAN
 - 0124-143-100, 0.25 ACRES – PASCH
 - 0124-143-110, 1.04 ACRES – PYLE
 - 0124-143-240, 0.55 ACRES – DIXON
 - 0124-143-250, 0.48 ACRES – VOSHALL

END OF DESCRIPTION

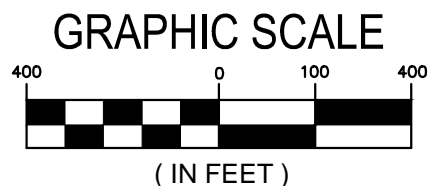
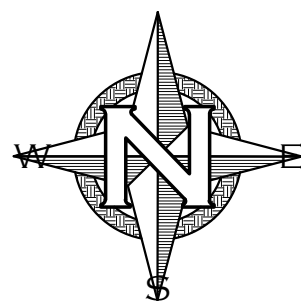
THIS LEGAL DESCRIPTION AND EXHIBIT OF THE SOLANO IRRIGATION DISTRICT'S BOUNDARY IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS A BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED. IT IS FOR ASSESSMENT PURPOSES ONLY.

THIS DESCRIPTION WAS PREPARED BY OR UNDER THE DIRECTION OF:

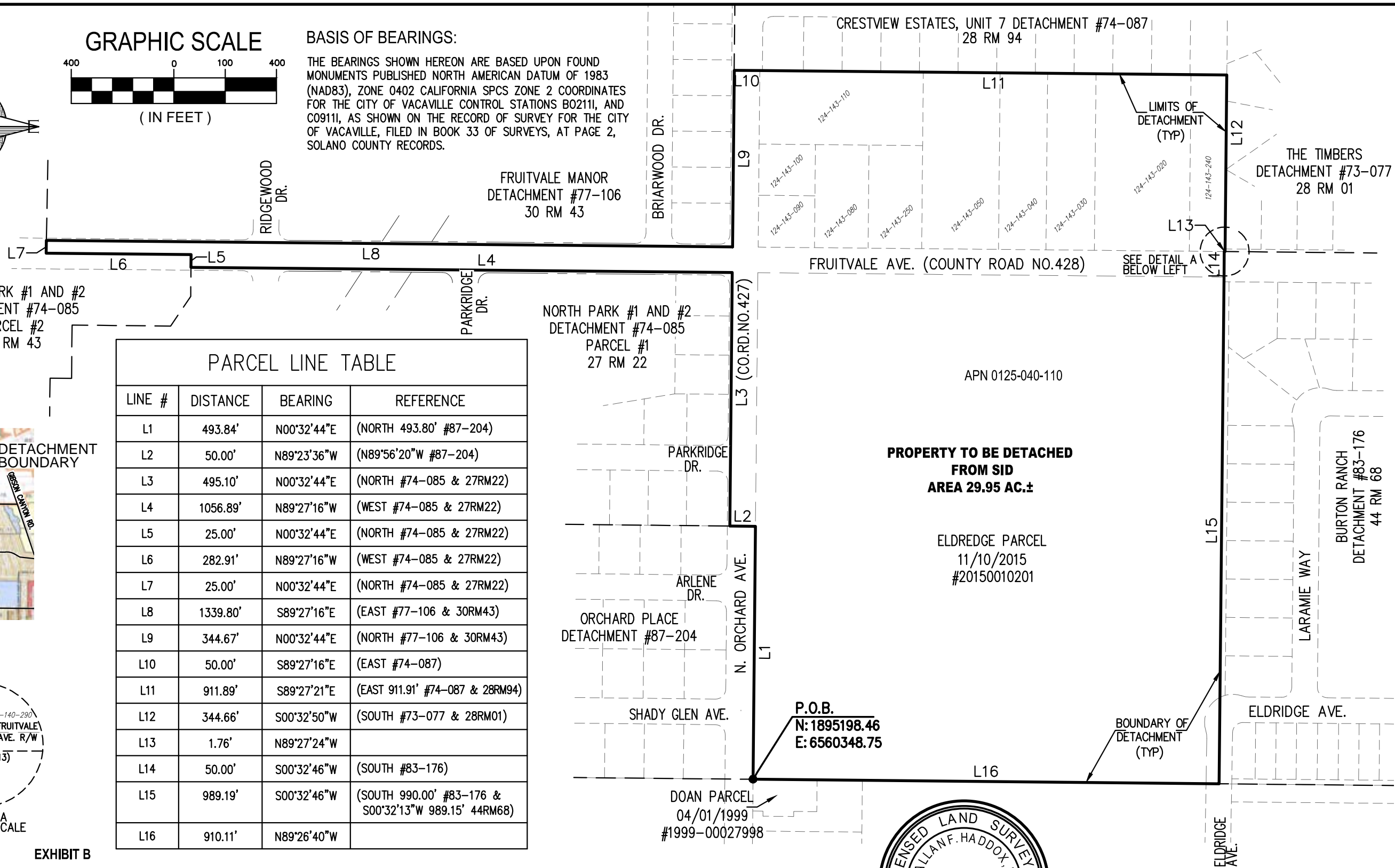


 ALLAN F. HADDOX, II , PLS 8410 DATE





BASIS OF BEARINGS:
THE BEARINGS SHOWN HEREON ARE BASED UPON FOUND MONUMENTS PUBLISHED NORTH AMERICAN DATUM OF 1983 (NAD83), ZONE 0402 CALIFORNIA SPCS ZONE 2 COORDINATES FOR THE CITY OF VACAVILLE CONTROL STATIONS B02111, AND C09111, AS SHOWN ON THE RECORD OF SURVEY FOR THE CITY OF VACAVILLE, FILED IN BOOK 33 OF SURVEYS, AT PAGE 2, SOLANO COUNTY RECORDS.



NORTH PARK #1 AND #2
DETACHMENT #74-085
PARCEL #2
28 RM 43

NORTH PARK #1 AND #2
DETACHMENT #74-085
PARCEL #1
27 RM 22

PARCEL LINE TABLE

LINE #	DISTANCE	BEARING	REFERENCE
L1	493.84'	N00°32'44"E	(NORTH 493.80' #87-204)
L2	50.00'	N89°23'36"W	(N89°56'20"W #87-204)
L3	495.10'	N00°32'44"E	(NORTH #74-085 & 27RM22)
L4	1056.89'	N89°27'16"W	(WEST #74-085 & 27RM22)
L5	25.00'	N00°32'44"E	(NORTH #74-085 & 27RM22)
L6	282.91'	N89°27'16"W	(WEST #74-085 & 27RM22)
L7	25.00'	N00°32'44"E	(NORTH #74-085 & 27RM22)
L8	1339.80'	S89°27'16"E	(EAST #77-106 & 30RM43)
L9	344.67'	N00°32'44"E	(NORTH #77-106 & 30RM43)
L10	50.00'	S89°27'16"E	(EAST #74-087)
L11	911.89'	S89°27'21"E	(EAST 911.91' #74-087 & 28RM94)
L12	344.66'	S00°32'50"W	(SOUTH #73-077 & 28RM01)
L13	1.76'	N89°27'24"W	
L14	50.00'	S00°32'46"W	(SOUTH #83-176)
L15	989.19'	S00°32'46"W	(SOUTH 990.00' #83-176 & S00°32'13"W 989.15' 44RM68)
L16	910.11'	N89°26'40"W	

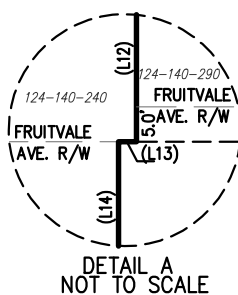
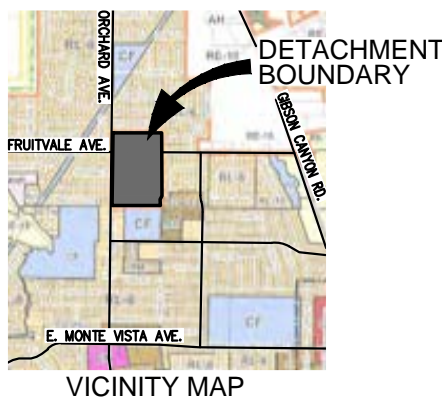


EXHIBIT B

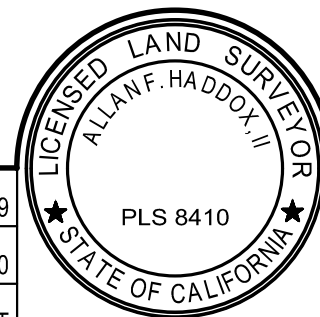
PLAT TO ACCOMPANY LEGAL DESCRIPTION

**FARMSTEAD SUBDIVISION
SOLANO IRRIGATION DISTRICT
DETACHMENT BOUNDARY NO. 2018-310**

LAFCO PROJECT NO. 2018-__

PORTION OF SECTIONS 17 & 18
TOWNSHIP 6 NORTH RANGE 1 WEST, M.D.B&M.
VACAVILLE, SOLANO COUNTY, CA

DATE:	4/05/2019
JOB NO:	170500
FILE NAME:	20150100 SID DETACHMENT



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

March 26, 2019

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

Re: LAFCO PROJECT NO. 2019-02
Fruitvale Island Annexation

Dear Rich:

The County is in receipt of LAFCO Application No. 2019-02 proposing to annex 10 parcels on 8.26 acres, located east of North Orchard Avenue and north of Fruitvale Road, known as the Fruitvale Island Annexation, to the City of Vacaville.

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.



ESTABLISHED 1850

CITY OF VACAVILLE

650 MERCHANT STREET
VACAVILLE, CALIFORNIA 95688-6908
www.cityofvacaville.com
707-449-5100

RON ROWLETT
Mayor

DILENNA HARRIS
Vice Mayor

Agenda Item 6
Attachment B
NOLAN SULLIVAN
Councilmember

MITCH MASHBURN
Councilmember

RAYMOND BEATY
Councilmember

April 4, 2019

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

Re: LAFCO Project No. 2019-02 – Fruitvale 10 Annexation

Dear Mr. Seithel,

The City has proposed annexation of the Fruitvale 10 Annexation.

For purposes of your determination under California Government Code Section 56658 and Revenue & Tax Code Section 99(b)(6), enclosed please find a copy of City Resolution No. 2000-32 approving the Master Property Tax Agreement as authorized under California Revenue & Tax Code Section 99 (d), between the City of Vacaville and the County of Solano that will apply to this annexation.

For questions or concerns, please contact me at jeremy.craig@cityofvacaville.com or (707) 449-5104.

Sincerely,

Jeremy Craig
City Manager

Enclosure

**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

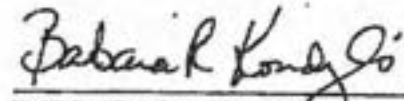
Such termination shall not act to affect any proposed jurisdictional change for which a Certificate of Filing has been issued by LAFCO or its Executive Officer prior to the termination date.

