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

DATE: June 12, 2023
 TO: Solano Local Agency Formation Commission
 FROM: Rich Seithel, Executive Officer
 SUBJECT: **LAFCO Project No. 2021-08: Rural North Vacaville Water District Sphere of Influence Update**

Recommendation:

DETERMINE that the sphere of influence update is exempt pursuant to Title 14 California Code of Regulations, Chapter 3 Guidelines for Implementation of the California Environmental Quality Act (CEQA), Section 15061(b)(3).

DIRECT staff to prepare and file a Notice of Exemption pursuant to CEQA Guidelines Section 15062.

REVIEW the staff draft determinations contained in the attached Action Item - draft LAFCO Resolution.

ADOPT attached LAFCO Resolution making determinations and updating sphere of influence amendment as detailed in the draft resolution.

DIRECT the Executive Officer to complete the necessary filings and transmittals as required by statute.

Executive Summary:

LAFCOs establish, amend, and update SOIs to designate the territory that represents the appropriate and probable future service areas and jurisdictional boundaries of the affected agencies. According to Government Code Section (GC § 56430), “in order to prepare and to update SOIs, the Commission shall conduct a service review (MSR) of the services provided and shall prepare a written statement of its determinations.”

On August 8, 2022, the Commission adopted the Rural North Vacaville Water District’s (RNVWD or District) MSR. Among several findings, the MSR determined that the RNVWD was formed in 1996¹ for two purposes: 1) to provide potable water and 2) water for fire suppression².

¹ January 8, 1996 Resolution 96-2

² Vacaville Fire Protection District requires that system should provide a minimum of 250 GPM at a minimum of 60 PSI for 20 minutes (Attachment B). Chief Howard Wood, VFPD, reconfirmed in January 2023.

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

Agenda Item 7.C – RNVWD SOI Update

The MSR determined that the District has the source capacity for a maximum of 533 connections. Currently, the District has 398 active connections and a balance of 135 available connections to serve approximately 300 parcels that have no connection (90 in-District and 210 in current SOI). Attachment C depicts the existing District's parcels and sphere of influence.

The MSR also encouraged RNVWD to develop a strategic plan to prepare for potential residential growth due to parcel subdivision and accessory dwelling units. Staff is continuing to work with the District on this recommendation.

While discussions continue, the RNVWD Board adopted Resolution 2023-68 on April 22, 2023, (Attachment A) identifying 18 parcels for consideration in the SOI Update.

In making SOI decisions and updates, LAFCOs are required to prepare written statements addressing five specific planning factors listed under GC § 56425. In addition to these factors, staff has developed a framework for evaluating and identifying potential parcels for possible inclusion.

Following is a discussion including I. Background, II. Project Description III. Statutory CKH mandatory findings, IV. Framework, V. Parcel Identification and Analysis Methodology, VI. Options, VII. Environmental Determination, VIII. Recommended Conditions of Approval, and IX. Conclusion. Generally, this discussion and analysis concluded that SOI candidates should be probable annexations and within close proximity to the main water line. Options are provided for the Commission's consideration.

Discussion:

I. Background:

As noted in the Executive Summary, LAFCOs establish, amend, and update SOIs to designate the territory that represents the appropriate and probable future service areas and jurisdictional boundaries of the affected agencies. Importantly, all jurisdictional changes, such as annexations and detachments, must be consistent with the spheres of the affected local agencies.

In making sphere determinations, LAFCOs are required to prepare written statements addressing five specific planning factors listed under GC § 56425. These mandatory factors range from evaluating current and future land uses to the existence of pertinent communities of interest. The intent in preparing the written statements is to orient LAFCOs in addressing the core principles underlying the sensible development of local agencies consistent with the anticipated needs of the affected communities.

Solano LAFCO's SOI policy is "to discourage the inclusion of land in an agency's SOI if a need for services provided by that agency within a 5 to 20-year period cannot be demonstrated."

The Solano Local Agency Formation Commission (LAFCO or Commission) adopted the RNVWD Municipal Service Review (MSR) on August 8, 2022. The Commission adopted the MSR but an SOI update was delayed at the Commission's direction until recommendations adopted in LAFCO Resolution #2022-09 are addressed and until more information is developed regarding the District's capabilities to meet their two formation edicts.

The primary MSR findings and recommendations for consideration in this report include:

- The RNVWD is a 5,150+ acre Community Service District (CSD) with approximately 1,118 residents;
- The RNVWD was formed in 1996 for two purposes: 1) to provide potable water and 2) water for fire suppression.
- The RNVWD operates and manages a public water system whose sole source of water comes from two groundwater wells, drilled to a depth of approximately 1,400 feet, located in the basal zone of the Tehama Formation aquifer with adequate capacity for the system designed 533 service connections; and
- Given potential parcel growth from subdividing lots and Accessory Dwelling Units (ADUs), the MSR recommends that RNVWD develops a strategic plan that includes 5-year and 10-year demand forecasts, an infrastructure plan, and a hydraulic modeling study. The strategic plan would greatly inform the near-term SOI, as well as, provide a blueprint for the future.

RNVWD was formed in 1996 for two purposes: 1) to provide potable water and 2) water for fire suppression. Vacaville Fire Protection District requires that the system provides a minimum of 250 GPM at a minimum of 60 PSI for 20 minutes.

(Attachment B)

The strategic plan recommendation is particularly significant and has been discussed at length with RNVWD General Manager Stankowski, Coastland Engineering, CalWater, RNVWD’s Counsel, and the RNVWD Board Presidents (former President Calvert and current President Sweeney). Discussions included a hydraulic-modeling study, fire-flow documentation, and a 5 and 10-year business plan that would include a demand/supply study, potential expansion, and other important information for annexation considerations moving forward.

As noted, administratively, LAFCOs are required to prepare written statements addressing five specific planning factors and to act as the lead agency under CEQA. To augment this information, staff has been thoroughly and systematically analyzing and evaluating data culled from several sources, including 1) MSR parcel inventory, 2) District provided infrastructure distribution map, 3) CALFIRE’s November 2022 draft severity zone update map (depicted in Attachment F), 3) assessment district formation documents, 4) fire hydrant maps 5) RNVWD formation documents and design requirements, and 5) potential lateral distances.

II. Project Description:

While most agencies have contiguous parcels, it has been remarked that RNVWD looks more like “Swiss cheese”. This is a result of the infrastructure being designed to serve the parcels that chose to “opt-in”³ – not to effectively serve an entire geographic area. In other words, the system was not designed to serve all the parcels within an exterior boundary. This leaves demonstrable gaps between “opt-in” parcels and punctuates the distance between a parcel and the infrastructure, which is problematic for connections. The gaps in the District map draw attention but make it necessary to evaluate where the actual infrastructure line runs when updating a sphere of influence. Staff finds this advisable in the absence of an engineering

³ “opt in” – on October 16, 1995, the Commission directed staff to exclude from the SOI any parcels which specifically requested exclusion. Parcels that opted in were included in the District.

report that documents adherence to the VFPD requirement and a hydrology model that can predict the effects of additional connections given that pipe length can drop flow rate. This raises a question - *If you are not close to the infrastructure, should you be in the SOI or District?*

III. CKH Mandatory Findings GC§ 56425 (5-Factors):

	FACTOR	FINDINGS AND DETERMINATION
1	<i>Present and planned land uses in the area, including agricultural and open space lands.</i>	Land use in the area includes a mix of agriculture uses on larger lots of 20+ acres and rural residential on smaller lots ranging in size from 2.5 to 5+ acres in what is generally referred to as the English Hills area. Adjustment of the District’s SOI would not require a change to the County’s current General Plan land use designations. Future lot splits done in accordance with existing zoning have the potential to significantly increase developable parcels.
2	<i>Present and probable need for public facilities and services in the area.</i>	RNVWD has adequate capacity to sustain the designed maximum transmission capacity for 533 water connections. Currently, the District consists of 398 “active connections” and has declared that they are not planning to expand the current system beyond 533. Potential subdivision growth includes 259 additional parcels within the District and 32 within the current SOI. In addition to potential subdivisions, many parcels are permitted by right to build up to 1,500 sq. ft. accessory dwelling units (ADUs), which would affect the average consumption rate per connection and may affect transmission capacity capabilities.
3	<i>Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide</i>	There are two purposes the District was formed to provide: 1. Residential water service connections, and 2. Fire suppression water consistent with Vacaville Fire Protection District standards. The present water system is adequate to meet the residential service meter demand. There is no documentation that the District is meeting the fire flow requirement.
4	<i>Existence of social or economic communities of interest in the area</i>	There are no known social or economic communities of interest within or contiguous to the District’s boundaries or SOI.
5	<i>Present and probable need for public facilities and services for DUCS within the existing sphere of influence.</i>	There are no disadvantaged unincorporated communities (DUCs) within the District, the District’s sphere of influence, or contiguous to RNVWD boundaries.

IV. Framework:

In conjunction with the CKH mandatory findings, the following 10 observations, assumptions, and determinants help frame and inform the SOI update discussion and explain RNVWD’s situation and salient issues:

1. The District was formed by parcels that voted to be in the District, not drawn by geographic description.
2. The infrastructure was designed to serve the parcels that voted “yes”. It appears it was not designed, as constructed, to serve all the parcels within a specific geographically described exterior jurisdictional boundary.
3. Assumes that the water distribution pipeline map that was requested by LAFCO staff and provided by RNVWD is accurate.
4. 533 connections/parcels is the system design capacity. The fire flow requirement determined by VFPD is a minimum of 250 GPM at a minimum of 60 PSI for 20 minutes.
5. RNVWD policy is no more than one connection per parcel. Post MSR, RNVWD has 697 assessor parcel numbers (APNs): 486 in-District proper and 211 APNs n their SOI. According to the District, they are not concerned about the significant number of non-served in-District parcels due to their “First Come – First Served” policy and they espouse that being in the District does not guarantee a connection.
6. Of the 533 maximum connections, they have 398 “active”⁴ connections, leaving 135 available for connection.
7. There is potential subdivision growth of 290 additional parcels within the current District/SOI.
8. Accessory dwelling units (ADUs) are permitted by right and available to the vast majority of parcels.
9. RNVWD wants to increase the SOI for two major reasons: because they have identified potential customers that are not in the SOI that desire a connection and to address legal lot clean-up issues.
10. Solano LAFCO’s policy is “to discourage the inclusion of land in an agency’s SOI if a need for services provided by that agency within a 5 to 20 year period cannot be demonstrated.

