	<p align="center"><b>Solano Local Agency Formation Commission</b></p>
	<p align="center">675 Texas St. Ste. 6700 • Fairfield, California 94533</p>
	<p align="center">(707) 439-3897 • FAX: (707) 438-1788</p>

**STAFF REPORT**

DATE: April 10, 2023

TO: Local Agency Formation Commission

FROM: Rich Seithel

SUBJECT: **LAFCO Project No. 2023-01 Dissolution of Reclamation District 2134**

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**Recommendation:**

ADOPT the attached LAFCO Resolution setting the Commission’s determinations and approval of the dissolution of Reclamation District 2134.

DIRECT staff to inform the State Controller’s Office of the Commission’s determination.

**Executive Summary:**

In November 2022, the Commission received notification from the State Controller’s Office (SCO) identifying Reclamation District (RD) 2134 as an inactive special district in Solano County. Pursuant to Government Code Section (GC §) 56879, the Commission is required to initiate the dissolution of inactive special districts by resolution, unless the Commission determines that the district does not meet the dissolution criteria in GC § 56042.

On February 15, the Commission adopted LAFCO Resolution 2023-01 (Attachment A) affirming that RD 2134 is an inactive district, initiated the dissolution, and directed staff to notice a public hearing for final Commission action on April 10.

Pursuant to Government Code Section 56879(c), the Commission’s action associated with this dissolution must occur following a public hearing. LAFCO has provided individual notices (Attachment B) to landowners and registered voters within RD 2134’s boundary in accordance with State law and adopted Commission policies. To date, no written comments in opposition have been received regarding the consideration of this project.

**Discussion:**

Senate Bill (SB) 448 (Wieckowski) was passed in 2017 to streamline the process for LAFCOs to dissolve special districts that are inactive. The legislation requires the State Controller’s Office (SCO) to create a list of inactive districts and notify LAFCOs of the list. The Commission is then required to initiate the dissolution of inactive districts, by resolution, within 90 days of receiving the notification from SCO unless the Commission determines the special district(s) does not meet the criteria outlined in the inactive district definition.

**Commissioners**

Nancy Shopay, Chair • Ron Kott, Vice-Chair • John Vasquez • Mitch Mashburn • Steve Bird

**Alternate Commissioners**

Robert Guerrero • Alma Hernandez • Wanda Williams

**Staff**

Rich Seithel, Executive Officer • Christina Love, Deputy Executive Officer • Aaron Norman, Analyst II •

Mala Subramanian, Lead Legal Counsel

Government Code (GC) §56042 defines an inactive district as a district that meets all the following:

- a) The district is a special district as defined in Section 56036;
- b) Per Section 56036 a special district is defined as, “an agency of the state, formed for general law or special act, for the performance of governmental or proprietary functions within limited boundaries and in areas outside the boundaries when authorized by LAFCO pursuant to GC Section 56133.”
- c) The special district has had no financial transactions in the previous fiscal year;
- d) The special district has no assets and liabilities;
- e) The special district has no outstanding debts, judgments, litigation, contracts, liens, or claims.

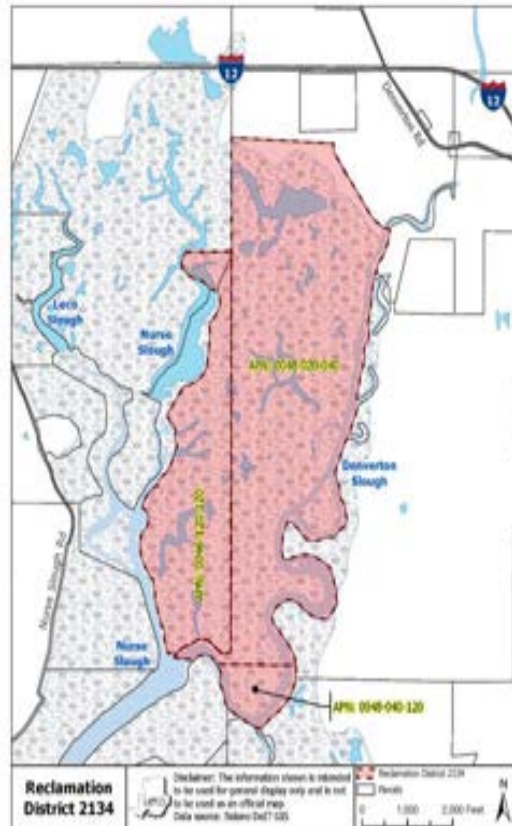
The Commission determined on February 15 that RD 2134 meets all the inactive district criteria set forth in GC §56042.