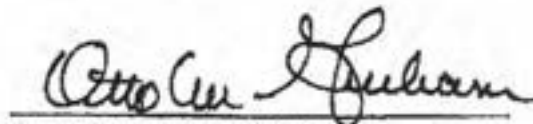
Dated: April 4, 2000

ATTEST:


MAGGIE JIMENEZ, Clerk of the
Board of Supervisors

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


BARBARA R. KONDYLIS
Chairwoman of the Board
of Supervisors


OTTO WM. GIULIANI
City Manager
City of Benicia

1 DIRECTORY - AMB 2
2 FILE NAME = CITIESANEXCALC199900
3 SHEET = ERAFIMPACTCITIES
4
5
6 DATE 14-Mar-00
7 TIME 04:10:59 PM

EXHIBIT A
NEW

ERAF IMPACTS ON SOLANO COUNTY AND ALL SEVEN CITIES

PROPORTIONATE "SHARING THE PAIN" ERAF ADJUSTMENTS

CITY	PY-1999/00 ERAF ADJUSTMENT	PY-1999/00 AS 8 ALLOCATION	PY-1999/00 CITY ERAF LOSS RATE	PY-1999/00 COUNTY ERAF LOSS RATE	TOTAL COUNTY & CITY ERAF LOSS RATE	PY-1999/00 ADJUSTED ERAF LOSS	AVERAGE ERAF LOSS RATE	PY-1999/00 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	1,440,297	5,475,768	0.199920	0.368514	0.568434	0.196000	0.211717	0.209000	0.044248	0.194751
DIXON	494,178	2,167,748	0.227958	0.368514	0.596472	0.196000	0.240741	0.215000	0.051760	0.183241
FAIRFIELD	2,160,655	10,971,402	0.198752	0.368514	0.567266	0.196000	0.228133	0.191000	0.039407	0.124592
RIO VISTA	110,302	448,132	0.246271	0.368514	0.614785	0.196000	0.244392	0.182000	0.037954	0.114016
SUISUN	218,399	1,665,458	0.129579	0.368514	0.498092	0.196000	0.191546	0.179000	0.034287	0.144713
VACAVILLE	1,793,609	10,895,329	0.164704	0.368514	0.533218	0.196000	0.209139	0.189000	0.036827	0.149472
VALLEJO	2,519,683	11,031,019	0.218512	0.368514	0.577026	0.196000	0.236013	0.147000	0.034694	0.112308

1999/00 ERAF RATE FOR FUND 1 - GENERAL FUND

1999/00 ERAF ADJUSTMENT * 25,578,431 = 0.368514
1999/00 AS 8 ALLOCATION 71,346,778

RESOLUTION NO. 2000-32

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VACAVILLE APPROVING
AN AMENDED MASTER PROPERTY TAX TRANSFER AGREEMENT BETWEEN
THE CITY OF VACAVILLE AND THE COUNTY OF SOLANO UPON
JURISDICTIONAL CHANGE**

WHEREAS, the City of Vacaville and each of the six cities located in the County, and the County of Solano, adopted a Master Property Tax Transfer Agreement in 1993 to be used upon jurisdictional change, pursuant to the provisions of Revenue and Taxation Code Section 99(d); and

WHEREAS, said agreement expired January 1, 2000, and the City of Vacaville and the other six cities of Solano County and the County of Solano agree to continue the same Master Property Tax Agreement as updated to reflect changes in distribution of property tax revenues resulting from the state's enactment of Education Relief Augmentation Fund (ERAF); and

WHEREAS, the City of Vacaville and the other six Solano cities, and the County of Solano have indicated their willingness to enter into the amended Master Property Tax Transfer Agreement, which sets forth a proportional "sharing the pain" formula as it relates to ERAF.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vacaville that the amended Master Property Tax Transfer Agreement implementing the provisions of Revenue and Taxation Code Section 99(d) is hereby adopted by the City of Vacaville and shall become effective upon the receipt by the County of Solano of corresponding resolutions of approval from each of the seven cities of the County.

IT IS FURTHER RESOLVED that the City Clerk of the City of Vacaville is hereby directed to send a certified copy of this Resolution, once adopted, to the County of Solano and that the City Council authorizes the City Manager to execute said agreement on its behalf.

I HEREBY CERTIFY that this resolution was adopted and passed at a regular meeting of the Vacaville City Council on March 28, 2000, by the following vote:

AYES: Council members Augustine, Clancy, Slade, Vice Mayor Wood and Mayor Fleming
NOES: None
ABSENT: None

ATTEST:


Kathleen M. Andronico
City Clerk

I hereby certify that the foregoing instrument is a true copy of the original instrument on file in my office.

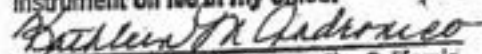




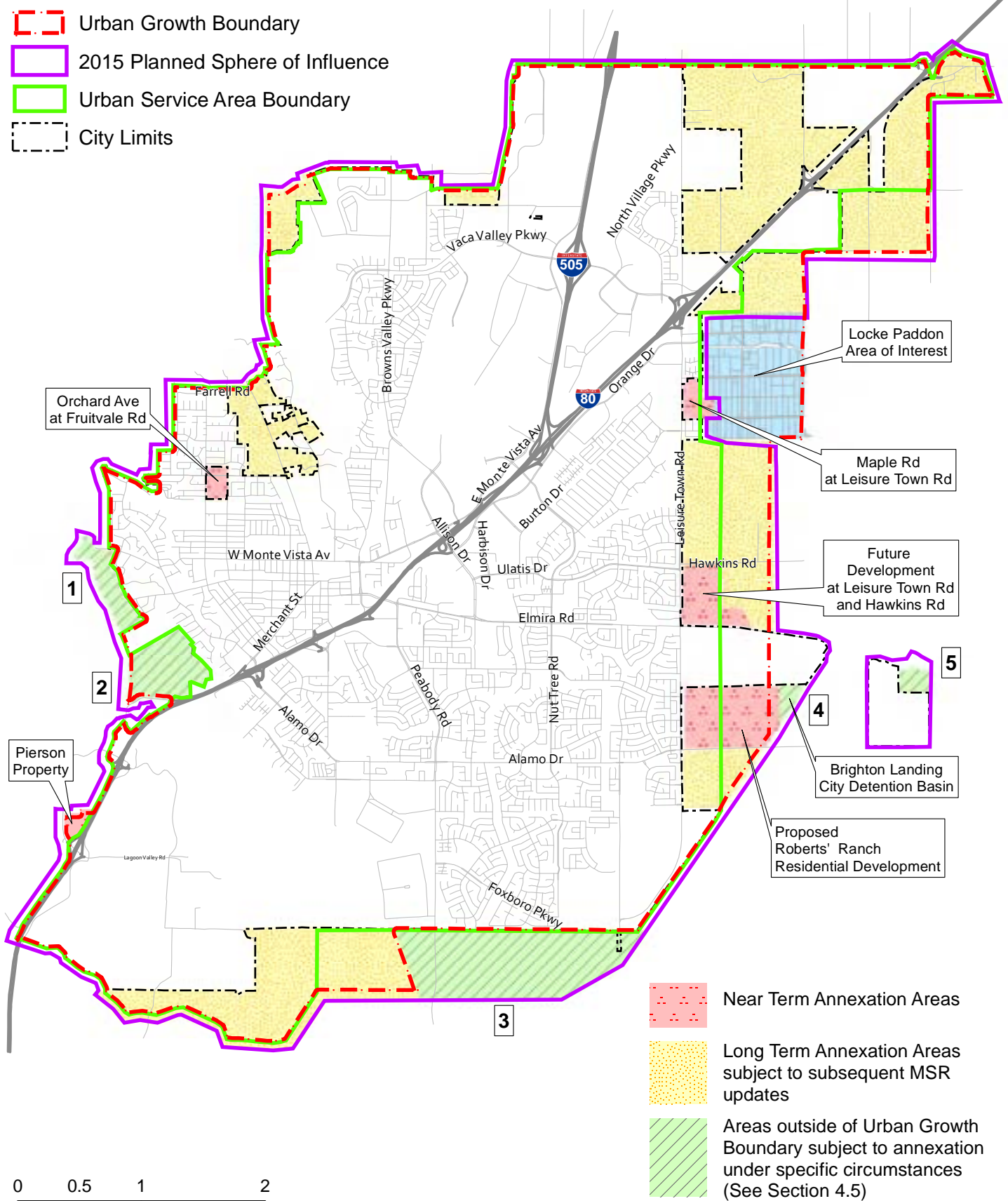

City Clerk of the City of Vacaville, California

Figure 4.4-4: Annexation Areas




Boundaries

-  Urban Growth Boundary
-  2015 Planned Sphere of Influence
-  Urban Service Area Boundary
-  City Limits



0 0.5 1 2 Miles

Source: City of Vacaville

-  Near Term Annexation Areas
-  Long Term Annexation Areas subject to subsequent MSR updates
-  Areas outside of Urban Growth Boundary subject to annexation under specific circumstances (See Section 4.5)

EXCHANGE AMOUNTS

2019-02 Fruitvale Annexation to the City of Vacaville

APNs 0124-143-020, 0124-143-030, 0124-143-040, 0124-143-050, 0124-143,080, 0124-143-090, 0124-143-100, 0124-143-110, 0124-143-240 & 0124-143-250

Fund No.	Fund Name	Exchange Amount	FY 18/19 Revenues	Add To	Subtract From
080	City of Vacaville			\$ 5,786.71	
001	General Fund				\$ (2,290.09)
133	Vacaville Fire				\$ 5,877.04
046	Solano County Lighting Svc Area				\$ -
108	Special Road				\$ 1,181.74
102	Solano Irrigation Dist				\$ 1,018.02
Total				<u>\$ 5,786.71</u>	<u>\$ 5,786.71</u>

**AGREEMENT
BETWEEN THE CITY OF VACAVILLE AND
THE VACAVILLE FIRE PROTECTION DISTRICT**

THIS AGREEMENT is made by and between the City of Vacaville, a municipal corporation of the State of California, hereinafter referred to as "VACAVILLE" and the Vacaville Fire Protection District, hereinafter referred to as "VACAVILLE FPD" and collectively referred to as the "Parties" to this Agreement, at Vacaville, California.

RECITALS

- A. The Parties to this Agreement provide fire suppression, rescue, and emergency medical services within their respective jurisdictional limits.
- B. The Parties desire to provide the most expeditious response to suppress fires and render other emergency assistance to the citizens of their jurisdictions.
- C. The Parties desire to provide each other with reasonable and reciprocal automatic aid and initial action in the suppression of fires and provision of other emergency assistance.
- D. Any pre-existing mutual aid agreement between the Parties provides for automatic dispatch and initial action for the suppression of fires and provision of other emergency assistance.

AGREEMENT

IN CONSIDERATION of the mutual covenants and conditions herein contained, the Parties agree as follows:

1. General.

The Parties agree to provide fire suppression, rescue, and emergency medical services to each other as provided by this Agreement and under such arrangements as determined by the Fire Chiefs of each jurisdiction. Implementation policies shall be drafted and approved by the Fire Chiefs of each jurisdiction.

This Agreement is intended to supplement and not supplant any existing agreements for the provision of mutual aid or assistance between the Parties, as provided in the "Solano County Fire Protection/Emergency Services Mutual Aid Plan", dated July 1987, as revised December 1987 ("Mutual Aid Plan"). It is mutually understood that this agreement does not relieve either Party from the necessity and obligation of providing adequate fire suppression, rescue, and emergency medical services within its own jurisdiction.

2. Term.

This Agreement shall become effective upon execution by the Parties and shall remain in full force and effect until terminated by either Party on 30 days prior written notice from the Party terminating to the other Party.

3. Automatic Aid Zones and First Responder.

Zones of response are depicted on the map labeled Exhibit "A," attached hereto and incorporated hereby and made a part of this Agreement, and are defined and assigned to a Party for first response as follows:

Automatic aid between VACAVILLE and VACAVILLE FPD will be limited to structural and vegetation firefighting. All other requests for assistance will be communicated through Solano Dispatch in accordance with the current countywide Mutual Aid Plan.

Both agencies (VACAVILLE and VACAVILLE FPD) agree to provide one engine with a crew of three qualified firefighters to reported structure and vegetation fires, in designated areas, in the following manner:

- Automatic dispatch to any reported structure fire or vegetation fire incident within the defined boundaries of this agreement. Both PSAPS will be notified and train to ensure timely dispatch under this agreement.

The following areas of the City of Vacaville are designed as part of the Automatic Fire Suppression Mutual Aid Agreement:

- All properties along the entire length of Vine Street, including North Vine Street, Devon Court, Rosemont Court, Pinecrest Court, Mulberry Court, Vine Place, Alta Mira Drive, Vineyard Hills Court, Bresee Avenue, Wesley Avenue, Wesley Court, Vintage Court, Vineyard Valley, and Cabernet Court.
- All properties in the following general boundry areas: Vine Street on the west, Brown Street on the east, Markham Avenue on the north, and Monte Vista on the south.
- All properties in the following general boundry areas: Farrell Road on the north; Fruitvale Avenue on the south; the City limits on the east and west.

The following areas of the Vacaville Fire Protection District are designed as part of the Automatic Fire Suppression Mutual Aid Agreement.