PARCEL BREAKDOWN	
<i>How many parcels are there in the RNVWD service area?</i>	
APNs in the District	486
APNs in the current SOI	211
Total Parcels in the RNVWD service area	697
<i>How many service connections/meters are left?</i>	
Maximum # Connections	533
Active Connections	-398
Availabe Connections	135
<i>How many parcels are already in the District without a connection/meter?</i>	
Total APNs within the District	486
Current APNs with "Active Connections"	-398
APNs already in District without a connection	88
<i>How many current available parcels are there in the District including the SOI?</i>	
APNs already in District without a connection	88
APNs already in SOI	211
Total current available APNs	299

⁴ “active” indicates that a connection has been established NOT that the parcel is drawing water

V. Parcel Identification and Analysis Methodology:

Fifty-three parcels were identified for analysis. Eighteen were requested by the District in RNVWD Resolution 2023-68, adopted on April 22. An additional thirty-five were identified by LAFCO staff. A methodology was developed that would provide criteria to inform the discussion. Following are four identified criteria that are important to consider in the parcel evaluations: 1) remnant parcels; 2) 50-foot water line halo; 3) assessment zone 2; and, 4) CALFIRE high fire hazard severity zone. These criteria are described as follows:

- Remnant parcels are primarily parcels that are considered “legal lots”. LAFCO and the Board of Equalization recognize Assessor Parcel Numbers. The County Planning Department, Assessor, and RNVWD consider a parcel, "As used in the RNVWD Rules and Regulations, a parcel is contiguous property under single ownership and of sufficient size to be considered buildable under Solano County’s land use and development regulations. A parcel may have one or more assessor’s parcel numbers assigned to it." This is a clean-up item and it is recommended that remnant parcels should be added to the SOI, particularly given the policy of one connection per lot, not one per APN.
- 50-foot water line halo identifies parcels with property boundary lines that are within 50 feet of the distribution line. This attribute addresses two concerns: elimination of long laterals that may negatively impact fire-flow pressure requirement and may not require an extension of the mainline to provide service.
- Assessment Zone 2 parcels are not in the District but receive the benefit of fire suppression water. In updating the District map, it was determined that several parcels in Zone 2 were not included in the 2016 update. A case may be made for the inclusion of Zone 2 parcels because they have already invested funds into the RNVWD system.
- CALFIRE high fire hazard severity zone. According to CALFIRE, fire hazard is a measure of how a fire will behave, based on the physical conditions of an area that create a likelihood an area may burn due to a wildfire. The best available science and data are used to evaluate these zones based on factors that include fire history, vegetation, flame length, blowing embers, terrain, weather, and the likelihood of buildings igniting. The updated severity zones will envelop more parcels within the District and may incentivize more reliable fire suppression action by landowners securing RNVWD water vs. private wells.

Before territory can be annexed to a city or special district, it must be within the agency’s sphere (GC § 56375.5). However, a sphere is only one of several factors the Commission considers when evaluating changes of organization. Being in the SOI does not guarantee annexation.

Following is a table (Table 1: Parcel Analysis) of the 53 APNs separated into two categories: 18 District recommended parcels and 35 additional APNs that staff identified for consideration (Other Parcels Analyzed). Each parcel is then evaluated by the four criteria. Criteria that favor SOI inclusion are the remnant parcels and the APNs within the 50-foot halo. Less heavily weighted are the CALFIRE High Hazard Fire Severity Zone and Assessment Zone APNs. Points were assigned by criteria to develop a metric for decision-making.

TABLE 1: PARCEL ANALYSIS

Agenda Item 7.C – RNVWD SOI Update

CRITERIA						OPTIONS					
	APN	Remnant Parcel (4 Points)	Within 50' Water Line Halo (3 Points)	CAL FIRE High Fire Hazard Severity Zone (2 Points)	In Assessment Zone 2 (1 Point)	Total Score	Option 1: Clean-up Parcels	Option 2: Point System	Option 3: Option 2 + Balance of District Recommendation	Option 4: Commission Recommendation	
District Proposed Parcels	1	0104150350	✓	✓	X	✓	8	✓	✓	✓	✓
	2	0104150450	✓	X	X	✓	5	✓	✓	✓	✓
	3	0105070310	✓	✓	✓	✓	10	✓	✓	✓	✓
	4	0105170050	✓	✓	✓	✓	10	✓	✓	✓	✓
	5	0105170100	✓	X	✓	✓	7	✓	✓	✓	✓
	6	0105200180	✓	✓	✓	✓	10	✓	✓	✓	✓
	7	0105220120	✓	✓	✓	✓	10	✓	✓	✓	✓
	8	0105220130	✓	✓	✓	✓	10	✓	✓	✓	✓
	9	0102230070	X	✓	✓	✓	6	X	✓	✓	✓
	10	0105050410	X	✓	✓	✓	6	X	✓	✓	✓
	11	0105050420	X	✓	✓	✓	6	X	✓	✓	✓
	12	0105050950	X	✓	✓	✓	6	X	✓	✓	✓
	13	0105060460	X	✓	X	✓	4	X	✓	✓	✓
	14	0105070370	X	X	✓	✓	3	X	X	✓	
	15	0123030060	X	X	✓	X	2	X	X	✓	
	16	0123070020	X	X	✓	X	2	X	X	✓	
	17	0105110730					N/A				
	18	0105170250					N/A				
Other Parcels Analyzed	19	0104120850	✓	X	X	✓	5	✓	✓	✓	✓
	20	0102070030	X	✓	✓	X	5	X	✓	✓	✓
	21	0105180290	X	✓	X	✓	4	X	✓	✓	✓
	22	0105060550	X	✓	X	✓	4	X	✓	✓	✓
	23	0105150310	X	✓	X	✓	4	X	✓	✓	✓
	24	0105150320	X	✓	X	✓	4	X	✓	✓	✓
	25	0105180620	X	✓	X	X	3	X	○	○	
	26	0105180190	X	✓	X	X	3	X	○	○	
	27	0105180110	X	✓	X	X	3	X	○	○	
	28	0105180180	X	✓	X	X	3	X	○	○	
	29	0105180820	X	✓	X	X	3	X	○	○	
	30	0105150120	X	✓	X	X	3	X	○	○	
	31	0105150050	X	✓	X	X	3	X	○	○	
	32	0105120320	X	✓	X	X	3	X	○	○	
	33	0105140060	X	✓	X	X	3	X	○	○	
	34	0105140110	X	✓	X	X	3	X	○	○	
	35	0105140030	X	✓	X	X	3	X	○	○	
	36	0105140100	X	✓	X	X	3	X	○	○	
	37	0105140020	X	✓	X	X	3	X	○	○	
	38	0105140080	X	✓	X	X	3	X	○	○	
	39	0105060630	X	✓	X	X	3	X	○	○	
	40	0105030750	X	✓	X	X	3	X	○	○	
	41	0104120470	X	✓	X	X	3	X	○	○	
	42	0104120320	X	X	X	✓	1	X	X	X	X
	43	0104120390	X	X	X	✓	1	X	X	X	X
	44	0104120400	X	X	X	✓	1	X	X	X	X
	45	0104120410	X	X	X	✓	1	X	X	X	X
	46	0104120420	X	X	X	✓	1	X	X	X	X
	47	0104120430	X	X	X	✓	1	X	X	X	X
	48	0104120440	X	X	X	✓	1	X	X	X	X
	49	0104120670	X	X	X	✓	1	X	X	X	X
	50	0104120680	X	X	X	✓	1	X	X	X	X
	51	0105030400	X	X	X	✓	1	X	X	X	X
	52	0105060200	X	X	X	✓	1	X	X	X	X
	53	0105180050	X	X	X	✓	1	X	X	X	X