**Background:**

RD 2134 was formed in 2000 as an independent public agency under the terms of the reclamation District Law and is comprised of three parcels (APN 0046-120-120, APN 0048-020-040, and APN 0048-040-210) totaling approximately 852 acres. The District’s primary property owner is the California Waterfowl Association (CWA Denverton LLC).

**Additionally:**

- RD 2134 is generally located within the Suisun Marsh bounded by Nurse and Denverton Sloughs.
- Landowners self-assess the cost of operating, repairing, and maintaining drainage facilities, roads, and levees within the boundaries of the District. The district receives no ad-valorem property tax.
- A primary reason for District formation is to qualify for funding opportunities available to public agencies (i.e. FEMA).
- The land is designated as marshland and is included within the Suisun Marsh Resource Conservation Overlay.
- There are no registered voters or residents within District boundaries and no expectations for growth or development of the District



### **Environmental Determination**

The dissolution of RD 2134 is exempt from the California Environmental Quality Act (CEQA) under section 15320 “Changes in the organization of local agencies.” The dissolution of a district that provides no services would have no direct or reasonably foreseeable indirect impact on the environment and is therefore not considered to be a project.

It is recommended that the Commission find the subject dissolution exempt from CEQA pursuant to Guidelines Section 15320 where the changes do not change the geographical area in which previously existing powers are exercised.

### **Public Hearing Notice**

Pursuant to Government Code Section 56879(c), the Commission’s action associated with this dissolution must occur following a public hearing. If found to be inactive, LAFCO will provide individual notice to the District landowners in accordance with State law and adopted Commission policies. (Attachment A). There are no registered voters residing within RD 2134 according to the information provided by the Registrar of Voters Office on December 22, 2022.

### **Conclusion**

RD 2134 meets all the inactive district criteria set forth in GC §56042. The Commission initiated the dissolution on February 15 and mailed a 21-day notice to the landowners of record Pursuant to GC §56879. Given that there were no contrary comments received as of the writing of this report, staff recommends that the Commission adopts the attached resolution dissolving RD 2134 and notifies the State Controller’s Office appropriately.

### Attachments:

Action Item – Resolution for the Dissolution of Reclamation District 2134 (LAFCO Project 2023-01)

Attachment A – Notice of Hearing to Landowners and Registered Voters

Attachment B – RD 2134 Board Resolution

**LAFCO RESOLUTION NO. 23-XX**

**RESOLUTION FOR THE DISSOLUTION OF RECLAMATION DISTRICT 2134  
(LAFCO PROJECT 2023-01)**

**WHEREAS**, the Local Agency Formation Commission of Solano County initiated a proposal pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH), commencing with section 56000 of the California Government Code, for the dissolution of Reclamation District 2134; and

**WHEREAS**, in accordance with Government Code 56375(a)(2)(G), LAFCO may dissolve an inactive district pursuant to section 56879; and

**WHEREAS**, the California State Controller has notified the Commission pursuant to Government Code Section 56879 in November 2022 that the Reclamation District 2134 (RD 2134) is an inactive special district; and

**WHEREAS**, the Commission pursuant to Government Code Section 56879 shall initiate the dissolution of RD 2134 within 90 days of the receipt of the notice from the State Controller’s Office unless the Commission finds that RD 2134 is not inactive as defined in Government Code 56042; and

**WHEREAS**, the Commission has received, heard, discussed and considered all oral and written testimony related to the proposal, including but not limited to comments and objections, the staff report and recommendation, the environmental document and determination; and

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

1. Compliance with Government Code Section 56879 has been met by completing the dissolution of RD 2134 because the State Controller’s Office has identified RD 2134 as an inactive district. Within 90 days of receiving such determination, LAFCO is required to initiate the dissolution of inactive special districts by resolution. The State Controller’s notification was received at LAFCO on November 17, 2022.
2. The Commission’s determinations on the proposal incorporate the information and analysis provided in the staff report presented on February 15, 2023.
3. The Commission serves as the lead agency under the California Environmental Quality Act (CEQA) in considering the impacts of the proposal and that the Commission independently finds the action is a project under CEQA, but exempt from further CEQA review under the California Public Resources Code Section 15320.