- All properties along the entire length of Vine Street, including Vine Court.
- All properties along Gibson Canyon Road from the City limits on the south to Steiger Hill Road on the north; and all properties on the following side streets: Farrell Road, Dusty Trails, Farrell Lane, Campini Estates Drive, Corte Vista Lane, Mendes Lane, Kappel Hill Drive, Caliguiri Lane, Solar Hills Drive, Hillsvie Drive, Rustic Lane, Sun Court, Serenity Hills Drive, Forbes Drive, and Orchard Canyon Lane.
- All properties in the following general boundry areas: Vaca Valley Road on the north; Pleasants Valley Road and Cherry Glen Road on the west; the City Limits on the east and south; and all properties on the following side streets (not to include Gates Canyon Road.): Rogers Lane, Hespeller Road, Sunny Hills Drive, Whedbee Drive, Oak Canyon Lane, and Laguna Creek Trail.

- All properties on the roads within the Pleasant Hills Subdivision, properties on Albert Lane, and properties that have a Pleasants Valley Road address between Mix Canyon Road on the north and Vaca Valley Road on the south.

4. Scope of Services.

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 from whose jurisdiction the alarm or call was received, hereinafter referred to as the "Jurisdictional Party."

When an incident occurs in an area included within one of the designated zones, the Jurisdictional Agency shall have the responsibility for overall command of the incident. Multi-jurisdictional incidents shall be managed under the Unified Command concept of the Incident Command System.

Management staff of the Parties will meet at least once per calendar year to review this Agreement to determine if improvements can be made in emergency scene operations through a better-coordinated effort of the Parties.

5. Independent Contractor.

The relationship of the Parties to this Agreement shall be that of independent contractors. Neither Party shall be deemed to be an agent of the other.

6. Compensation.

Neither Party shall be entitled to any compensation from the other Party for services rendered under this Agreement other than the agreement for each Party to assist the other Party pursuant to the terms of this Agreement.

7. Indemnification.

The Jurisdictional Party agrees to indemnify, defend, and hold harmless the Responding Party from all costs, expenses, claims, liabilities, or damages, including attorneys' fees and costs of defense, to persons or property arising out of or in any way connected with the Responding Party's actions in response to the alarm or call for service, with the exception of the sole negligent or wrongful acts or omissions of the Responding Party's employees.

The Responding Party shall be solely liable for and shall indemnify, defend, and hold harmless the Jurisdictional Party from all costs, expenses, claims, liabilities, or damages, including attorneys' fees and costs of defense, to persons or property arising out of a negligent or wrongful act or omission of the Responding Party's employees.

8. Worker's Compensation.

Each Party shall provide, at its sole expense, the required worker's compensation insurance coverage necessary for its own employees. It is recognized that at such times as one Party provides aid to another Party pursuant to the terms of this Agreement, the employees of the Responding Party may claim to have become special employees on a temporary basis, of the Jurisdictional Party. Should any such claim result in any worker's compensation claim being asserted, it is hereby agreed that each such claim shall be the responsibility and liability of the Responding Party as general employer to process, defend, and pay, if necessary. The Responding Party agrees to assume such responsibility as to its own general employees and to hold the Jurisdictional Party harmless as to such claims where the Jurisdictional Party is only a special employer.

9. Benefit.

This Agreement is entered into solely for the benefit of the Parties and not for the benefit of any other person or entity who is not a Party to this Agreement. No person or entity that is not a Party to this Agreement shall have any right to enforce this Agreement or bring any action arising out of a failure or omission of a Party with respect to services provided pursuant to this Agreement.

10. Notices.

Unless otherwise provided herein, all notices required hereunder shall be given by United States registered and certified mail, or other form of mail which offers proof of mailing, postage prepaid, and addressed to the party at the address below.

VACAVILLE: City of Vacaville
City Manager
650 Merchant Street
Vacaville, CA 95688

with a copy to: City of Vacaville
Fire Chief
650 Merchant Street
Vacaville, CA 95688

VACAVILLE FPD: Vacaville Fire Protection District
Fire Chief
420 Vine Street
Vacaville, CA 95688

11. Assignment.

This Agreement shall be binding upon and shall inure to the benefit of the successors of the Parties. No Party shall assign nor sublet any portion of this Agreement without the written consent of the other Party.

12. Applicable Laws and Attorney's Fees.

This Agreement shall be interpreted and enforced pursuant to the laws of the State of California. Any action to enforce or interpret this Agreement shall be brought in a court of competent jurisdiction in Solano County, California. Should any legal action be brought by a Party for breach of this Agreement or to enforce any provision of this Agreement, the prevailing Party shall be entitled to reasonable attorneys' fees, court costs, and such other costs as may be affixed by the court. For purposes of this provision, "prevailing Party" includes a Party which dismisses an action based on this Agreement in exchange for payment of the sum allegedly due, performance of covenants allegedly breached, or consideration substantially equal to the relief sought in an action or proceeding.

13. Extent of Agreement: Amendment.

This writing constitutes the entire Agreement between the Parties and supersedes all prior understandings and agreements, whether oral or written, with respect to the subject matter of this Agreement. This Agreement may not be modified, changed, supplemented, or terminated, nor may obligations under this agreement be waived, except by written instrument signed by the Parties to this Agreement.

14. Severability.

Should any term or provision of this Agreement be determined to be illegal or in conflict with any law, the validity of the remaining portions or provisions shall not be affected thereby. Each term or provision of this Agreement shall be valid and enforced as written to the fullest extent permitted by law.

15. Miscellaneous.

All covenants herein shall be conditions. Time shall be of the essence. Failure on the part of either Party to enforce any provision of this Agreement shall not be construed as a waiver of the right to compel enforcement of such provision or any other provision. The singular number shall include the plural, and the masculine gender shall include the feminine gender and neuter gender whenever the context of this Agreement permits. This Agreement shall be deemed to have been drafted equally by both Parties. This Agreement may be executed in counter parts, each of which shall be deemed to be original, but all of which together shall constitute one and the same Agreement.

Dated: _____

APPROVED AS TO FORM:

CITY OF VACAVILLE

VACAVILLE FIRE PROTECTION DISTRICT

City Attorney

ATTEST:

City Clerk

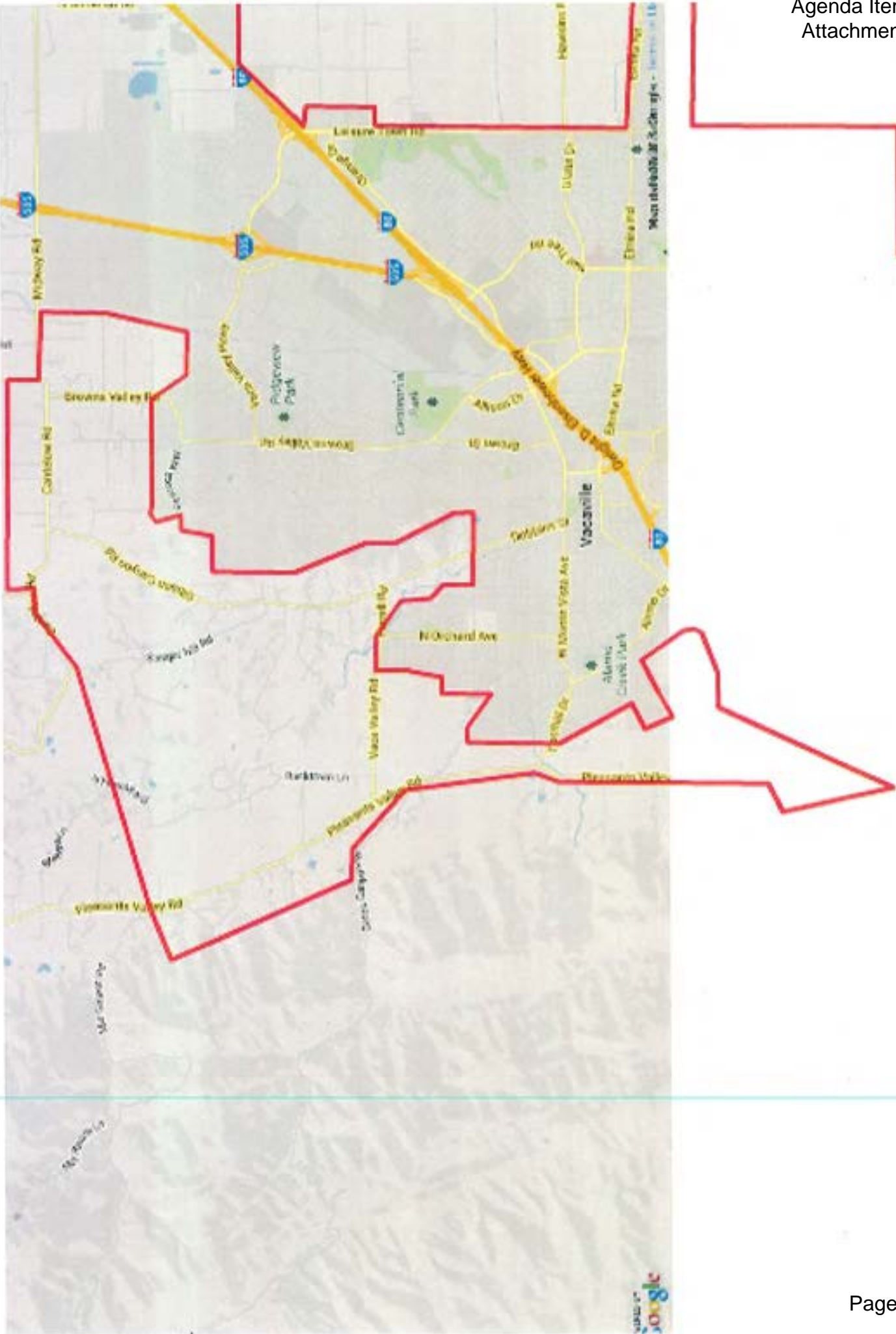
City Manager

APPROVED AS TO SUBSTANCE:

Fire Chief

Fire Chief







ESTABLISHED 1850

CITY OF VACAVILLE

650 MERCHANT STREET
VACAVILLE, CALIFORNIA 95688-6908
www.cityofvacaville.com

RON ROWLETT
Mayor

DILENNA HARRIS
Vice Mayor

NOLAN SULLIVAN
Councilmember

MITCH MASHBURN
Councilmember

RAYMOND BEATY
Councilmember



March 8, 2019

Public Works Department
Engineering Services

Mildred Voshall
349 Fruitvale Road
Vacaville, CA 95688

**SUBJECT: FRUITVALE 10 NEIGHBORHOOD MEETING SUMMARY
FEBRUARY 21, 2019**

Dear Residents:

Thank you for taking the time to meet with City staff on February 21, 2019 to discuss the annexation of your property into the City of Vacaville in conjunction with the Farmstead Development annexation. If you were unable to attend the meeting, I've enclosed the "Questions and Answers about the Fruitvale Annexation" handout that was discussed at the meeting. The purpose of the meeting was to address specific questions that had been raised regarding impacts to your individual properties as a result of those properties being annexed into the City. More specifically, we discussed sewer and water utility connections, fees, as well as the potential drainage impacts for the seven (7) properties fronting the north side of Fruitvale Road and three (3) properties fronting the east side of North Orchard Avenue. This letter will serve to summarize the key points from the meeting and to document certain commitments, restrictions, and responsibilities that have only been made verbally to this point. Because your ten properties are being annexed on account of the Farmstead Development and is not of your choosing, the City has agreed to make certain commitments, primarily with regard to water and sewer services, that deviate from current City policies, codes, and/or standards.