✓	Yes
X	No

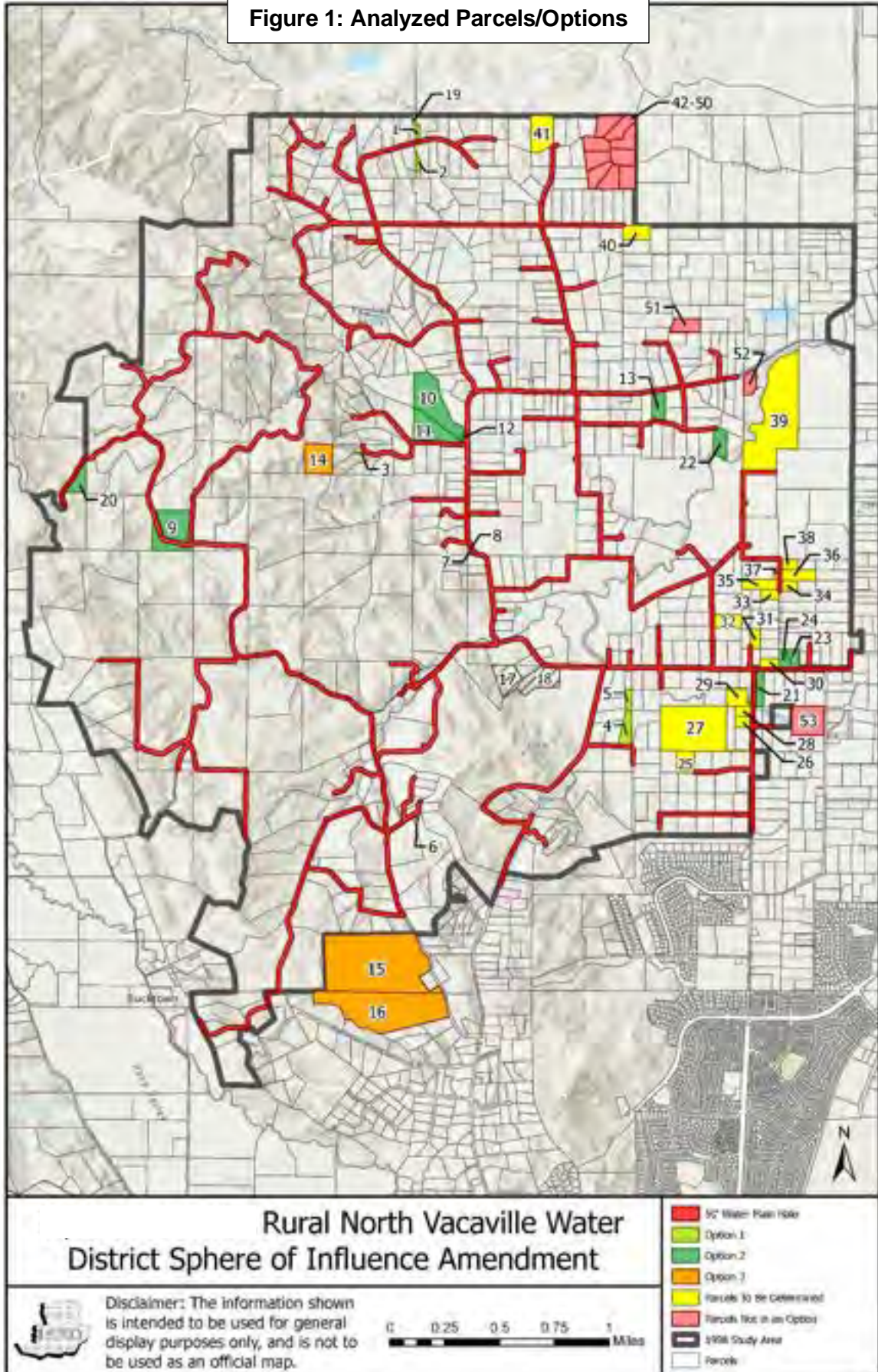
✓	Yes
○	To Be Determined
X	No

Note: These three parcels are not being recommended by staff primarily due to their distance from the existing water delivery infrastructure. (approx. 200', 434', and 842' respectively)

Note: These two parcels are already in the district. They are the product of a subdivision, and the original parcel was in the district. Therefore, no action

Note: The inclusion of these parcels is up for discussion because they have close proximity to the existing water delivery infrastructure, but do not fall within any of the other attributes analyzed. Proximity to the water main was weighted heavily when determining staff recommendations, but it is unclear whether being within this halo automatically constitutes being an area of "probable" growth.

Figure 1: Analyzed Parcels/Options



VI. Options:

Two of the 18 APNs submitted by the RNVWD Board Resolution are not applicable for SOI analysis. As noted in the table, APN 0105110730 and APN 01051700250, are already in the District rendering an SOI evaluation unnecessary. Therefore, the analysis will be considering 16 District recommended APNs and 35 Other Parcels (51 total).

After evaluating each parcel against the criteria, four options were developed for SOI inclusion: 1) Cleanup Parcels; 2) Point System; 3.) Option 2 plus Balance of District Request, and; 4) Commission Recommendation. Following are the pros and cons of Options 1, 2, 3, and 4:

▪ Option 1 - Cleanup Parcels

Pros – Cleaning up the remnant parcels is necessary. As described in the criteria section, remnant parcels are primarily parcels that are considered legal lots. It is recommended that remnant parcels should be added to the SOI, particularly given the policy of one connection per lot, not one per APN. In addition, these parcels scored 5 or higher in the point system.

The Clean-up Option recommends 9 parcels: 8 of the 16 parcels that RNVWD is requesting and 1 of the Other Parcels.

Cons – No cons identified. Cleaning up legal lots is required.

▪ Option 2 – Point System (Staff Recommendation)

Pros - The point system is a metric-based methodology with an emphasis on “appropriate and probable” as defined in the Government Code. Parcels earn points based on meeting criteria. Criteria are weighted by necessity (4 points), consideration of fire flow requirement through transmission line proximity (3 points), parcel located in the high fire hazard severity zone (2 points), and parcel located in Benefit Assessment Zone 2 (1 point). Parcels scoring 4 or higher were judged to be qualified for inclusion.

The Point System Option includes 19 parcels: 13 of the 16 parcels RNVWD is recommending and 6 of the Other Parcels.

Cons – LAFCO staff analyzed and mined data from the GIS layers provided by CalCad. We are assuming that the infrastructure maps are accurate. We are also assuming that 50 feet or less is a reasonable lateral line distance and lessens the reduction of fire flow. According to calculations based on the CalCad layers, the average lateral distance for the existing system is 25 feet.

▪ Option 3 – Option 2 plus Balance of District Request

Pros – Satisfies RNVWD’s request.

The Point System Option + Valance of District request includes 22 parcels: 16 of the 16 parcels RNVWD recommends and 6 Other Parcels.

Cons – The added 3 remaining properties that the District is recommending are a concerning distance from the existing infrastructure. Utilizing the infrastructure map layers forwarded by the District and CalCad, LAFCO staff plotted the distance from the existing

Agenda Item 7.C – RNVWD SOI Update

water delivery infrastructure to the closest parcel boundary point. Measurements for the three parcels are approximately 200 ft., 434 ft., and 842ft. respectively. There is also concern that since the two southern properties were specifically excluded from the District, adding them may trigger a need for CEQA and main infrastructure extension.

- Option 4 – LAFCO Commission Recommendation

Pros – Informed recommendation including info from the public hearing.

The Commission Recommendation is Option 2 (Point System Option) + additions/deletions as directed by the Commission.

Point System Option includes 22 parcels: 16 of the 16 parcels RNVWD is recommending and 6 of the Other Parcels.

VII. Environmental Determination:

SOI updates are projects and subject to environmental review under CEQA. An exemption under Section 15061(b)(3) is appropriate as this finding is based on the Commission determining with certainty the update will have no possibility of significantly affecting the environment given no new land-use or municipal service authority is granted. Consequently, a Notice of Exemption (NOE) was prepared for the adoption of the SOI Update.

VIII. Recommended Conditions of Approval

1. RNVWD Will-Serve Letters shall have a sign-off signature/stamp from a licensed qualified engineer with appropriate expertise confirming that, with the annexation, the RNVWD will continue to fulfill the Vacaville Fire Protection District's minimum requirement that the system provides a minimum of 250 GPM at a minimum of 60 PSI for 20 minutes.
2. RNVWD Board adopted Resolutions of Application shall include a clause confirming that the District has the capacity to meet the CCR §64544 Maximum Daily Demand requirements.
3. RNVWD Board adopted Resolutions of Application shall include a clause confirming that the District has the pressure to meet the Vacaville Fire Protection District's minimum requirement that "the system provides a minimum of 250 GPM at a minimum of 60 PSI for 20 minutes."
4. Given that there are a limited number of available connections (135) and approximately 300 APNS without a connection (\approx 90 in-District and 210 in the existing SOI), District shall survey parcels to determine intent/interest in RNVWD services.
5. The District shall regularly publish connection information in the District Newsletter, prominently on the website, and/or through direct mailing.

Conclusion:

A Sphere of Influence is defined as the probable physical boundary and service area of a local agency. Solano LAFCO's policy is "to discourage the inclusion of land in an agency's SOI if a need for services provided by that agency within a 5 to 20-year period cannot be demonstrated."⁵ As designed, the RNVWD can serve a maximum of 533 connections. Currently, the District is at 398 active connections with a balance of 135 available connections to serve approximately 300 parcels (90 in-District and 210 in current SOI) that have no connection. Given this surplus of parcels and Solano LAFCO's policy, should the District's SOI be expanded? If yes, which parcels should be included?

There remains a significant number of landowners that continue to be reliant on, and comfortable with, their private wells, eschewing RNVWD service. In order to fill that gap, adding parcels to the SOI in anticipation of a probable annexation potentially adds connections, spreads the operational fixed costs, lowers the cost per unit, and improves efficiency. LAFCO staff encourages such an effort. What is strongly discouraged is adding parcels that are not probable annexations or parcels that require mainline extension or denigrate fire flow.

In conclusion, staff recommends:

- ❖ The Commission approves option #2 outlined in this report. Option #2 is a metric-based analysis that includes clean-up items, parcels that are within 50 feet of the mainline, and 13 of the 16 District recommendations (81%), and 6 Other Parcels.
- ❖ The Commission adopts the five Recommended Conditions of Approval outlined in Section VIII.
- ❖ RNVWD develop a strategic plan as outlined in the Municipal Service Review.
- ❖ Adopt the attached Resolution finding the project exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines, acting as Lead Agency, the LAFCO determines that the project is exempt from CEQA.

Attachments:

Action Item – Resolution of the Local Agency Formation Commission of Solano County
Approving the Rural North Vacaville Water District Sphere of Influence Update
Exhibit A – Updated District Maps with List of APNs as Determined by LAFCO
Commission on June 12, 2023 (To be determined)

Attachment A – Rural North Vacaville Water District Resolution 2023-68
Attachment B – Vacaville Fire Protection District: Fire Suppression Standards
Attachment C – Two Maps of Existing RNVWD: Parcels only, Map with water line
Attachment D – Three Maps of Analyzed Options: Option 1, Option 2, Option 3
Attachment E – Memorandum Citing LAFCO Purpose and Authority
Attachment F – CALFIRE Fire Hazard Severity Zones (Draft)

⁵"GUIDELINES FOR ESTABLISHING SPHERES OF INFLUENCE IN SOLANO COUNTY", Amended by the Local Agency Formation Commission April 8, 2013

RESOLUTION NO. 2023-XX

RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF SOLANO COUNTY APPROVING THE SPHERE OF INFLUENCE UPDATE OF THE RURAL NORTH VACAVILLE WATER DISTRICT (LAFCO Project No. 2021-08)

WHEREAS, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization (CKH) Act, commencing with §56000, *et seq.* of the Government Code (GC), and specifically in accordance with GC §56425 and the adopted Sphere of Influence (SOI) Policy of the Solano Local Agency Formation Commission (LAFCO); and,

WHEREAS, GC §56425(f) requires that LAFCO review and update the SOI boundaries every five years, as necessary; and

WHEREAS, GC §56430 requires that municipal services reviews (MSR) are conducted prior to or in conjunction with an SOI update; and

WHEREAS, the Solano Local Agency Formation Commission (LAFCO) adopted LAFCO Resolution #2022-09 on August 8, 2022, which adopted the Rural North Vacaville Water District MSR and found it to be adequate and complete pursuant to the requirements of GC §56430 and the Commission’s adopted standards and policies, and

WHEREAS, the municipal service review describes and discloses the information required for the review and SOI Update of the subject listed Districts; and

WHEREAS, no change in regulation, land use, or development will occur as a result of updating the District SOI; and

WHEREAS, the Solano LAFCO, acting as the Lead Agency under the California Environmental Quality Act, determines that the subject sphere of influence update is exempt pursuant to Section 15061(b)(3); and,

WHEREAS, in the form and manner prescribed by law (GC§ 56427), the Executive Officer has given notice of the proposed SOI updates including: published in the Daily Republic, mailed to the District, emailed to affected agencies (Solano County Resource Management, Solano County Planning, and Solano Irrigation District), and posted on the Commission’s website; and

WHEREAS, the SOI update was duly considered at a public hearing held on June 12, 2023; and

WHEREAS, upon the date, time, and place specified in said notice of hearing and in any order or orders containing such hearing, the Commission has received, heard, discussed and considered all oral and written testimony related to the sphere of influence, including but not limited to comments, objections, the Executive Officer’s written and oral report and recommendation, information and determinations of the municipal service review and the environmental documents and determination, and the Commission’s adopted Standards and SOI policy.