- 4. The Commission finds that RD 2134 is an inactive district defined in Government Code 56042 and hereby initiates the dissolution of RD 2134.

The foregoing resolution was duly passed and adopted by the Local Agency Formation Commission of Solano County at a regular meeting, held on the 10th day of April 10, 2023, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Nancy Shopay, Chair  
Presiding Officer Solano Local Agency  
Formation Commission

ATTEST:

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Christina Love, Clerk to the Commission

**Attachment A****Solano Local Agency Formation Commission**

675 Texas St. Ste. 6700 • Fairfield, California 94533  
(707) 759-3439 • FAX: (707) 438-1788

February 27, 2023

**NOTICE OF HEARING**

Notice is hereby given that the Solano Local Agency Formation Commission (LAFCO) will hold a hearing at **10:00 a.m. on Monday, April 10, 2023**, or as soon thereafter as possible, in the Board of Supervisors Chambers, County Administration Building, 675 Texas Street, Fairfield, CA, to consider the following item:

**LAFCO Project No. 2023-01 Dissolution of Reclamation District 2134**

Actions include adopting a Resolution approving the dissolution of Reclamation District 2134.

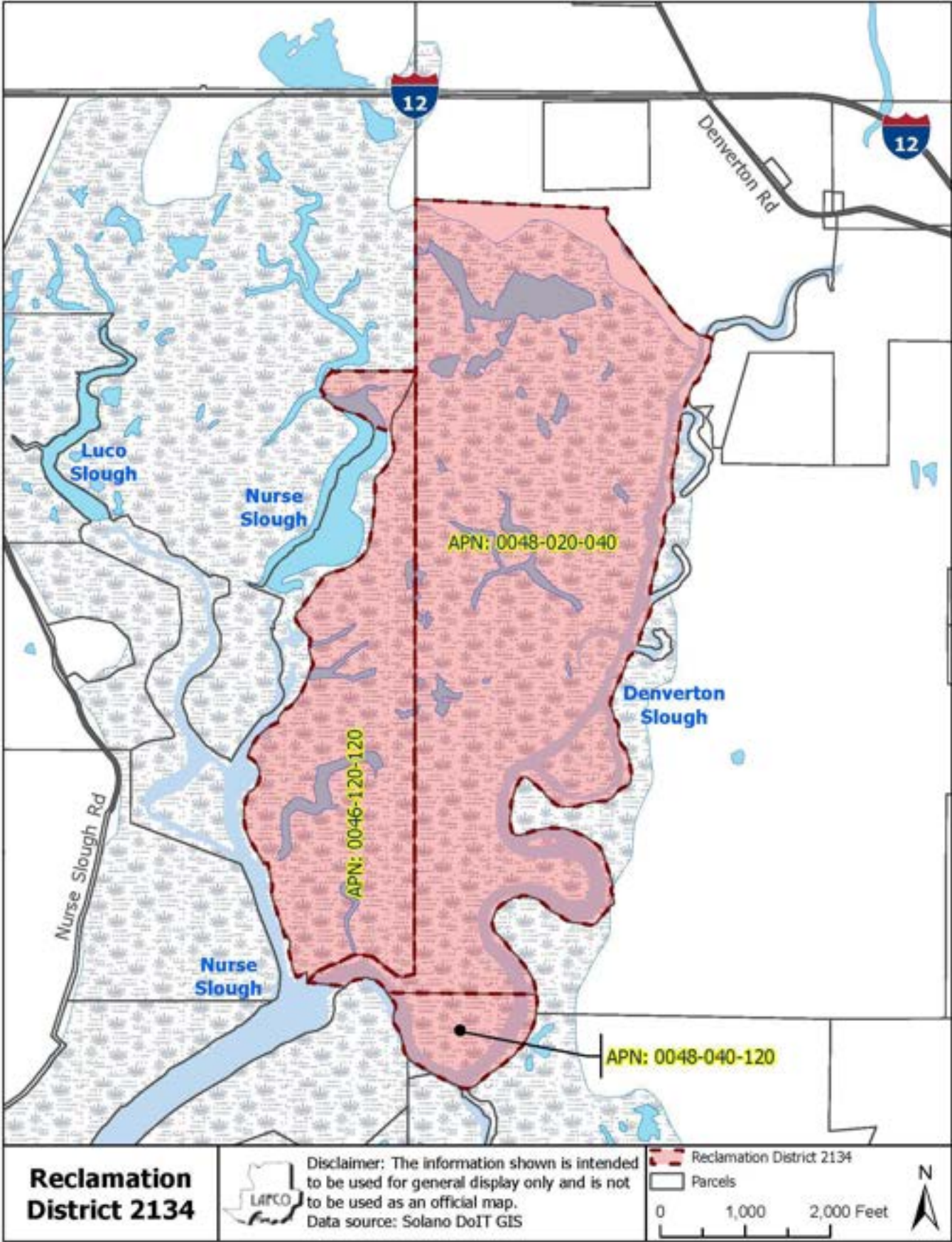
Reclamation District 2134 (RD 2134) consists of three parcels (APNs): 0046-120-120, APN 0048-020-040, and APN 0048-040-210 totaling approximately 852 acres, and is generally located within the Suisun Marsh bounded by Nurse Slough and the Denverton Slough. A map of RD 2134 is shown behind this notice.