Once annexation of your property is complete, assuming annexation occurs, any of the ten (10) parcels (individually or collectively) that desire to connect to City sewer or water service will be allowed to do so, subject to payment of applicable fees (i.e. connection fees, meter fees, encroachment permit, and backflow prevention fees). Any of these ten properties will be allowed the flexibility to connect at any time either to sewer, to water, or to both. Regarding water service, any parcel with an existing well will be allowed to continue to utilize that well, solely or in combination with a City water service connection. You will be allowed to maintain, repair, or replace your existing well for as long as you desire, and at no time will you be "required" to connect to City water service. Should you desire to maintain your well and also be connected to City water, a reduced pressure backflow device will be required for that parcel in order to protect the City's water system from potential cross contamination. Regarding sewer service, any parcel with an existing viable septic system will be allowed to continue to utilize that system and will not be required to connect to the City sewer system as long as the existing septic system remains viable. In the event that the existing septic system fails to the point that it would require a new leach field, a new septic tank, or the installation of a new engineered or package septic system in order to be viable, the City will not issue a permit for such repair/replacement. In this instance, you would be required to connect to the City sewer system. For clarification, a simple repair to maintain the septic system (as an example, replacement or repair of the sewer line from the house to the septic tank) would not trigger the need to abandon the septic system and connect to City sewer.

Because the developer of The Farmstead project is reconstructing much of Fruitvale Road and modifying the utilities within Fruitvale Road, he agreed to the installation of water and sewer laterals from the main to the property line of the seven properties fronting Fruitvale. The City has since included this work as requirement as part of his development (Condition of Approval #69). As a matter of fairness, the City agreed to take responsibility for the installation of water and sewer laterals to the property line of the three houses fronting North Orchard Avenue. The construction of the North Orchard Avenue laterals will be completed in conjunction with the rehabilitation of that segment of roadway, anticipated to be within the next two to three years. Should any of the three properties on North Orchard require sewer connection prior to the City constructing the laterals, they would be required to construct the lateral at their cost.

There is a clear distinction between the construction of the laterals described above, and physical connection of your property to the water or sewer system. At such that you either choose to connect, or are required to connect, you will be required to pay the applicable connection fees for water, sewer, or both as the case may be. The connection fee schedule is attached for your reference. Keep in mind that connection to the water system will always be your decision. Connection to the sewer system will be required should your existing septic system fail. However, as we established in the meeting, the cost to restore a failed septic system (if possible at all) is in the range of \$25,000 to \$50,000. The approximate connection fee to connect a three bedroom house (1 E.D.U.) to the City sewer system is \$10,222.

There was considerable discussion with regard to potential drainage impacts to the annexed properties along the north side of Fruitvale Road as a result of The Farmstead project; and also what, if any, drainage improvements were proposed along the north side of Fruitvale. There is no curb and gutter being constructed along your properties frontage, either by the Developer or by the City. There is also no requirement that you install such improvements unless and until you choose to subdivide, or otherwise develop your property beyond its existing use. The Farmstead development is responsible for mitigating any drainage impacts that it is creating; and will be constructing a complete underground drainage system that will tie into the existing City storm drainage system at Eldridge Avenue, downstream of your properties.

Our understanding from our discussion with you at the February 21, 2019 meeting is that drainage currently impacting your properties primarily comes from the north, across your land. That drainage course would obviously not be impacted positively or negatively by the Farmstead project. Flooding that impacted Fruitvale Road and your properties in 2002 was in large part due to the fact that the SID irrigation/drainage canal became plugged at Eldridge Avenue. The obstruction in the canal caused storm water to back up and flood the Eldridge property and inundated the storm drainage system within Fruitvale Road and Orchard Avenue. We also discussed the 2005-2006 storm, which was a very significant rain event during which much Vacaville experienced significant flooding. At the meeting, Public Works staff committed to follow up and consider what, if any, storm drain improvements might be effective and/or feasible along the north side of the roadway to improve the current drainage system.

The final discussion concerned how existing homes are served overhead utilities from the utility poles on the south side of Fruitvale Road. Currently, some of these homes are served directly from the wires on the south side of Fruitvale, and some are served from a service pole on the north side of Fruitvale. In either case, once the poles on the south side are undergrounded, the utility companies will have to use an existing service pole or set a new service pole to serve your property. However, there is an opportunity to have your service become an underground service which would eliminate the service pole along the frontage of your property. Any cost to change the meter box, entry point to your home, or conduit on the property line would be borne by the property owner. This cost would only apply if you wanted to have your utility services undergrounded.

We understand that this annexation is not something that you desire. However, it is our intent that you have a clear understanding as far as what you can expect with regard to the Public Works and Utilities Departments once you are within the City of Vacaville. Hopefully this letter does an adequate job of providing that clarity. If you still have questions, feel free to contact myself, or Tim Burke, City Engineer at (707) 449-5170.

Sincerely,

A handwritten signature in black ink that reads "Shawn Cunningham" with a stylized flourish at the end.

SHAWN CUNNINGHAM
Director of Public Works

Attachments

- c: City Council
- Jeremy Craig, City Manager
- Curtis Paxton, Director of Utilities
- Barton Brierley, Community Development Director
- Tim Burke, City Engineer

EFFECTIVE: January 1, 2019

City of Vacaville, Building Division

2019 Adjustments
L 010019: ENR +0.5%

CONNECTION & DEVELOPMENT IMPACT FEES

WATER INSTALLATION FEE: RESIDENTIAL & NON-RESIDENTIAL

Funds the direct cost of water meters and related installation to serve new development

Meter Size	Meter Only	Complete	Meter Size	Meter Only	Complete
3/4"	\$403	\$2,567	3" Turbine	\$1,811	\$1,811 + T&M
1"	675	2,766	3" Compound	3,285	3,285 + T&M
1 1/2"	810	4,530	4" Turbine	2,597	2,597 + T&M
2"	949	5,437	4" Compound	4,307	4,307 + T&M

Meters 6" and larger see Service and Facility Rental Fees schedule

*****WATER CONNECTION FEE: RESIDENTIAL & NON-RESIDENTIAL**

Funds the expansion of the domestic water treatment system to serve new development

Fee with Water Rights

	EDU	METER SIZE	TOTAL FEE	Major Facilities		Distribution System		COMPLETE WR	PARTIAL WR
						Distribution Fee	See Regular Distribution Fee		
RESIDENTIAL									
Single-Family	1.0	3/4"	\$ 8,925	5,355	3,570		341		3,570
Single-Family Sr. Housing	1.0	1"	\$ 8,925	5,355	3,570		341		3,570
Second Unit (granny flat)	2.5	1"	\$ 22,313	13,388	8,925		853		8,925
	5.0	1 1/2"	\$ 44,625	26,775	17,850		1,705		17,850
	8.0	2"	\$ 71,400	42,840	28,560		2,728		28,560
Multiple-Family									
Multiple-Family Sr. Housing	2.0	3/4"	\$ 17,850	10,710	7,140		682		7,140
	2.5	1"	\$ 23,205	13,923	9,282		687		9,282
	7.0	1 1/2"	\$ 62,475	37,485	24,990		2,387		24,990
	13.4	2"	\$ 119,595	71,757	47,838		4,569		47,838
	23.2	3"	\$ 207,860	124,236	82,824		7,911		82,824
	37.4	4"	\$ 333,795	200,277	133,518		12,753		133,518
NON-RESIDENTIAL									
Commercial/Industrial	2.0	3/4"	\$ 17,850	10,710	7,140		682		7,140
Public & Private Schools	2.5	1"	\$ 23,205	13,923	9,282		687		9,282
	7.0	1 1/2"	\$ 62,475	37,485	24,990		2,387		24,990
	13.4	2"	\$ 119,595	71,757	47,838		4,569		47,838
	23.2	3"	\$ 207,860	124,236	82,824		7,911		82,824
	37.4	4"	\$ 333,795	200,277	133,518		12,753		133,518

*Connection fee if meter size is calculated by Bldg Div at 3/4" or 1"

Meters 6" and larger: Fee to be determined by Utilities Division

**Connection fee if meter size is calculated by Bldg Div at 3/4" but a 1" meter is requested

*****SEWER CONNECTION FEE**

Funds expansion of wastewater collection and treatment systems to serve new development

RESIDENTIAL	EDU X	TOTAL FEE	NON-RESIDENTIAL
Single/Multi-Family/Mod/MI		\$16,304	(See Separate Sewer Connection Fee Summary)
1 Bedroom:	0.8	\$5,182	
2 Bedroom:	0.8	8,243	
3 Bedroom:	1.0	16,304	
4 or more Bedroom:	1.2	12,365	
Single-Family Sr. Housing:		No Adjustment, same as above	
Multiple-Family Sr. Housing:		No Adjustment, same as above	

Outdoor Dining Area: 25% of Sewer Fee per EDU
Public/Private Schools: Regular Non-Residential Rate

*****PARK and RECREATION FEE**

Funds development of additional park sites and recreation facilities to serve new development

RESIDENTIAL	TOTAL FEE	NON-RESIDENTIAL
Single-Family:	\$4,665 per Dwelling Unit	No Fee
Multiple-Family:	3,208 per Dwelling Unit	
Single-Family Sr. Housing: Same as Multi-Family Rate	3,208 per Dwelling Unit	
Multiple-Family Sr. Housing: 52% of Multi-Family Rate	1,700 per Dwelling Unit	
Single-Family Det: Same as Multi-Family Rate	3,208 per Dwelling Unit	

*****GREENBELT PRESERVATION FEE**

Funds the acquisition of greenbelt property surrounding Vacaville

RESIDENTIAL	TOTAL FEE	NON-RESIDENTIAL
Single-Family:	\$249 per Dwelling Unit	No Fee
Multiple-Family:	170 per Dwelling Unit	
Single-Family Sr. Housing: Same as Multi-Family Rate	170 per Dwelling Unit	
Multiple-Family Sr. Housing: 52% of Multi-Family Rate	90 per Dwelling Unit	
Single-Family Det: Same as Multi-Family Rate	170 per Dwelling Unit	

*****GENERAL FACILITIES DEVELOPMENT IMPACT FEE**
Funds the expansion of general City facilities to serve new development

RESIDENTIAL		TOTAL FEE
Single-Family:		\$791 per Dwelling Unit
Multiple-Family:		489 per Dwelling Unit
Single-Family Sr. Housing:	Same as Multi-Family Rate	489 per Dwelling Unit
Multiple-Family Sr. Housing:	50% of Multi-Family Rate	259 per Dwelling Unit
Single-Family Det:	Same as Multi-Family Rate	489 per Dwelling Unit
NON-RESIDENTIAL		
Commercial:		0.4430 per Building Square Foot
Office:		0.3414 per Building Square Foot
Industrial-Over 50,000sf:	Whts, Mtg., or Spec Bldg	0.2379 per Building Square Foot
Industrial-Under 50,000sf:	Manufacturing, specifically	0.2379 per Building Square Foot
Industrial-Under 50,000sf:	Warehouse or Spec Shell	0.2897 per Building Square Foot
		(Fee is 50% Office Rate and 50% Industrial Rate)
INSTITUTIONAL		
Hospital:		0.2379 per Building Square Foot
Church:		0.1081 per Building Square Foot
Assisted Living:	Use Hospital Rate	0.2379 per Building Square Foot
Public Schools:		No Fee

*****POLICE DEVELOPMENT IMPACT FEE**
Funds the expansion of police facilities to serve new development

RESIDENTIAL		TOTAL FEE
Single-Family:		\$796 per Dwelling Unit
Multiple-Family:		695 per Dwelling Unit
Single-Family Sr. Housing:	Same as Multi-Family Rate	695 per Dwelling Unit
Multiple-Family Sr. Housing:	50% of Multi-Family Rate	368 per Dwelling Unit
NON-RESIDENTIAL		
Commercial:		1.4825 per Building Square Foot
Office:		0.7837 per Building Square Foot
Industrial-Over 50,000sf:	Whts, Mtg., or Spec Bldg	0.2214 per Building Square Foot
Industrial-Under 50,000sf:	Manufacturing, specifically	0.2214 per Building Square Foot
Industrial-Under 50,000sf:	Warehouse or Spec Shell	0.5826 per Building Square Foot
		(Fee is 50% Office Rate and 50% Industrial Rate)
INSTITUTIONAL		
Hospital:		1.7380 per Building Square Foot
Church:		0.3744 per Building Square Foot
Assisted Living:	Same as Office Rate	0.7837 per Building Square Foot
Public Schools:		No Fee