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

1. Pursuant to Section 15061(b)(3) of the CEQA Guidelines, acting as Lead Agency, the LAFCO Commission finds that the project is categorically exempt from CEQA since the project involves a sphere of influence update where the services provided by the RNVWD will not change as a result of this update and the Commission determines with certainty the update will have no possibility of significantly affecting the environment given no new land-use or municipal service authority is granted.
2. The SOI for the subject District is determined and approved as shown on the attached map marked “Exhibit A” and attached hereto and are incorporated herein by this reference.
3. Determinations with respect to the Sphere of Influence for the subject District is set forth and described as “Option 2 – Point System” in the attached marked “Exhibit B” and is incorporated herein by this reference.
4. The Executive Officer is hereby directed to file a Notice of Exemption in compliance with the California Environmental Quality Act and local ordinances implementing the same.
5. Pursuant to California Government Code Section (GC§ 56425(e)) the Commission hereby makes the following five findings and determinations:

CKH Mandatory Findings GC§ 56425 (5-Factors):

	FACTOR	FINDINGS AND DETERMINATION
1	<i>Present and planned land uses in the area, including agricultural and open space lands.</i>	Land use in the area includes a mix of agriculture uses on larger lots of 20+ acres and rural residential on smaller lots ranging in size from 2.5 to 5+ acres in what is generally referred to as the English Hills area. Adjustment of the District’s SOI would not require a change to the County’s current General Plan land use designations. Future lot splits done in accordance with existing zoning have the potential to significantly increase developable parcels.
2	<i>Present and probable need for public facilities and services in the area.</i>	RNVWD has adequate capacity to sustain the designed maximum transmission capacity for 533 water connections. Currently, the District consists of 398 “active connections” and has declared that they are not planning to expand the current system beyond 533. Potential subdivision growth includes 259 additional parcels within the District and 32 within the current SOI. In addition to potential subdivisions, many parcels are permitted by right to build up to 1,500 sq. ft. accessory dwelling units (ADUs), which would affect the average consumption rate per connection and may affect transmission capacity capabilities. ⁴

	FACTOR	FINDINGS AND DETERMINATION
3	<i>Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide</i>	There are two purposes the District was formed to provide: 1. Residential water service connections, and 2. Fire suppression water is consistent with Vacaville Fire Protection District standards. The present water system is adequate to meet the residential service meter demand. There is no documentation that the District is meeting the fire flow requirement.
4	<i>Existence of social or economic communities of interest in the area</i>	There are no known social or economic communities of interest within or contiguous to the District’s boundaries or SOI.
5	<i>Present and probable need for public facilities and services for DUCS within the existing sphere of influence.</i>	There are no disadvantaged unincorporated communities (DUCs) within the District, the District’s sphere of influence, or contiguous to RNVWD boundaries.

6. Pursuant to the Commission’s adopted standards set forth under GC § 56375(h) and Conditions of Approval pursuant to GC § 56886(v), the Commission hereby adopts the following Conditions of Approval:

- A. RNVWD Will-Serve Letters shall have a sign-off signature from a licensed qualified engineer with appropriate expertise confirming that, with the annexation, the RNVWD will continue to satisfy the Vacaville Fire Protection District’s minimum requirement that the system provides a minimum of 250 GPM at a minimum of 60 PSI for 20 minutes.
- B. RNVWD Board Resolution of Applications shall include a clause confirming that the District has the capacity to meet the CCR §64544 Maximum Daily Demand requirements.
- C. RNVWD Board adopted Resolutions of Application shall include a clause confirming that the District has the pressure to meet the Vacaville Fire Protection District’s minimum requirement that “the system provides a minimum of 250 GPM at a minimum of 60 PSI for 20 minutes.”
- D. Given that there are a limited number of available connections (135) and approximately 300 APNS without a connection (≈ 90 in-District and 210 in the existing SOI), District shall survey parcels to determine intent/interest in RNVWD services.
- E. The District shall publish connection information in the District Newsletter, prominently on the website, and/or direct mailing.

Continued on the next page

Agenda Item 7.C – Action Item: Resolution for Approval

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 June, 2023 by the following votes:

AYES:
NOES:
ABSENT:
ABSTAIN:

Nancy Shopay, Chair
Presiding Officer Solano Local Agency
Formation Commission

ATTEST:

Christina Love, Clerk to the Commission

Exhibit A – Updated District Maps with List of APNs as Determined by LAFCO Commission on
June 12, 2023

RESOLUTION NO. 2023-68

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RURAL NORTH VACAVILLE WATER DISTRICT REQUESTING LAFCO APPROVE THE UPDATED DISTRICT BOUNDRY AND SPHERE OF INFLUENCE.

WHEREAS, Solano LAFCO updates the Municipal Service Review (MSR) and Sphere of Influence (SOI) every 5 years; and,

WHEREAS the MSR has been updated by LAFCO dated final April 22, 2022; and,

WHEREAS, the SOI update remains to be completed by LAFCO; and,

WHEREAS, LAFCO requires that the District provide a request to LAFCO for an updated Boundary and updated SOI ; and,

WHEREAS, there have been many revisions to the SOI since the Formation of the District ; and,

WHEREAS, the District wants to clear up the discrepancies in the data relating to properties in the Sphere and,

WHEREAS,; the District has employed the services of a land mapping company, CalCad to have the most current information regarding assessor parcel numbers and,

WHEREAS ; The District and it's consultant CalCad have fully evaluated all the current study and reports from LAFCO regarding status of in the current sphere; and,

WHEREAS, District Resolutions 2021-50 and 2021-51 have District approved annexation requests pending LAFCO updated SOI; and

WHEREAS, this updated SOI does not expand the number connections in any way nor obligate the District to any infrastructure improvements and it is the interest of the District to provide the requested information to LAFCO;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Rural North Vacaville Water District as follows:

1. The recitals set forth above are true and correct.
2. This Board finds the updated Boundary and SOI is a reasonable request as presented in Exhibit A Proposed Boundary, Exhibit B current LAFCO parcel designations, Exhibit C list of APNs to add to the sphere.
3. This Resolution shall take effect immediately upon its adoption.

Agenda Item 7.C – RNVWD SOI Update

PASSED AND ADOPTED by the Board of Directors of the Rural North Vacaville Water District, this 11th day of April 2023, by the following vote

AYES: Patrick Sweeney, Ken Swenson, Steve Stickland
NOES: Elizabeth Miles
ABSENT: Bob Whitehouse
ABSTAIN:

DocuSigned by:
Patrick J. Sweeney
(832 461 881 705 10 01)
Pat Sweeney – President
RNVWD Board of Directors

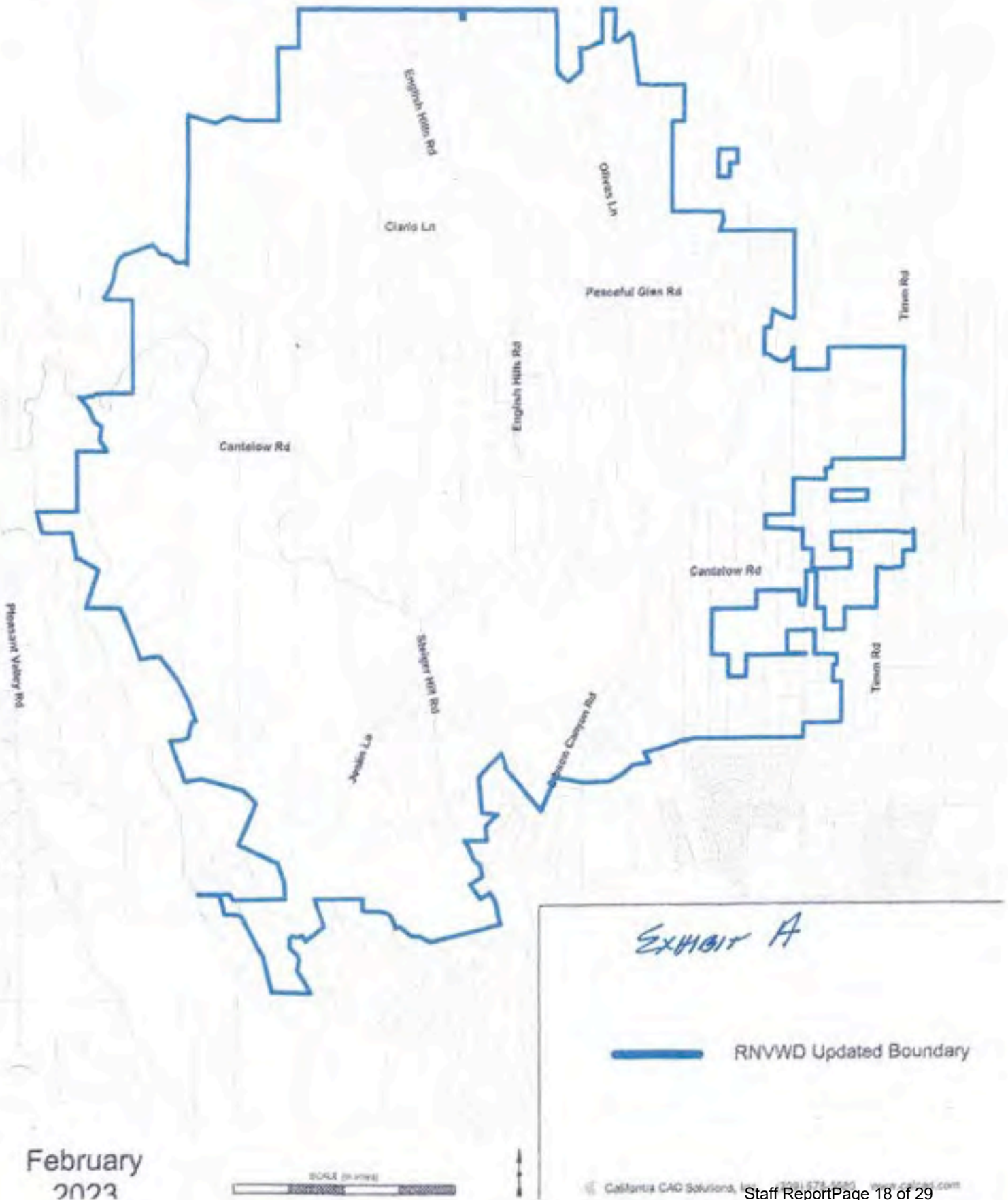
ATTEST:

Nancy A. Veerkamp
Nancy Veerkamp
RNVWD Board Clerk



Rural North Vacaville Water District

Agenda Item 7.C – RNVWD SOI Update



February
2023



Rural North Vacaville Water District

Agenda Item 7.C – RNVWD SOI Update

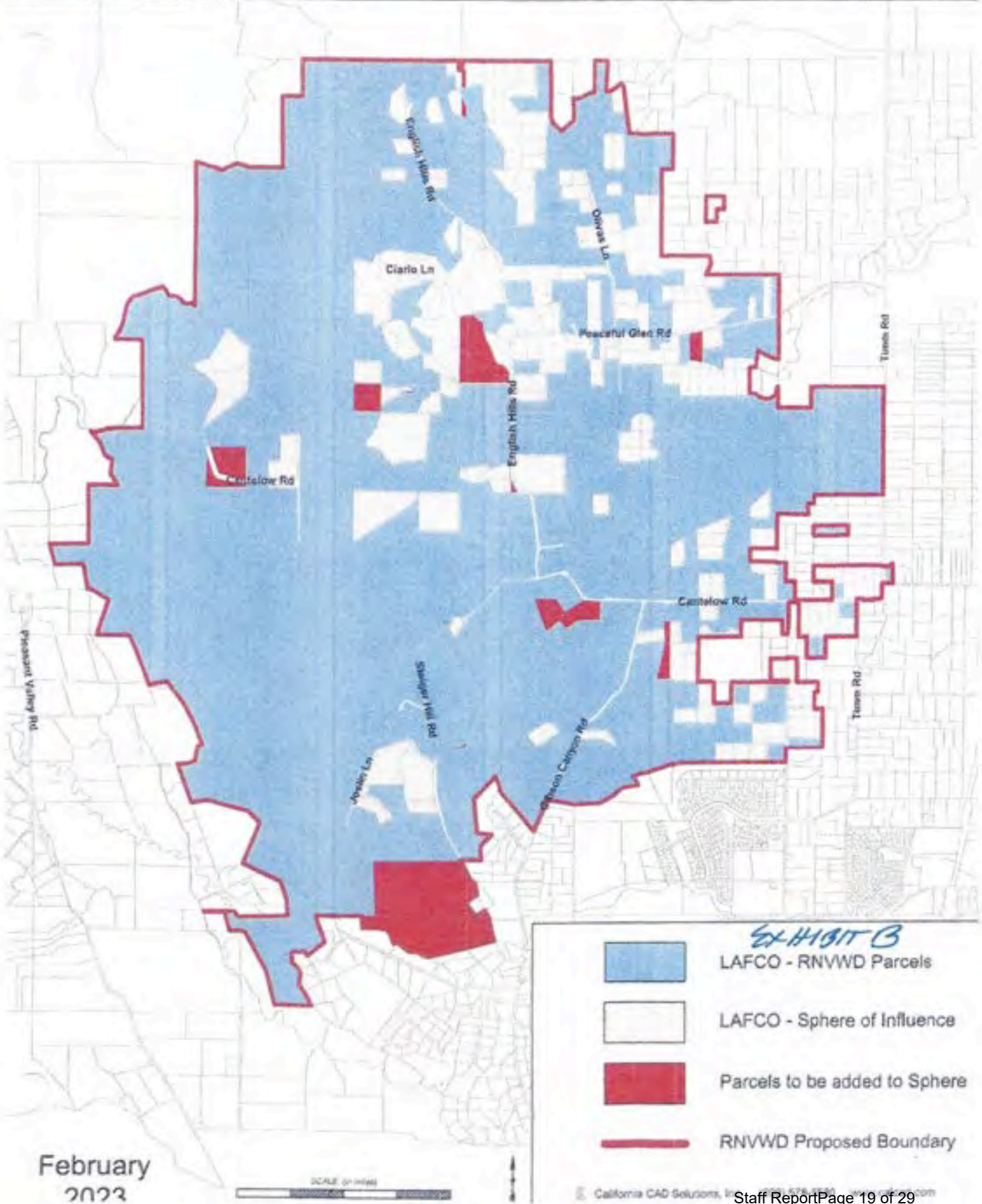


EXHIBIT C

Agenda Item 7.C – RNWWD SOI Update

EXHIBIT C

#	ACRES	APN	2016 sphere map designation	Legal with NOTES	*Total APN's making up the legal property	2023 RECOMMENDED DESIGNATION	COLOR KEY
1	0.17	0105200180	NO DESIGNATION	REWARD RESOLUTION 2017-50 PERBMS	SEE RESO	Add_to_Sphere	LEGAL PROPERTY IS NOT IN THE DISTRICT OR IN THE SPHERE IN 2016 MAP
2	77.77	01210300660	NO DESIGNATION	REWARD RESOLUTION 2011-51 ENGLISH HILLS LLC	SEE RESO	Add_to_Sphere	LEGAL PROPERTY IS NOT IN THE DISTRICT OR IN THE SPHERE IN 2016 MAP
3	54.29	0121070020	NO DESIGNATION	REWARD RESOLUTION 2011-51 ENGLISH HILLS LLC	SEE RESO	Add_to_Sphere	LEGAL PROPERTY IS NOT IN THE DISTRICT OR IN THE SPHERE IN 2016 MAP
4	18.15	0102230070	IN DISTRICT	WENT TO "NO DESIGNATION WITH A WATER RIGHT" ON BOUNDARY LAUNO LUNA MAP FROM 2017	1	CONFORM TO 2016 MAP	LEGAL PROPERTY CURRENTLY "IN THE DISTRICT" IN 2016 MAP
5	1.10	0104150350	NO DESIGNATION	LEGAL W/ 305-450-360 (already in sphere 2016 "fire")	2	Add_to_Sphere	LEGAL PROPERTY IN CURRENT SPHERE/FIRE IN 2016 MAP
6	1.54	0104150450	NO DESIGNATION	LEGAL W/ 304-150-460 (already in sphere 2016 "fire")	2	Add_to_Sphere	LEGAL PROPERTY IN CURRENT SPHERE/FIRE IN 2016 MAP
7	18.82	0105050410	NO DESIGNATION	E	1	Add_to_Sphere	LEGAL PROPERTY IS NOT IN THE DISTRICT OR IN THE SPHERE IN 2016 MAP
8	13.52	0105050420	NO DESIGNATION	LEGAL W/ 305-040-090 (already in sphere 2016 "fire")	2	Add_to_Sphere	LEGAL PROPERTY IN CURRENT SPHERE/FIRE IN 2016 MAP
9	0.34	0105050950	NO DESIGNATION	E	1	Add_to_Sphere	LEGAL PROPERTY IS NOT IN THE DISTRICT OR IN THE SPHERE IN 2016 MAP
10	5.01	0105060460	IN SPHERE/FIRE	WENT TO "NO DESIGNATION" ON MOUNTAIN LAUNO LUNA MAP FROM 2017	1	CONFORM TO 2016 MAP	LEGAL PROPERTY IN CURRENT SPHERE/FIRE IN 2016 MAP
11	0.16	0105070310	NO DESIGNATION	LEGAL W/ 305-070-320 (already in sphere 2016 "fire")	2	Add_to_Sphere	LEGAL PROPERTY IN CURRENT SPHERE/FIRE IN 2016 MAP
12	11.40	0105070870	NO DESIGNATION	LANDLOCKED ACCESS TRUCK IN	1	Add_to_Sphere	LEGAL PROPERTY IS NOT IN THE DISTRICT OR IN THE SPHERE IN 2016 MAP
13	8.40	0105110750	IN DISTRICT	MORGAN PHASE 1 "NEW PARCELS"	1	UPDATE RECORDS	LEGAL PROPERTY CURRENTLY "IN THE DISTRICT" IN 2016 MAP
14	5.93	0105170050	NO DESIGNATION	LEGAL W/ 305-180-780 THEN THE 2016 DESIGNATION WAS "NO SPHERE" IN FIRE	2	Add_to_Sphere	LEGAL PROPERTY IN CURRENT SPHERE/FIRE IN 2016 MAP
15	1.64	0105170100	NO DESIGNATION	LEGAL W/ 305-180-770 THE 2016 DESIGNATION WAS "NO SPHERE" IN FIRE	1	Add_to_Sphere	LEGAL PROPERTY IN CURRENT SPHERE/FIRE IN 2016 MAP
16	9.72	0105170250	IN DISTRICT	MORGAN PHASE 1 "NEW PARCELS"	1	UPDATE RECORDS	LEGAL PROPERTY CURRENTLY "IN THE DISTRICT" IN 2016 MAP
17	0.58	0105220120	NO DESIGNATION	LEGAL W/ 0105-210-130 SEE ADDITIONAL BREAKDOWN BELOW, part of E18	3	Add_to_Sphere	LEGAL PROPERTY IN CURRENT SPHERE/FIRE IN 2016 MAP
18	0.08	0105220130	NO DESIGNATION	LEGAL W/ 0105-210-110 (4.24 acres) already in sphere 2016 "fire" AND LEGAL WITH 0105-210-120 (in 2016 listed as "no designation") Part of E17 above	3	Add_to_Sphere	LEGAL PROPERTY IN CURRENT SPHERE/FIRE IN 2016 MAP

VACAVILLE FIRE PROTECTION DISTRICT

Agenda Item 7.C – RNVWD SOI Update

420 Vine Street
 Vacaville, CA 95688
 (707) 447-2252



HOWARD F. WOOD
 FIRE CHIEF

February 13, 1998

Frank P. Volpi
 Local Manager, Dixon District
 California Water Service Company
 110 E. Mayes Street
 Dixon, CA 95620

Dear Mr. Volpi:

After our Discussion on the Rural North Vacaville Water District, the following would be the minimum requirement for service to the area of the existing homes.