On November 4, 2022, the Commission received notification from the State Controller Office identifying RD 2134 as being an inactive district in Solano County. Pursuant to Government Code (GC) 56879, the Commission is required to initiate the dissolution of inactive districts by resolution within 90 days of receiving notification from the State Controller Office, unless the Commission determines that a district does not meet the criteria set forth in GC 56042.

All interested parties will have an opportunity to speak to the Commission at the hearing and may submit written testimony prior to the hearing. Persons with disabilities may contact LAFCO staff at 707-439-3898 prior to the hearing to arrange for necessary accommodation so they may fully participate in the proceeding.

Note that if you or your agent have made a contribution of \$250 or more to any Commissioner or Alternate during the 12 months preceding the decision, you and the Commissioner are obligated to disclose the contribution and in the proceeding that Commissioner or Alternate must disqualify himself or herself from the decision. However, disqualification is not required if the Commissioner or Alternate returns the campaign contribution within thirty (30) days of learning both about the contribution and the fact that you are a participant in the proceedings.

Copies of the agenda and staff report will be available five days prior to the hearing date on the LAFCO website at [www.solanolaftco.com](http://www.solanolaftco.com) or at the LAFCO office during business hours.



Solano LAFCO  
675 Texas Street  
Suite 6700  
Fairfield, CA 94533

Solano LAFCO  
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Fairfield, CA 94533

CWA Denverton LLC  
1346 Blue Oaks Blvd  
Roseville, CA 95678

Venoco LLC  
C/O K.e. Andrews & Company  
1900 Dalrock Rd  
Rowlett, TX 75088





Attachment B  
**RECLAMATION DISTRICT 2134**

**DISSOLUTION RESOLUTION**

WHEREAS, Reclamation District 2134 (the “District”) has no assets, financial activity, and no longer benefits the State of California or the Landowner it represents;

WHEREAS, the District has been inactive since 6/30/2020;

WHEREAS, the Trustees wish to cease operations and dissolve the District;

WHEREAS, the Trustees have consulted with representatives from LAFCO and the State Controller’s Office;

NOW THEREFORE BE IT RESOLVED, that the District dissolve.

AYES: Trustees Eddings, Messerli

NOS: None

ABSTAINS: None

Approved by:

Robert Eddings *Robert Eddings*  
Robert Eddings (Aug 9, 2022 07:49 PDT)

Jake Messerli *JM*

# Resolution Dissovling RD2134

Final Audit Report

2022-08-09

Created:	2022-08-09
By:	Jake Messerli (jmesserli@calwaterfowl.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAxAAbftWz6p3nUopt12gdsrUY5llzqcDNQ

## "Resolution Dissovling RD2134" History

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2022-08-09 - 2:47:35 PM GMT
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2022-08-09 - 2:48:59 PM GMT- IP address: 73.189.227.8
-  Signer reddings@calwaterfowl.org entered name at signing as Robert Eddings  
2022-08-09 - 2:49:30 PM GMT- IP address: 73.189.227.8
-  Document e-signed by Robert Eddings (reddings@calwaterfowl.org)  
Signature Date: 2022-08-09 - 2:49:31 PM GMT - Time Source: server- IP address: 73.189.227.8
-  Agreement completed.  
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