*****FIRE DEVELOPMENT IMPACT FEE**
Funds the expansion of fire facilities to serve new development

RESIDENTIAL		TOTAL FEE
Single-Family:		\$356 per Dwelling Unit
Multiple-Family:		122 per Dwelling Unit
Single-Family Sr. Housing:	Same as Single-Family Rate	356 per Dwelling Unit
Multiple-Family Sr. Housing:	Same as Multi-Family Rate	122 per Dwelling Unit
NON-RESIDENTIAL		
Comm/Indust/Office:		1,434 per Land Area (acres)
Public Schools:		No Fee

Amount per Sq. Ft.
\$0.0329

*****TRAFFIC IMPACT FEE**
Funds the construction of certain major streets, freeway interchanges & other circulation improvements to serve new development

RESIDENTIAL		TOTAL FEE
Single-Family:		\$10,211 per Dwelling Unit
Multiple-Family:		6,331 per Dwelling Unit
Single-Family Sr. Housing:	70% of Single-Family Rate	7,149 per Dwelling Unit
Multiple-Family Sr. Housing:	20% of Single-Family Rate	2,553 per Dwelling Unit
NON-RESIDENTIAL		
Commercial:		5.5211 per Building Square Foot
Office:		4.1917 per Building Square Foot
Industrial-Over 50,000sf:	Whts, Mtg., or Spec Bldg	3.0673 per Building Square Foot
Industrial-Under 50,000sf:	Manufacturing, specifically	3.0673 per Building Square Foot
Industrial-Under 50,000sf:	Warehouse or Spec Shell	3.6295 per Building Square Foot
		(Fee is 50% Office Rate and 50% Industrial Rate)
Hotels/Motels:	Same as Office Rate	4.1917 per Building Square Foot
Airport Hangars:	70% of Industrial Rate	0.7668 per Building Square Foot
INSTITUTIONAL		
Hospital:		3.0842 per Building Square Foot
Church:		1.3545 per Building Square Foot
Assisted Living/Mt. Daycare:	Same as Hospital Rate	3.0842 per Building Square Foot
Private & Public Schools:		No Fee
		Includes school classrooms, offices, auditoriums

*****DRAINAGE DETENTION FEE: ZONE 1 (except Zone 1A)**
Funds the construction of detention basins to serve new development

RESIDENTIAL	TOTAL FEE	(Non-Reimb)	(Reimb)			
Single-Family:	948	\$872	\$78	per Dwelling Unit		
Multiple-Family:	411	378	33	per Dwelling Unit		
Single-Family Sr. Housing: Same as Single-Family Rate	948	872	78	per Dwelling Unit		
Multiple-Family Sr. Housing: Same as Multi-Family Rate	411	378	33	per Dwelling Unit		
NON-RESIDENTIAL					(Non-Reimb)	(Reimb)
Comm/Indust/Office:	7,221	6,643	578	per Net Acre	0.1525	0.0133
INSTITUTIONAL						
Hospital/Church:	7,221	6,643	578	per Net Acre	0.1525	0.0133
						Total per Sq. Ft.
						6.1658

*****DRAINAGE DETENTION FEE: ZONE 2**

Funds the construction of detention basins to serve new development

RESIDENTIAL	TOTAL FEE	(Non-Reimb)	(Reimb)			
Single-Family:	1,013	\$889	\$324	per Dwelling Unit		
Multiple-Family:	437	297	140	per Dwelling Unit		
Single-Family Sr. Housing: Same as Single-Family Rate	1,013	889	324	per Dwelling Unit		
Multiple-Family Sr. Housing: Same as Multi-Family Rate	437	297	140	per Dwelling Unit		
NON-RESIDENTIAL					(Non-Reimb)	(Reimb)
Comm/Indust/Office:	7,698	5,236	2,463	per Net Acre	0.1202	0.0565
INSTITUTIONAL						
Hospital/Church:	7,698	5,236	2,463	per Net Acre	0.1202	0.0565
						Total per Sq. Ft.
						0.1767

*****DRAINAGE CONVEYANCE FEE w/Building Permit**

Funds the construction of certain major drainage facilities to serve new development

RESIDENTIAL	TOTAL FEE	(Non-Reimbursable)				
		Conveyance	Wtr Quality			
Single-Family:	288	\$202	\$86	per Dwelling Unit		
Multiple-Family:	139	91	39	per Dwelling Unit		
Single-Family Sr. Housing: Same as Single-Family Rate	288	202	86	per Dwelling Unit		
Multiple-Family Sr. Housing: Same as Multi-Family Rate	139	91	39	per Dwelling Unit		
NON-RESIDENTIAL					(Non-Reimb)	(Reimb)
Comm/Indust/Office:	2,175	1,522	653	per Net Acre	0.0349	0.0150
INSTITUTIONAL						
Hospital/Church:	2,175	1,522	653	per Net Acre	0.0349	0.0150
Public Schools:		No Fee				
						Total per Sq. Ft.
						0.0499

*****DRAINAGE CONVEYANCE FEE w/Final Map**

Funds the construction of certain major drainage facilities to serve new development

RESIDENTIAL	TOTAL FEE	(Non-Reimbursable)		
		Conveyance	Wtr Quality	
Single-Family:	1,143	\$800	\$343	per Gross Acre
Multiple-Family:	1,498	1,043	447	per Gross Acre
Single-Family Sr. Housing: Same as Single-Family Rate	1,143	800	343	per Gross Acre
Multiple-Family Sr. Housing: Same as Multi-Family Rate	1,498	1,043	447	per Gross Acre
NON-RESIDENTIAL				
Comm/Indust/Office:	2,865	1,445	620	per Gross Acre
INSTITUTIONAL				
Hospital/Church:	2,865	1,445	620	per Gross Acre

COUNTY FACILITIES FEE

Funds the expansion of County facilities to serve new development

This fee is established by Solano County. The fee is directly collected by Solano County at their administrative office.

See Solano County for applicable County Facilities Fees

BENEFIT DISTRICT FEES

Benefit districts are specified areas designated by the City Council. A special charge is established to reimburse a private developer or the City for the cost of improvements that benefit development in that area. Some districts may also collect funds for a future improvement that will benefit the specified area.

See Development Engineering for applicable Benefit District Fees

SCHOOL IMPACT FEES

Funds the construction of new school facilities to serve new development

This fee is established by the City on behalf of local school districts. The fee is directly collected by each school district at their administrative offices.

(Collected by School District)	Vacaville U.S.D.		Travis U.S.D.	
Residential:	\$	3.36 per Sq.Ft.	\$	5.67 per Sq.Ft. or Melko-Roses Dist.
Non-Residential:		0.54 per Sq.Ft.		0.56 per Sq.Ft.
Retail Self-Storage:	Contact for fee	per Sq.Ft.		0.30 per Sq.Ft.

FEES AND APPLICABLE RESOLUTIONS:

Water & Sewer Connect. Fees:	1992-W-1	General Facilities and Police Fees:	1993-83
Park and Recreation Fee:	1993-82	Fire Fee:	1992-F-9
Greenbelt Preservation Fee:	1992-G-5	Drainage Detention & Conveyance:	1992-H-9

*****Automatic Fee Adjustment January 1st**
(based on Engineering News Record Index)



ESTABLISHED 1850

CITY OF VACAVILLE

650 MERCHANT STREET
VACAVILLE, CALIFORNIA 95688-6908
www.cityofvacaville.com
707-449-5100

RON ROWLETT
Mayor

DILENNA HARRIS
Vice Mayor

NOLAN SULLIVAN
Councilmember

MITCH MASHBURN
Councilmember

RAYMOND BEATY
Councilmember

Questions and Answers about the Fruitvale Annexation

Q. How will the annexation of the Fruitvale 10 properties benefit the property owners?

A. The annexation will provide a number of benefits to the property owners, including:

1. The properties will be eligible to connect to City sewer and water services. Several of the property owners have noted issues with their current wells and septic tanks. As the properties are currently outside of City limits, they are not eligible to connect to City services. Upon annexation, the property owners would be eligible to connect City sewer and water services, which is a far more reliable source than on-site wells and septs.
2. The properties will receive high quality police, fire, and other services from the City of Vacaville.
3. By annexing in conjunction with the annexation of the Farmstead property to the south, the properties will avoid the expenses associated with applying for annexation. The cost of annexation fees and detachment fees from rural districts is about \$150,000.
4. The properties would receive City zoning. This would make the larger properties eligible for further development.

Q: Can I keep my existing well and septic system, or do I have to connect to City water and sewer?

A: Under any circumstance, once annexation is complete, should any of the parcels individually desire to connect to City sewer or water service, the connection to the existing utility systems will be allowed subject to applicable connection fees, meter fees, and backflow prevention fees.

Water: Any parcel with an existing well will be allowed to continue to utilize that well solely, or in combination with a City water connection. You will be allowed to repair or replace an existing well, and will not be required to connect to City water. Should you desire to maintain your well, and also connect to City water, a backflow meter will be required for that parcel, but you would be allowed to do so.

Sewer: Any parcel with an existing septic system will be allowed to continue to utilize that septic system as long as it is viable. The City will not issue a permit for the repair or replacement of an existing septic system, nor for a new system. Therefore, should your existing septic system fail, you would be required to connect to the City sewer system.

Q: Who is responsible for making the physical tie-in to the water and sewer main?

A: Because the developer will be reconstructing much of Fruitvale, and will be constructing his own water and sewer utilities along that roadway, he has agreed to stub water and sewer laterals to the 7 properties along Fruitvale Road. Since he is not doing any work along Orchard Ave, he has not agreed to stub to those three properties. The City plans to rehabilitate the section of Orchard Ave north of Fruitvale within the next 2 to 3 years. As part of that project, the City will install water and sewer lateral to the 3 properties on Orchard. This work consists of connection to the main in the street, and extension of a lateral to the right of way line, terminating with a cleanout (sewer), or curb stop (water).

Q: What will it cost me to connect to the City water and/or sewer system?

A: The cost of the physical tie-in to the main will be borne by either the City or the developer.

Water Connection: If a well remains in operation on the property at the time of connection to the City water system, a reduced pressure backflow device will be required in addition to the water meter.

1" Water Meter Cost (installed)	\$675.00
1" Water Meter Connection Fee	\$8,925.00
Reduced Pressure Backflow Fee	\$10.00 per year

Sewer Connection:

1 Sewer EDU (3 Bedroom)	\$10,304.00
TOTAL CONNECTION FEE	\$19,904.00

Q: The overhead utilities (PG&E power, AT&T phone, Comcast cable) on south side of Fruitvale Ave will be undergrounded with this project. My home on the north side is served overhead. How will the overhead utilities serve my home?

A. The existing homes on Fruitvale are served overhead utilities by two different methods: (1) some are served directly from the wires on the south side of Fruitvale, (2) some are served from a service pole on the north side of Fruitvale. In either case, once the poles on the south side are undergrounded, the utility companies will have to use an existing service pole or set a new service pole to serve your property. However, there is an opportunity to have your service become an underground service which would eliminate the service pole along the frontage of your property. If you change the meter box or entry point to your home to underground service and provide conduit to the property line, the need to have a service pole would be eliminated. There is a cost associated with this work (\$10-15K) that you would have to pay. If you are interested, please contact the Developer's Engineer on the project – Allan Haddox at (707) 624-6494.

Q. What will the effect of the annexation be on individual property taxes?

A. Under the California Constitution, property taxes cannot be assessed at more than 1% of its value. Properties are not reassessed upon annexation. Therefore base property tax paid by an individual property owner will not change upon annexation. What will change is how that 1% property tax is distributed among jurisdictions. Certain special assessments and local voter approved measures can be assessed above the 1% limit. Upon annexation, some of these will go away and some will be added with little net effect on the total tax bill.

Q. How will annexation affect provision of water service by the Solano Irrigation District (SID)?

A. Currently two properties in the Fruitvale Annexation area receive irrigation water from SID. In accordance with the terms of the Master Water Agreement between SID and the City of Vacaville, the area will be detached from the Solano Irrigation District. The properties currently using SID water may use well water or connect to City water for irrigation.