1. System should be able to provide a minimum of 250 G.P.M. at a minimum of 60 P.S.I. for 20 minutes.
2. The area would require approximately 60 to 100 Hydrants as recommended by the Advisory Committee.
3. Hydrant style would be equal to 6" Long Beach Hydrants as approved by the Advisory Committee.
4. The final location of the Hydrants would be done at the time the project starts. We have calculated the Hydrants on the basis of the existing area and the recommendation of the Advisory Committee. It should be noted that this would only be for the existing homes, and any future development would require to be built under current codes.

If you have any further questions, please do not hesitate to call me.

Sincerely,

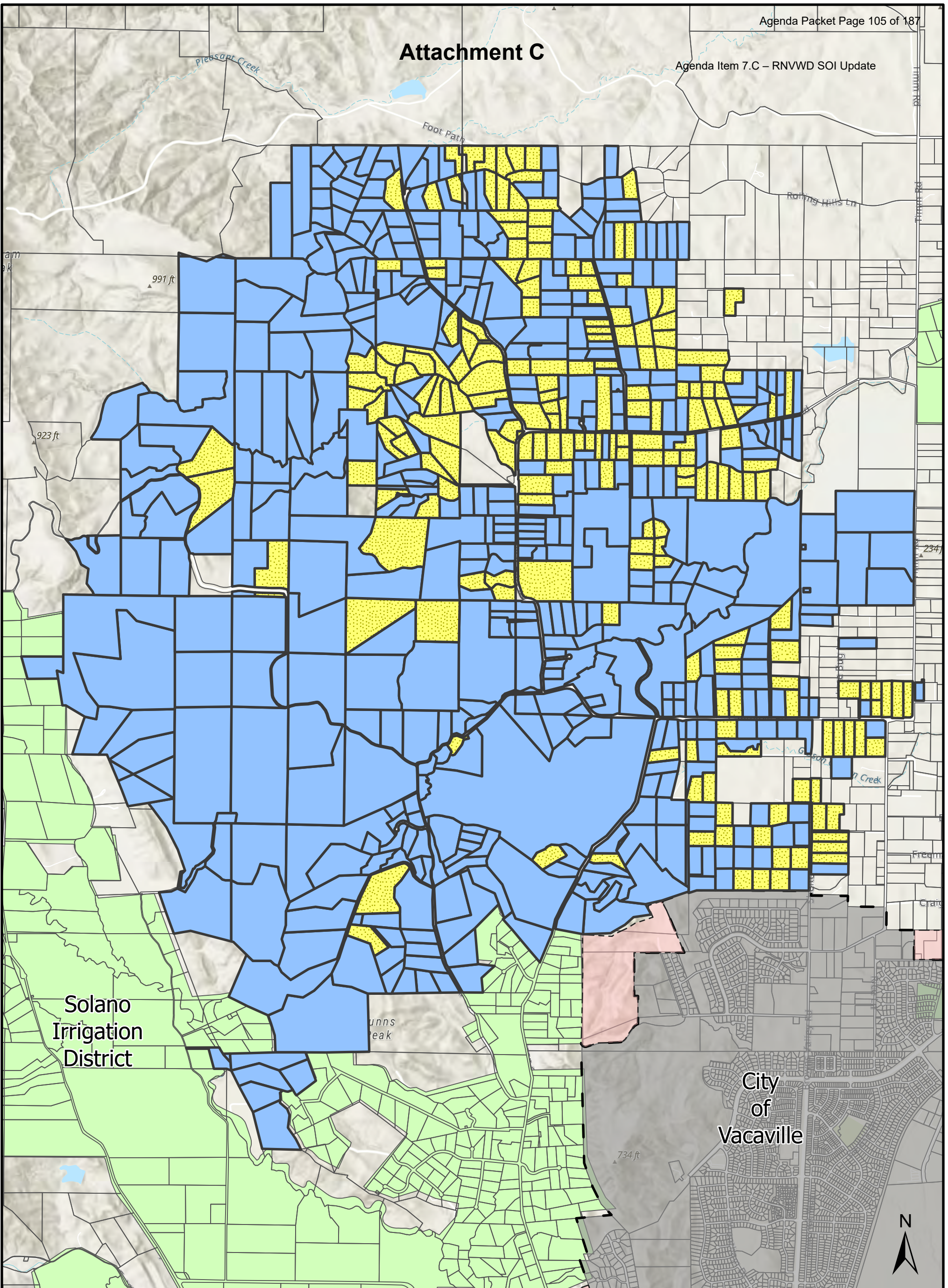
Howard F. Wood

Howard F. Wood
 Fire Chief

cc: Englebright

Attachment C

Agenda Item 7.C – RNWWD SOI Update



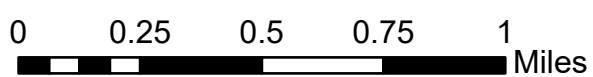
Rural North Vacaville Water District Current Boundary and SOI

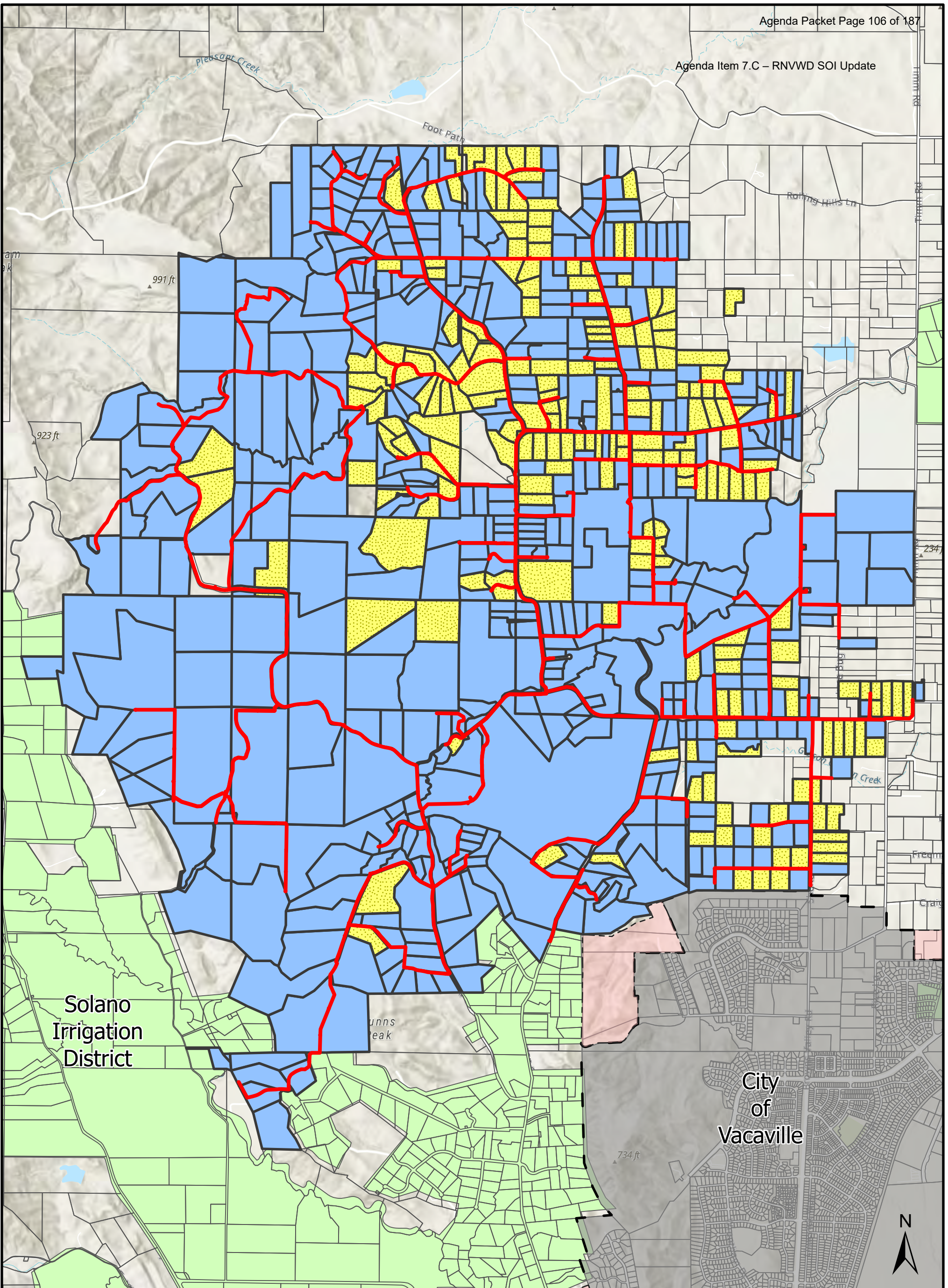
RNWWD Parcels

- In District
- In SOI

- SID Boundary
- Vacaville Boundary
- Vacaville SOI
- Parcels

Disclaimer: The information shown is intended to be used for general display purposes only, and is not to be used as an official map.





Rural North Vacaville Water District Current Boundary, SOI, and Water Lines

RNWWD Parcels

- In District
- In SOI

Water Lines

SID Boundary

Vacaville Boundary

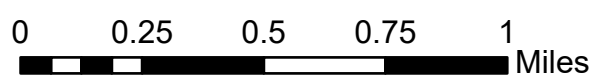
Vacaville SOI

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Parcels

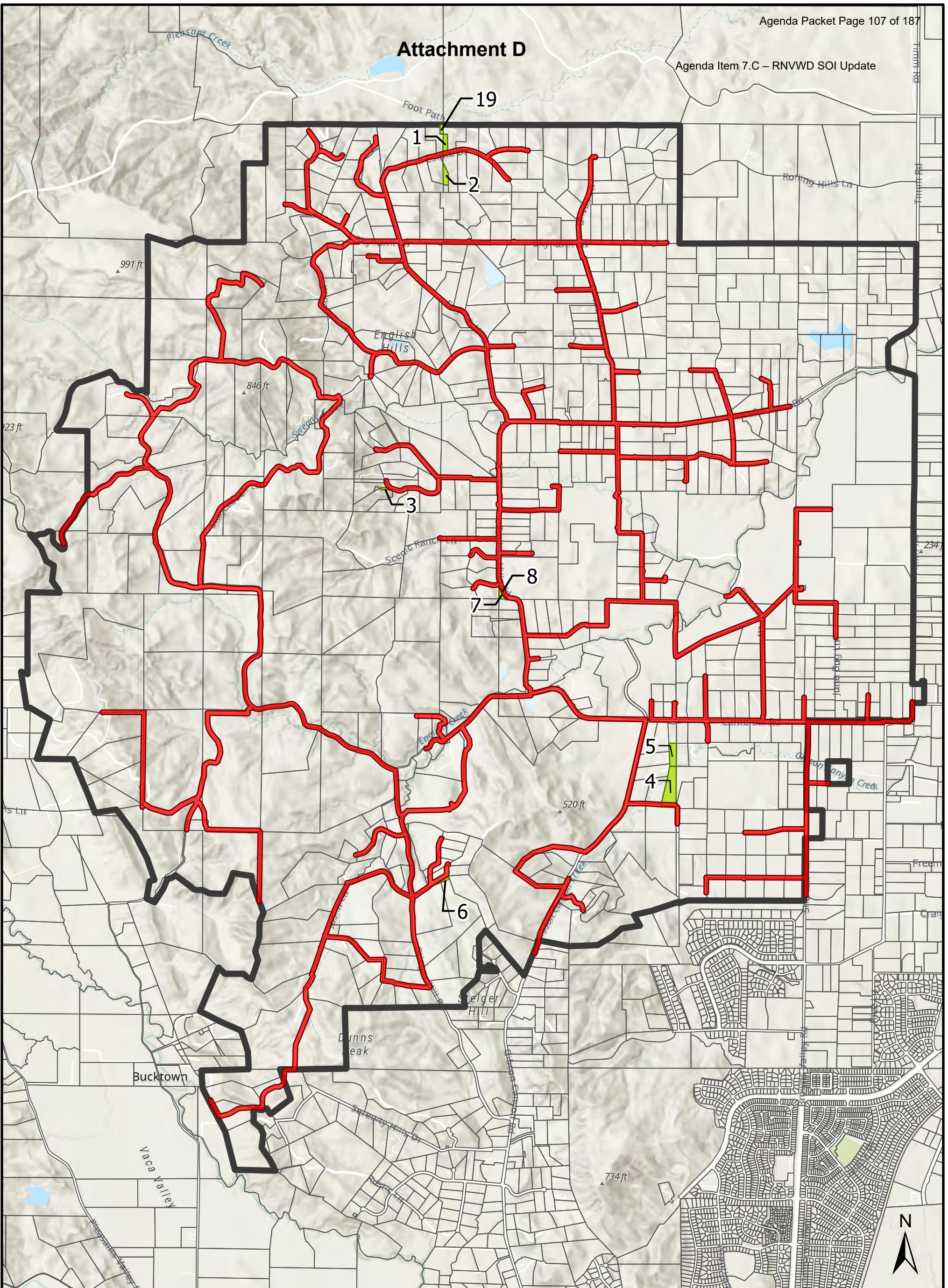


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Attachment D

Agenda Item 7.C – RNWWD SOI Update

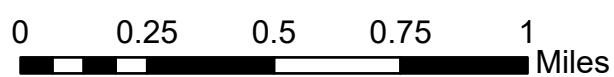


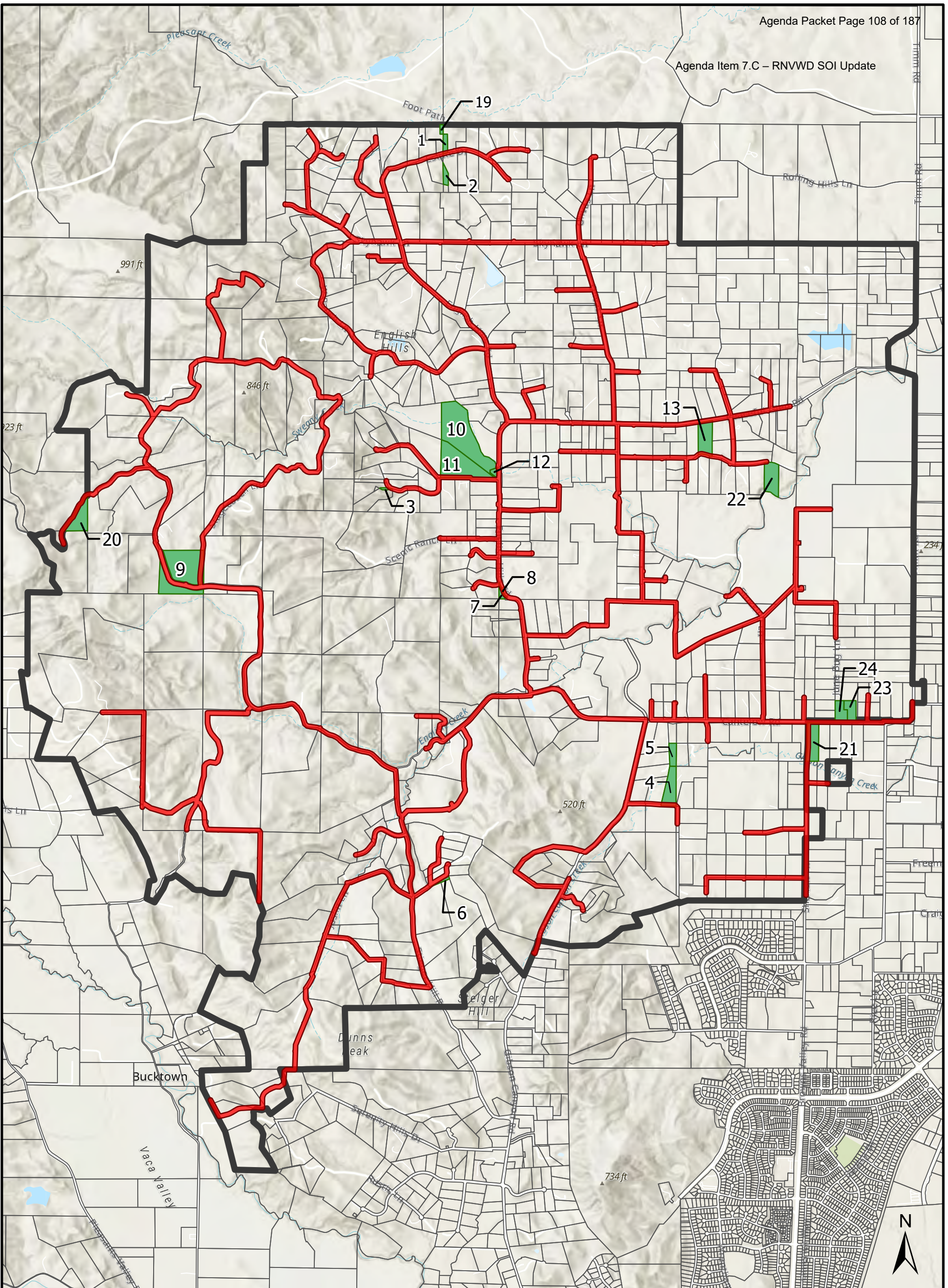
Option 1 for the Rural North Vacaville Water District Sphere of Influence Amendment

- 50' Water Main Halo
- Option 1
- 1998 Study Area
- Parcels



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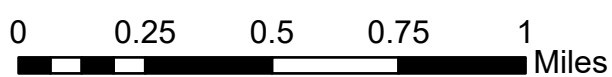