SID staff have commented that it is very inefficient for them to provide service to two properties in the middle of the City, and they would like to discontinue service. Efficiency of service is one

major reason LAFCO encourages island annexations. Questions about SID service can be directed to SID.

Q. Will there be street improvements to the north side of Fruitvale Road?

A. Street improvements (street widening, curb, and sidewalk) are typically the responsibility of the individual property owner fronting the street upon development. Because the properties north of Fruitvale Road are not currently proposing to develop their properties, they are not required to install street improvements at this time.

Q. Can existing uses such as animal keeping continue after annexation?

A. Vacaville Municipal Code Section 14.09.135.040 allows a legally established non-conforming use commenced prior to annexation to be continued as originally approved or legally established unless it is discontinued. This would include legally established animal keeping. If animal keeping became a nuisance it could be abated.

From: [Paul Fuchslin](#)
To: [Rich Seithel](#); [Michelle McIntyre](#)
Cc: [Paul Fuchslin](#)
Subject: Farmstead/Frutivale detachments
Date: Thursday, April 04, 2019 10:10:41 AM

Rich – Michelle:

To bridge the gap between detachment and alteranate source of raw water for the parcels north of the farmstead development, the District can enter into an Out of District water service contract. This contract would be for the calendar year only. The SID standby and Assessment would be collected as if they were within the District boundary. They would also be required to pay whatever the going water rate is per acre-foot. If for some reason the development stalls, we could revisit the contract again the following year and re-evaluate it. The Contract would also need to be approved by our Board, but this seems to be a reasonable bridge, at least for the first year. We also would have surplus water available this year for an Out of District Water Contract.

If you have any questions, please let me know.

Thanks,

-Paul

Paul Fuchslin, P.E.
Director of Engineering
Solano Irrigation District
707.455.4020

AJ CRAIG DEVELOPMENT

38 Miller Avenue, #282, Mill Valley, CA 94941
AJCraigDev.com | (925) 819-1346 | BRE 01898426

April 30, 2019

Anthony J. Craig
AJCD WVP Vacaville, LLC
280 2nd Street, Suite 230
Los Altos, CA 94022

Chief Wood
Vacaville Fire Protection District
Station 64 (Admin)
420 Vine Street
Vacaville, CA 95688

Subject: Fire Mitigation Fee for Detachment of the 10 Fruitvale Parcels from the Vacaville Fire Protection District

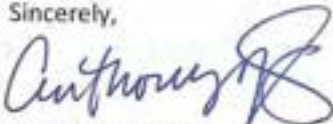
Chief Wood:

Thank you for meeting with me on Thursday to discuss the fire mitigation fee relative to the detachment of the ten "Fruitvale" parcels from the Vacaville Fire Protection District. To summarize our discussion, you agree to both the amount and the payment terms. They are as follows:

- Financial Mitigation calculated as: 25 years times (\$5,877.04)—the current contribution of the 10 Fruitvale parcels—see attached pdf of current tax roll for these parcels) equals \$146,926.00.
- Payment term: two lump sum payments of \$73,463.00. The first payment would be on December 13, 2019, the second payment would be on December 11, 2020. The second payment would complete any obligation for financial mitigation.

If you agree with these terms, please sign on the space provided below. Please contact me at (925) 819-1346 if you have any revisions that you would like to discuss.

Sincerely,



Anthony J. Craig

Manager, AJCD WVP Vacaville, LLC

I accept the terms:



Chief Woods

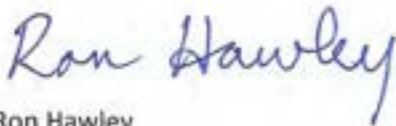
Ms. Michelle McIntyre
Solano LAFCO
675 Texas Street
Fairfield, CA 94533

Subject: 331 Fruitvale Road – Rescission to Previous Opposition Letter

Ms. McIntyre,

I live at 331 Fruitvale Road and I have discussed the Farmstead project, and the Fruitvale and Farmstead annexations with Mr. Craig. I would like to rescind my previous opposition letter dated April 7, 2019, and now indicate my support for the Fruitvale 10 annexation ~~and the Farmstead annexation.~~

Sincerely,

A handwritten signature in blue ink that reads "Ron Hawley". The signature is written in a cursive, flowing style.

Ron Hawley

From: [Kevin Gallagher](#)
To: [Rich Seithel](#); mmcintyre@solanolafo.com
Subject: Fruitvale Annexation - Vacaville, CA
Date: Thursday, June 20, 2019 9:27:37 AM

Dear Rich & Michelle,

We live at 337 Fruitvale Rd, Vacaville, CA. Our property is 1 of 10 properties included in your annexation vote this August. You currently hold our letter of opposition to the annexation of our property and the Farmstead project.

We would like to rescind our letter of opposition at this time and will send a letter as well. Please provide the mailing address and any deadline we need to meet to remove our opposition to the annexation.

Thank you for your time.

Sincerely,

Kevin & Laura Gallagher
337 Fruitvale Road
Vacaville, CA 95688=

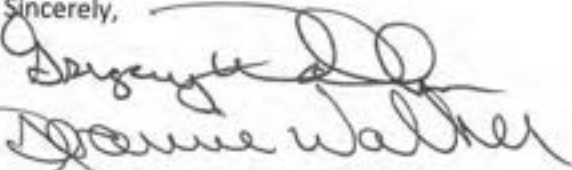
Ms. Michelle McIntyre
Solano LAFCO
675 Texas Street
Fairfield, CA 94533

Subject: 343 Fruitvale Road – Rescission to Previous Opposition Letter

Ms. McIntyre,

We live at 343 Fruitvale Road and I have discussed the Farmstead project, and the Fruitvale and Farmstead annexations with Mr. Craig. We would like to rescind my previous opposition letter dated April 5, 2019, and now indicate my support for the Fruitvale 10 annexation and the Farmstead annexation.

Sincerely,



Gregory and Jeannie Walker

6/7/19 → DATE

Ms. Michelle McIntyre
Solano LAFCO
675 Texas Street
Fairfield, CA 94533

Subject: 601 N. Orchard Ave Rescission to Previous Opposition Letter
Vacaville Ca 94968

Ms. McIntyre,

We live at 601 N. Orchard Ave and I have discussed the Farmstead project, and the Fruitvale and Farmstead annexations with Mr. Craig. We would like to rescind my previous opposition letter dated April 5, 2019, and now indicate my support for the Fruitvale 10 annexation and the Farmstead annexation.

Sincerely, Lanni Berman
Lanni Berman

6/7/19 → DATE

Ms. Michelle McIntyre

Solano LAFCO

675 Texas Street

Fairfield, CA 94533

Kurt Hansen

Subject: 35.85 - Rescission to Previous Opposition Letter

Fruitvale Rd. Vacaville

Ms. McIntyre,

We live at 355 Fruitvale Rd. and I have discussed the Farmstead project, and the Fruitvale and Farmstead annexations with Mr. Craig. We would like to rescind my previous opposition letter dated April 5, 2019, and now indicate my support for the Fruitvale 10 annexation and the Farmstead annexation.

As Agreed with Tony Craig S.S. + WATER TO P.L

Sincerely, Remove old PG+E Page



7/10/19 DATE

Debbie Hansen

State of California)
County of Solano) ss
City of Vacaville)



I, Michelle A. Thornbrugh, City Clerk of the City of Vacaville, State of California, hereby certify that the foregoing Ordinance No. 1938 was **INTRODUCED** at a regular meeting of the City Council of the City of Vacaville, held on the 12th day of February, 2019, by the following vote:

AYES: Councilmembers Beaty, Sullivan, Vice Mayor Mashburn, Mayor Rowlett

NOES: Councilmember Harris

ABSENT: None

And **ADOPTED** and **PASSED** at a regular meeting of the City Council of the City of Vacaville held on the 22nd day of February, 2019, by the following vote:

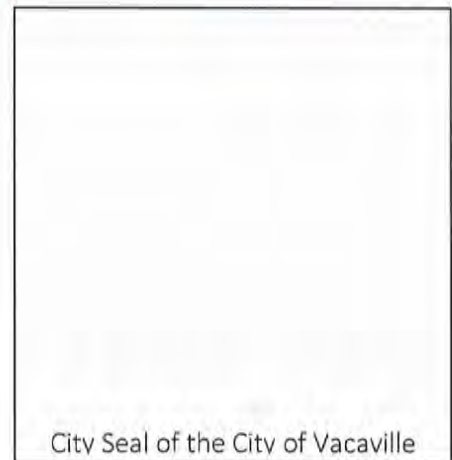
AYES: Councilmembers Beaty, Harris, Sullivan, Vice Mayor Mashburn, Mayor Rowlett

NOES: None

ABSENT: None

And was published in accordance with the provisions of Government Code Section 36933.


Michelle A. Thornbrugh, City Clerk



**ORDINANCE NO. 1938
(Second Reading)**

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VACAVILLE APPROVING THE PRE-ZONING FOR TEN RESIDENTIAL PARCELS AT THE NORTHEAST CORNER OF FRUITVALE ROAD AND NORTH ORCHARD AVENUE TO RESIDENTIAL ESTATES – 10,000 SQUARE FOOT MINIMUM LOT SIZE, CONDITIONAL ON COMPLETION OF ANNEXATION (APNS 124-143-110, 124-143-100, 124-143-090, 124-143-080, 124-143-250, 124-143-050, 124-143-040, 124-143-030, 124-143-020, 124-143-240)

WHEREAS, ten properties north of Fruitvale Drive and just east of North Orchard Avenue are part of an unincorporated island of land outside but surrounded by city limits; and

WHEREAS, on January 22, 2019, the Vacaville City Council initiated annexation proceedings for these ten properties; and

WHEREAS, the Solano Local Agency Formation Commission (LAFCO) requires properties to be pre-zoned when annexed to a city; and

WHEREAS, these ten properties are designated Residential Estates in the Vacaville General Plan; and

WHEREAS, RE-10 zoning (Residential Estates – 10,000 square foot minimum lot size) is consistent with the Residential Estates General Plan land use designation; and

WHEREAS, on January 15, 2019, the Vacaville Planning Commission recommended that these ten properties be pre-zoned RE-10.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF VACAVILLE DOES ORDAIN AS FOLLOWS:

SECTION 1. The ten parcels at the northeast corner of Fruitvale road and north Orchard Avenue (APN 124-143-110, 124-143-100, 124-143-090, 124-143-080, 124-143-250, 124-143-050, 124-143-040, 124-143-030, 124-143-020, 124-143-240), as shown on Exhibit A, which is attached and hereby incorporated herein, are herein known as the "Fruitvale Road Annexation Area."

SECTION 2. The City Council finds that the pre-zoning action for the ten parcels aforementioned Fruitvale Road Annexation Area is exempt from the California Environmental Quality Act (CEQA) per Section 15319 because the properties are currently developed residential lots meeting the minimum size required by the proposed zoning, with no proposed changes to the existing facilities or uses.

SECTION 3. Upon annexation of the Fruitvale Road Annexation Area to the city, the City of Vacaville Zoning Map shall be amended to include the properties in the RE-10 (Residential Estates – 10,000 square foot minimum lot size) zoning district.

SECTION 4. The City Council finds that the criteria in Vacaville Municipal Code Section 14.09.071.120 relating to zoning map amendments are met as follows:

1. That the proposed amendment is internally consistent with the goals, objectives, and policies of the General Plan, the Zoning Ordinance, and the Development Code;

Finding: The pre-zoning designation for the Fruitvale Road parcels is consistent with the planned land use of Residential Estates as designated by the City's General Plan. The proposed zone change to RE-10 is internally consistent with the goals, objectives, and policies of the General Plan, the Zoning Ordinance, and the Land Use and Development.

2. That the proposed zone change would not be detrimental to the public health, safety, or welfare of the community;

Finding: The zone change would maintain public health, safety, and welfare of the community. The project will allow development that is consistent and compatible with the existing homes on the 10 parcels and most closely reflects those existing land uses. The planned land use of Residential Estates has been found to be the compatible land use for these parcels by the City's General Plan Update and the proposed zoning of minimum 10,000 square foot lot size is most similar to the existing pattern of development on these parcels.