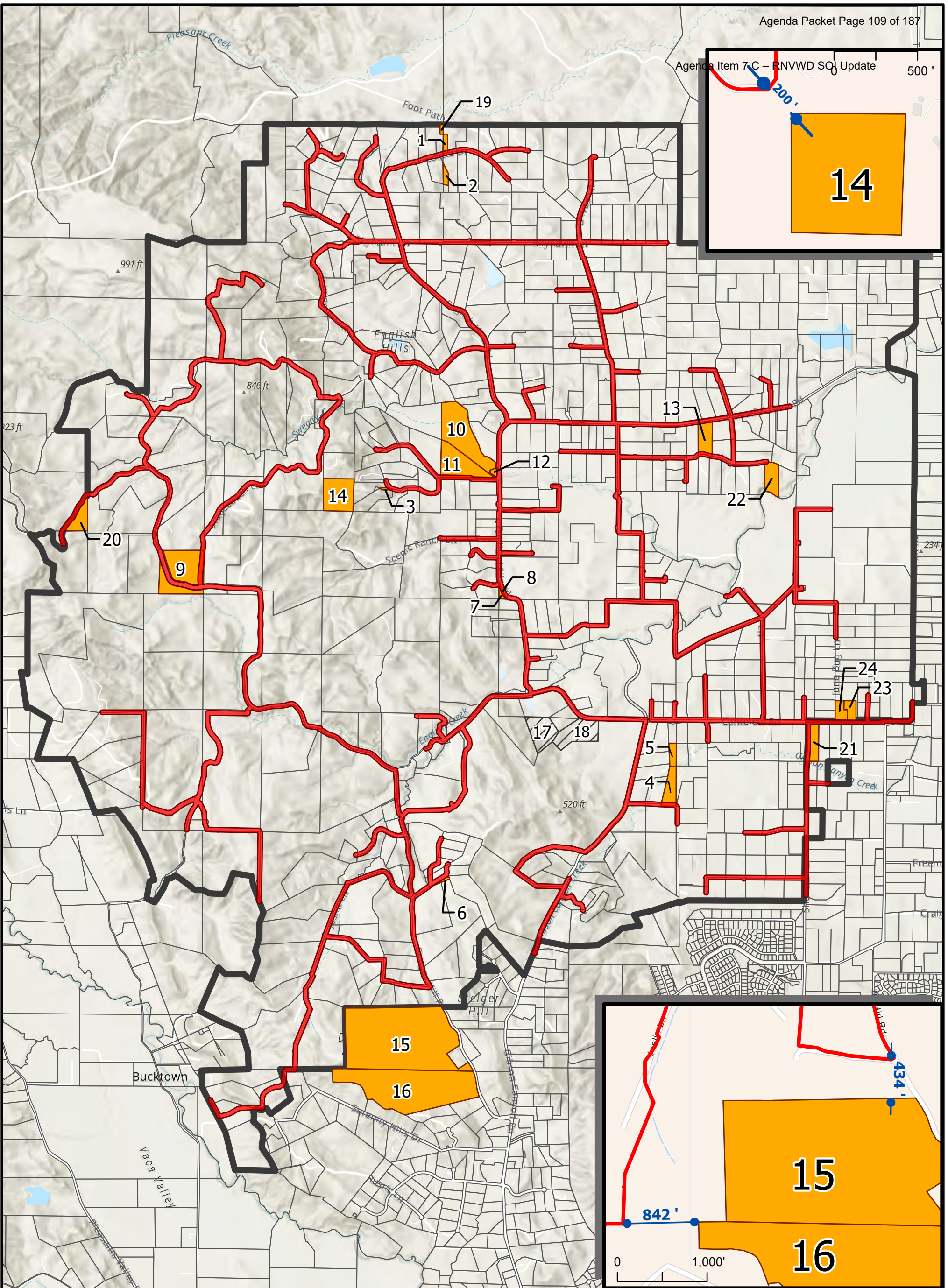
Option 2 for the Rural North Vacaville Water District Sphere of Influence Amendment

- 50' Water Main Halo
- Option 2
- 1998 Study Area
- Parcels



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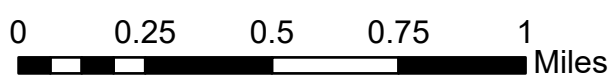


Option 3 for the Rural North Vacaville Water District Sphere of Influence Amendment

- 50' Water Main Halo
- Option 3
- 1998 Study Area
- Parcels



Disclaimer: The information shown is intended to be used for general display purposes only, and is not to be used as an official map.



ATTACHMENT E

Memorandum identifying Government Code sections related to LAFCO purpose and authority

This is an informational attachment that outlines the sections of LAFCO Law, also called Cortese -Knox-Hertzberg (CKH), that state LAFCO's purpose and authority to conduct Service Reviews, Sphere of Influence Updates, and any related requests for documentation or evidence that LAFCO deems necessary to evaluate a special district and their ability to provide the services they were formed to.

All emphasis was added to more precisely identify the related sections.

Legislative Findings and Determinations

56001 [...] Therefore, the Legislature further finds and declares that this policy should be effected by the logical formation and modification of the boundaries of local agencies, with a preference granted to accommodating additional growth within, or through the expansion of, the boundaries of those local agencies which can best accommodate and provide necessary governmental services and housing for persons and families of all incomes in the most efficient manner feasible.

[...] The Legislature also finds that, whether governmental services are proposed to be provided by a single-purpose agency, several agencies, or a multipurpose agency, responsibility should be given to the agency or agencies that can best provide government services.

General – purpose of commission

56301. Among the purposes of a commission are discouraging urban sprawl, preserving open-space and prime agricultural lands, encouraging the efficient provision of government services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances. One of the objects of the commission is to make studies and to obtain and furnish information which will contribute to the logical and reasonable development of local agencies in each county and to shape the development of local agencies so as to advantageously provide for the present and future needs of each county and its communities.

Spheres of Influence

56425. (a) In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies subject to the jurisdiction of the commission to advantageously provide for the present and future needs of the county and its communities, the commission shall develop and determine the sphere of influence of each city and each special district, as defined by Section 56036, within the county and enact policies designed to promote the logical and orderly development of areas within the sphere.

(h) In determining a sphere of influence, the commission may assess the feasibility of governmental reorganization of particular agencies and recommend reorganization of those agencies when reorganization is found to be feasible and if reorganization will further the goals of orderly development and efficient and affordable service delivery. The commission shall make all reasonable efforts to ensure wide public dissemination of the recommendations.

(i) When adopting, amending, or updating a sphere of influence for a special district, the commission shall establish the nature, location, and extent of any functions or classes of services provided by existing districts.

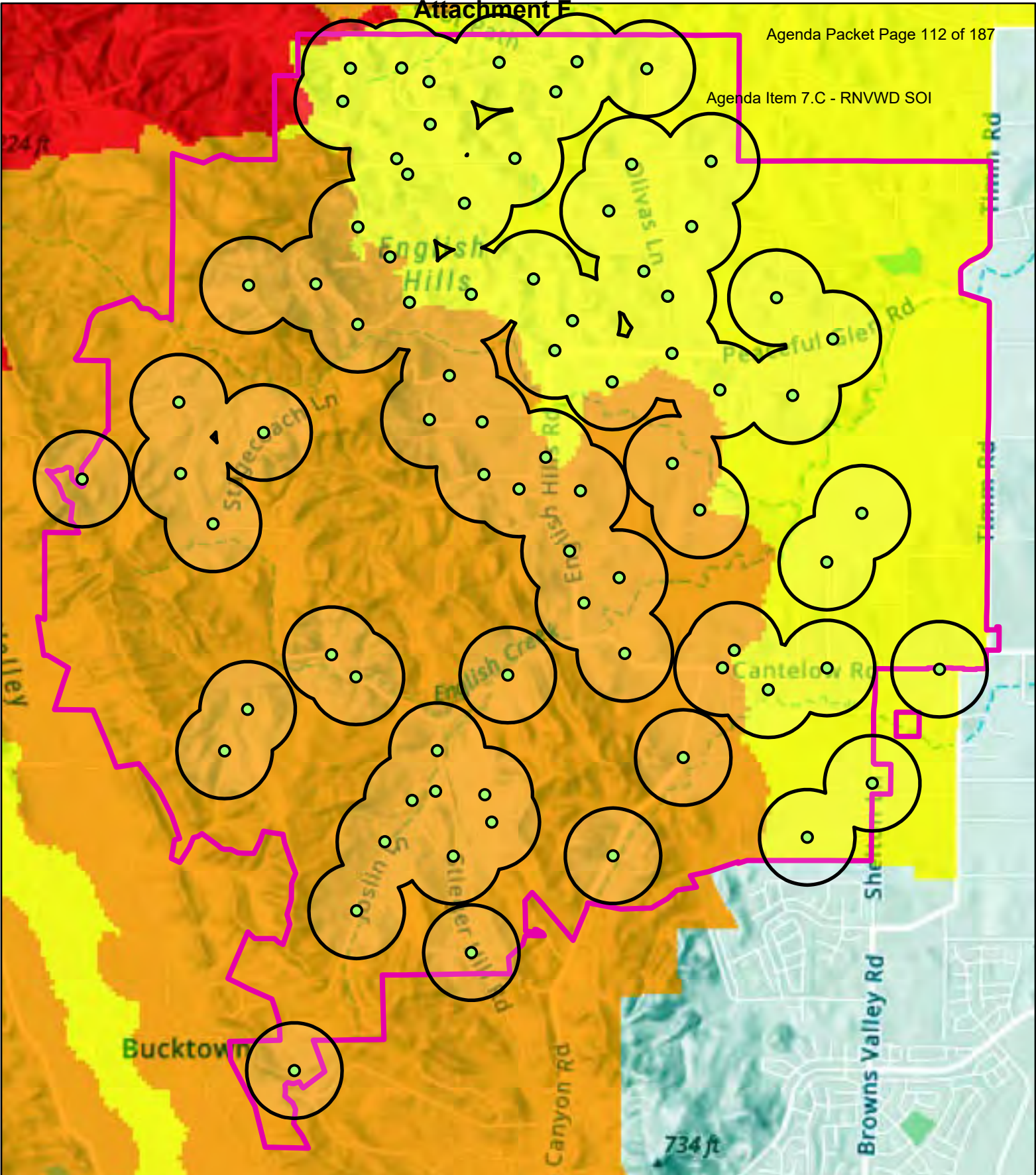
(j) When adopting, amending, or updating a sphere of influence for a special district, the commission may require existing districts to file written statements with the commission specifying the functions or classes of services provided by those districts.

Service Reviews

56430. (a) In order to prepare and to update spheres of influence in accordance with Section 56425, the commission shall conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission. The commission shall include in the area designated for service review the county, the region, the subregion, or any other geographic area as is appropriate for an analysis of the service or services to be reviewed, and shall prepare a written statement of its determinations with respect to each of the following:

- (1) Growth and population projections for the affected area.
- (2) The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
- (3) Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.
- (4) Financial ability of agencies to provide services.
- (5) Status of, and opportunities for, shared facilities.
- (6) Accountability for community service needs, including governmental structure and operational efficiencies.
- (7) Any other matter related to effective or efficient service delivery, as required by commission policy.

(d) The commission may request information, as part of a service review under this section, from identified public or private entities that provide wholesale or retail supply of drinking water, including mutual water companies formed pursuant to Part 7 (commencing with Section 14300) of Division 3 of Title 1 of the Corporations Code, and private utilities, as defined in Section 1502 of the Public Utilities Code



CAL FIRE Fire Hazard Severity Zones within the Rural North Vacaville Water District

2022 Draft FHSZ

- Very High
- High
- Moderate

Fire Hydrants

Staff Report Page 29 of 29
1998 Study Area



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