3. That the proposed zone change would maintain the appropriate balance of land uses within the City;

Finding: The proposed project would maintain the appropriate balance of land uses because it would provide for continuation of the existing residential uses on the properties in a manner that is consistent with the type and density of land use already existing on these parcels.

4. That the anticipated land uses on the subject site would be compatible with existing and future surrounding uses;

Finding: The anticipated land uses on the project site are compatible with existing and future surrounding uses because the anticipated land use is the continuation of the existing residential land uses (detached single-family homes on private lots with private yards and open space) and no change to this type of use is anticipated under the City's planning policies or zoning.

5. The potential impacts to the City's inventory of residential lands have been considered;

Finding. The zone change and annexation would add 10 existing dwelling units to the City's inventory of residential lands. This number of units is consistent with the existing homes on the 10 parcels, with no anticipated changes in intensity of land use concurrent with annexation.

6. That the proposed zone change is consistent with the development related application that is being processed and approved concurrently with the Specific Plan and other project applications.

Finding: The proposed zoning is consistent with the planned land uses and zonings identified in the City's General Plan Update and Municipal Service Review. The requested zone change does not require any change in existing land uses on the ten parcels to be annexed into the City.

SECTION 5. The City Council of the City of Vacaville finds that the foregoing changes of zoning, as shown in Exhibit A, are necessary to ensure that said lands ultimately are used for the purposes which are most appropriate and most beneficial from the standpoint of the City as a whole.

SECTION 6. If any section, subsection, phrase or clause of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

The City Council hereby declares that it would have passed this ordinance and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more section, subsection, phrases or clauses be declared unconstitutional.

SECTION 7. Effective Date.

This ordinance shall take effect thirty (30) days after passage thereof.

The rezoning shall become effective when the annexation of these properties becomes effective.

SECTION 8. Publication.

This ordinance shall be published in accordance with the provisions of Government Code Section 36933.

I HEREBY CERTIFY that this ordinance was introduced at a regular meeting of the City Council of the City of Vacaville, held on the 12th day of February 2019 and **ADOPTED and PASSED** at a regular meeting of the City Council of the City of Vacaville, held on February 26, 2019, by the following vote.

AYES: Councilmembers Beaty, Mashburn, Sullivan, Vice Mayor Harris and Mayor Rowlett

NOES:

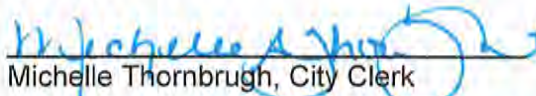
ABSENT:

APPROVED:



Ron Rowlett, Mayor

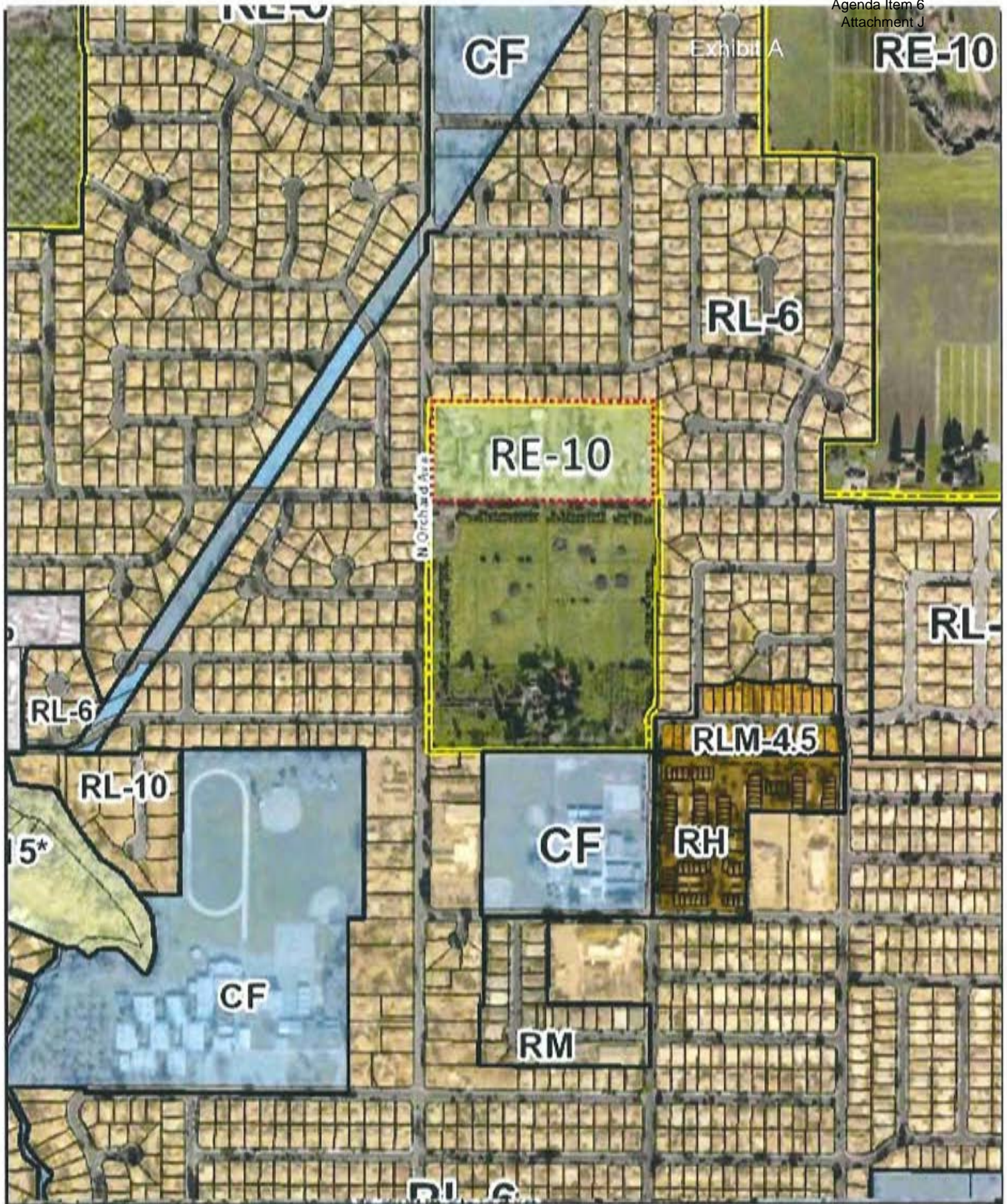
ATTEST:



Michelle Thornbrugh, City Clerk

Dated: February 27, 2019

Exhibit A – Rezoning Map



CITY OF VACAVILLE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

Pre-zoning: Residential Estate – 10,000 sq. ft. lot size

FRUITVALE ANNEXATION
FRUITVALE ROAD, BETWEEN NORTH ORCHARD AND STINSON AVENUES

PROJECT FILE NO. 19427

**ORDINANCE NO. 1938
(First Reading)**

ORDINANCE APPROVING THE PRE-ZONING FOR TEN RESIDENTIAL PARCELS AT THE NORTHEAST CORNER OF FRUITVALE ROAD AND NORTH ORCHARD AVENUE TO RESIDENTIAL ESTATES – 10,000 SQUARE FOOT MINIMUM LOT SIZE, CONDITIONAL ON COMPLETION OF ANNEXATION (APNS 124-143-110, 124-143-100, 124-143-090, 124-143-080, 124-143-250, 124-143-050, 124-143-040, 124-143-030, 124-143-020, 124-143-240)

WHEREAS, ten properties north of Fruitvale Drive and just east of North Orchard Avenue are part of an unincorporated island of land outside but surrounded by city limits; and

WHEREAS, on January 22, 2019, the Vacaville City Council initiated annexation proceedings for these ten properties; and

WHEREAS, the Solano Local Agency Formation Commission (LAFCO) requires properties to be pre-zoned when annexed to a city; and

WHEREAS, these ten properties are designated Residential Estates in the Vacaville General Plan; and

WHEREAS, RE-10 zoning (Residential Estates – 10,000 square foot minimum lot size) is consistent with the Residential Estates General Plan land use designation; and

WHEREAS, on January 15, 2019, the Vacaville Planning Commission recommended that these ten properties be pre-zoned RE-10.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF VACAVILLE DOES ORDAIN AS FOLLOWS:

SECTION 1. The ten parcels at the northeast corner of Fruitvale road and north Orchard Avenue (APN 124-143-110, 124-143-100, 124-143-090, 124-143-080, 124-143-250, 124-143-050, 124-143-040, 124-143-030, 124-143-020, 124-143-240), as shown on Exhibit A, which is attached and hereby incorporated herein, are herein known as the "Fruitvale Road Annexation Area."

SECTION 2. The City Council finds that the pre-zoning action for the ten parcels aforementioned Fruitvale Road Annexation Area is exempt from CEQA per Section 15319 because the properties are currently developed residential lots meeting the minimum size required by the proposed zoning, with no proposed changes to the existing facilities or uses.

SECTION 3. Upon annexation of the Fruitvale Road Annexation Area to the city, the City of Vacaville Zoning Map shall be amended to include the properties in the RE-10 (Residential Estates – 10,000 square foot minimum lot size) zoning district.

SECTION 4. The City Council finds that the criteria in Vacaville Municipal Code Section 14.09.071.120 relating to zoning map amendments are met as follows:

1. That the proposed amendment is internally consistent with the goals, objectives, and policies of the General Plan, the Zoning Ordinance, and the Development Code;

Finding: The pre-zoning designation for the Fruitvale Road parcels is consistent with the planned land use of Residential Estates as designated by the City's General Plan. The proposed zone change to RE-10 is internally consistent with the goals, objectives, and policies of the General Plan, the Zoning Ordinance, and the Land Use and Development.

2. That the proposed zone change would not be detrimental to the public health, safety, or welfare of the community;

Finding: The zone change would maintain public health, safety, and welfare of the community. The project will allow development that is consistent and compatible with the existing homes on the 10 parcels and most closely reflects those existing land uses. The planned land use of Residential Estates has been found to be the compatible land use for these parcels by the City's General Plan Update and the proposed zoning of minimum 10,000 square foot lot size is most similar to the existing pattern of development on these parcels.

3. That the proposed zone change would maintain the appropriate balance of land uses within the City;

Finding: The proposed project would maintain the appropriate balance of land uses because it would provide for continuation of the existing residential uses on the properties in a manner that is consistent with the type and density of land use already existing on these parcels.

4. That the anticipated land uses on the subject site would be compatible with existing and future surrounding uses;

Finding: The anticipated land uses on the project site are compatible with existing and future surrounding uses because the anticipated land use is the continuation of the existing residential land uses (detached single-family homes on private lots with private yards and open space) and no change to this type of use is anticipated under the City's planning policies or zoning.

5. The potential impacts to the City's inventory of residential lands have been considered;

Finding. The zone change and annexation would add 10 existing dwelling units to the City's inventory of residential lands. This number of units is consistent with the existing homes on the 10 parcels, with no anticipated changes in intensity of land use concurrent with annexation.

6. That the proposed zone change is consistent with the development related application that is being processed and approved concurrently with the Specific Plan and other project applications.

Finding: The proposed zoning is consistent with the planned land uses and zonings identified in the City's General Plan Update and Municipal Service Review. The requested zone change does not require any change in existing land uses on the ten parcels to be annexed into the City.

SECTION 5. The City Council of the City of Vacaville finds that the foregoing changes of zoning, as shown in Exhibit A, are necessary to ensure that said lands ultimately are used for the purposes which are most appropriate and most beneficial from the standpoint of the City as a whole.

SECTION 6. If any section, subsection, phrase or clause of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

The City Council hereby declares that it would have passed this ordinance and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more section, subsection, phrases or clauses be declared unconstitutional.

SECTION 7. Effective Date.

This ordinance shall take effect thirty (30) days after passage thereof.

The rezoning shall become effective when the annexation of these properties becomes effective.

SECTION 8. Publication.

This ordinance shall be published in accordance with the provisions of Government Code Section 36933.

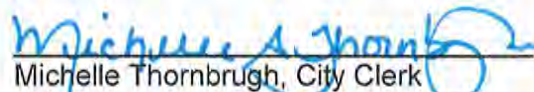
I HEREBY CERTIFY that this ordinance was introduced at a regular meeting of the City Council of the City of Vacaville, held on the 12th day of February 2019.

AYES: Councilmembers Beaty, Mashburn, Sullivan, Mayor Rowlett

NOES: Vice Mayor Harris

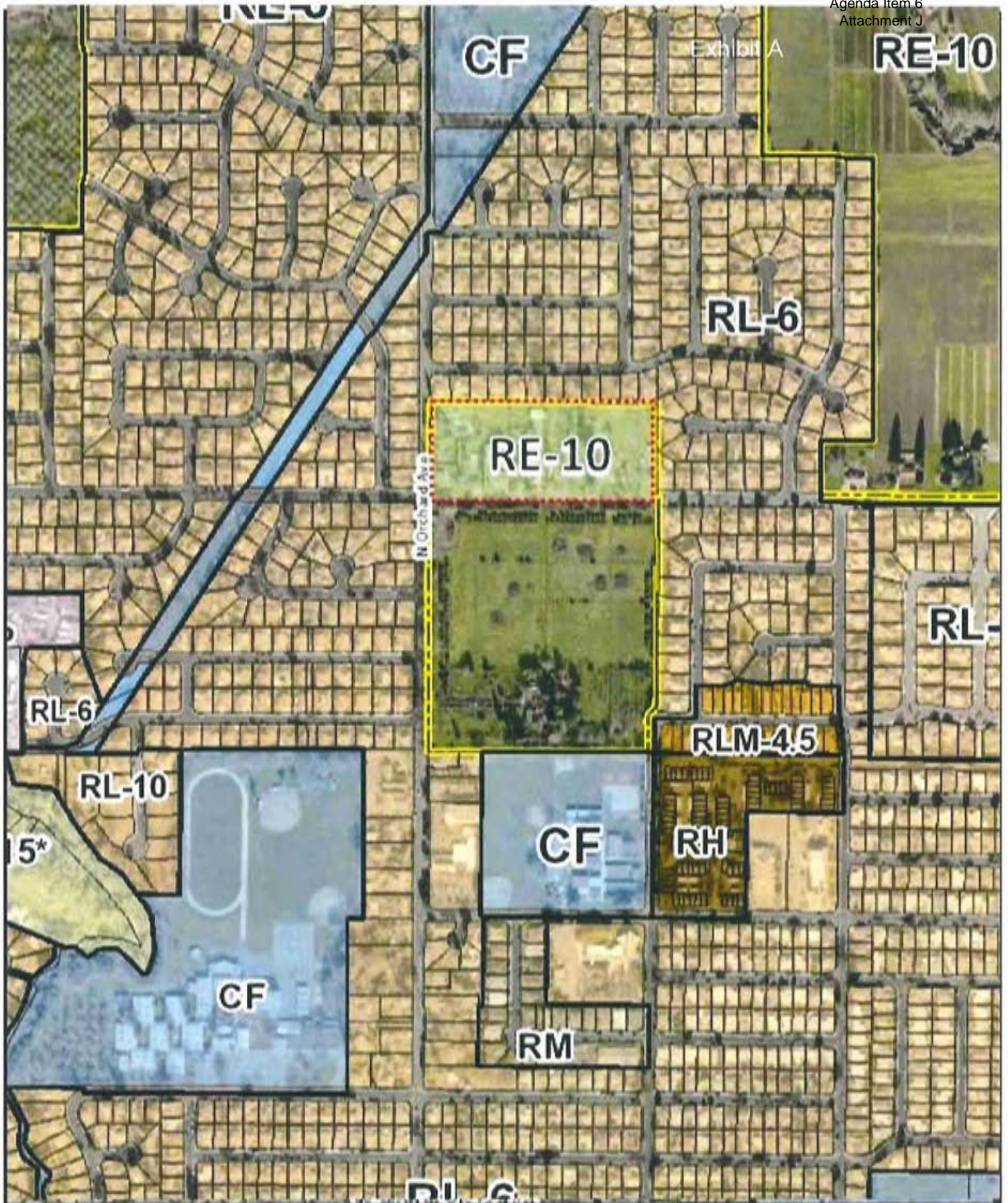
ABSENT: None


ATTEST:


Michelle Thornbrugh, City Clerk

Dated: February 13, 2019

Exhibit A – Rezoning Map



 **CITY OF VACAVILLE**
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

Pre-zoning: Residential Estate – 10,000 sq. ft. lot size

FRUITVALE ANNEXATION
FRUITVALE ROAD, BETWEEN NORTH ORCHARD AND STINSON AVENUES

PROJECT FILE NO 13427

RESOLUTION NO. 2019-006

RESOLUTION OF APPLICATION BY THE CITY OF VACAVILLE REQUESTING THE SOLANO LOCAL AGENCY FORMATION COMMISSION TO INITIATE PROCEEDINGS FOR THE REORGANIZATION OF TERRITORY – ANNEXATION OF TEN RESIDENTIAL PARCELS AT THE NORTHEAST CORNER OF FRUITVALE ROAD AND NORTH ORCHARD AVENUE, REFERRED TO AS THE FRUITVALE ROAD ANNEXATION (APNs 124-143-110, 124-143-100, 124-143-090, 124-143-080, 124-143-250, 124-143-050, 124-143-040, 124-143-030, 124-143-020, 124-143-240)

WHEREAS, the City Council of the City of Vacaville desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Act of 2000, commencing with the section 56000 of the California Government Code, for a reorganization which would concurrently annex territory to the City of Vacaville and detach territory from the Solano Irrigation District (SID) and the Vacaville Rural Fire Protection District located:

North of Fruitvale Road and East of North Orchard Avenue
(APN's: 124-143-110, 124-143-100, 124-143-090, 124-143-080, 124-143-250, 124-143-050, 124-143-040, 124-143-030, 124-143-020, 124-143-240); and

WHEREAS, the Fruitvale Road Annexation consists of ten parcels of existing residential development and are not proposed to be otherwise developed at this time; and

WHEREAS, the City Council of the City of Vacaville desires to tentatively prezone the Fruitvale Road Annexation to be consistent with the City of Vacaville General Plan land use diagram land use designations of Residential Estate; and

WHEREAS, a public hearing notice for the City Council public hearing was published in *The Reporter*, a newspaper of general circulation, on December 29, 2018; and notices were mailed to property owners within 600-feet of the Project site and notices were placed on the site on December 28, 2018; and

WHEREAS, the City Council of the City of Vacaville conducted a public hearing on January 22, 2019 to consider the initiation of annexation, for the Fruitvale Road Annexation; and

WHEREAS, the Fruitvale Road Annexation is located within the City of Vacaville adopted Sphere of Influence (SOI) and within the City's adopted Urban Growth Boundary, and

WHEREAS, the proposed the Fruitvale Road Annexation is located within the City's adopted Sphere of Influence as identified on the City of Vacaville General Plan land use diagram and is identified as a near-term annexation area in the *City of Vacaville Municipal Service Review for the Comprehensive Sphere of Influence Update* received by the Vacaville City Council on March 14, 2017, and which was reviewed by the Solano Local Agency Formation Commission on May 8, 2017; and

WHEREAS, the Fruitvale Road Annexation is a "jurisdictional island" as identified by Solano Local Agency Formation Commission because the site is wholly surrounded by existing development and is a site within Solano County jurisdiction surrounded by City of Vacaville City Limits; and

WHEREAS, the Fruitvale Road Annexation parcels will continue to use their existing on-site water and waste water systems. Should those systems fail or should the property owners so desire, the existing residential units will connect to existing City-owned utilities and services; and

WHEREAS, the principal reasons for the proposed reorganizations are as follows: the City of Vacaville has adopted its General Plan update in August 2015, including property here referred to as the Fruitvale Road Annexation, designated as existing residential development within the City's Urban Growth Boundary and the City anticipates annexation of these properties into the Vacaville City limits as part of compliance with the Cortese-Knox-Hertzberg Act related eradicating islands of jurisdiction; and,

LUDC 14.05.042.010 Processing of New Residential Development Applications.

The following limitations on the processing of new development applications shall apply.

A. Lands Outside the City Limits. Residential development applications for lands outside the City limits as of January 13, 2000 shall be accepted for processing with the following provisions:

1. A site requiring annexation to the City shall be identified as a near-term annexation area in the Vacaville Comprehensive Annexation Plan, or there shall be the initiation of an amendment to the Comprehensive Annexation Plan by the City Council to identify the site as a near-term annexation area in the Comprehensive Annexation Plan.

Finding: The 2017 Vacaville Comprehensive Annexation Plan, a part of the Vacaville Municipal Service Review, identifies the project site as a near term annexation.

2. Any person seeking annexation to the City shall first submit a proposal for annexation in a format consistent with the administrative procedures established by the Director, and approved by the City Council;

Finding: Here, the applicant is the City of Vacaville desiring to comply with the purpose of the Cortese-Knox-Hertzberg Act and directives therein to encourage orderly growth and to ensure contiguous district boundaries. Approval would initiate an annexation application to be submitted to Solano County Local Agency Formation Commission.

3. Thereafter, the proposal shall be reviewed by the City Council within its sole discretion, and, if determined appropriate, may be allowed to proceed with a formal application to the Solano County Local Agency Formation Commission for annexation;

Finding: See Annexation Finding No. 2.

4. Approval by the City Council of an applicant's ability to proceed with a formal annexation application shall not constitute, nor shall it be, a limitation of the ability of the City Council to fully exercise its discretion to deny a proposed annexation.

Finding: See Annexation Finding No. 2.

5. Lands designated within the General Plan as required Specific Plan or Policy Plan areas shall be subject to residential Phasing Plans to regulate the rate of growth within the individual project.

Finding: The site is not within a Specific Plan or Policy Plan. Then annexation does not include any new development as the site is currently developed as residential.

- 6. Lands not designated within the General Plan as required Specific Plan or Policy Plan areas are subject to the allocation provisions of this Division, provided that as an alternative, a Phasing Plan may be proposed by the developer.

Finding: The annexation does not include any new residential development. The site include 10 existing residential homes.

WHEREAS, the following agency or agencies would be affected by the proposed jurisdictional changes:

<u>Agency</u>	<u>Nature of Change</u>
City of Vacaville	Annexation,
Solano Irrigation District	Detachment,
Vacaville Rural Fire District	Detachment.

and,

WHEREAS, this proposal is consistent with the adopted spheres of influence for the agencies subject to this reorganization; and

WHEREAS, the territory proposed to be reorganized is inhabited, but the property owners are not part of the annexation application; and

WHEREAS, a map and description of the boundaries of the territory are attached hereto as Exhibits A & B and by this reference incorporated herein; and,

WHEREAS, it is desired to provide that the proposed reorganization be subject to the following terms and conditions:

- 1. Residential zoning shall not be effective until after the completion of annexation.

WHEREAS, this City Council exempts the Fruitvale Road Annexation from the California Environmental Quality Act (CEQA) per Section 15319 because the properties are currently developed residential lots containing private structures allowed by the current zoning in the County, with no proposed changes to the existing facilities; and,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Vacaville as follows:

Section 1. The City Council hereby finds and declares that the foregoing recitals are true and correct.

Section 2. The City Council initiates the annexation of the Fruitvale Road Annexation, as described and shown in Exhibits A and B incorporated herein, and authorizes and directs the Community Development Director or his designee to submit an annexation application to the Solano Local Agency Formation Commission.

I HEREBY CERTIFY that the foregoing resolution was introduced and passed at a regular meeting of the City Council of the City of Vacaville, held on the 22nd day of January, 2019 by the following vote:

AYES: Council members Beaty, Harris, Sullivan, Vice Mayor Mashburn and Mayor Rowlett

NOES: None

ABSENT: None

ATTEST:



Michelle A. Thornbrugh, City Clerk

Exhibit A – Description of Boundaries
Exhibit B – Map of Territory to be Reorganized