

**LAFCO RESOLUTION NO. 2023- 07**

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF SOLANO COUNTY APPROVING THE DETACHMENT OF LANDS FROM SOLANO IRRIGATION DISTRICT GENERALLY REFERRED TO AS COMMERCIAL PROPERTY IN THE CITY OF VACAVILLE (APN 0138-010-010 & -020) (LAFCO PROJECT 2023-03)**

**WHEREAS**, a resolution-making application for the proposed detachment of certain territory from the Solano Irrigation District (SID) in Solano County was filed with the Executive Officer of this Local Agency Formation Commission pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act, commencing with Section §56000, et seq. of the Government Code by the Solano Irrigation District; and,

**WHEREAS**, SID requested to detach two parcels totaling 5.41 acres east of Leisure Town Road and north of Elmira Road within the City of Vacaville; and,

**WHEREAS**, the Executive Officer has examined the proposal and certified that it is complete and has accepted the proposal for filing as of April 3, 2023; and,

**WHEREAS**, the proposal is exempt from the requirements for notice and hearing pursuant to Government Code §56663, because it consists of detachment only, and 100% of landowners have given their written consent to the proposal; and,

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

**WHEREAS**, the City of Vacaville, as lead agency for the Farm at Alamo Creek Specific Plan has certified an environmental impact report (EIR) (SCH 2017062068) on November 13, 2018, the Commission, as the responsible agency, has reviewed and considered the environmental documents prepared and approved by the City of Vacaville including the EIR, findings, overriding considerations, mitigations, mitigation monitoring plans, and related documents; and,

**WHEREAS**, the Commission has received, heard, discussed and considered all oral and written testimony related to the proposal, including but not limited to comments and objections, the staff report and recommendation, the environmental document and determination, plans for providing service, spheres of influence, applicable municipal service reviews, the specific plan, and the City's general plan; and,

**WHEREAS**, the Commission has considered and made findings with respect to the reorganization's compliance with Solano LAFCO's "Standards for Evaluation of Annexation Proposals"; and,

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

**Commissioners**

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

**Alternate Commissioners**

Robert Guerrero • Ron Kott • Mitch Mashburn

**Staff**

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

Mala Subramanian, Lead Legal Counsel

1. The subject detachment is consistent with the District's SOI; the proposal area will be removed from the District's SOI as part of the Commission's action.
2. The subject detachment allows the City of Vacaville and the Solano Irrigation District to comply with a joint powers agreement and understanding that the subject property shall be detached from the District's service area and that City will provide potable and non-potable water prior to development.
3. The subject detachment eliminates the potential for duplication of two service providers to the subject property.
4. The subject proposal area is "uninhabited" as defined by Government Code (GC) §54046. Application for the subject detachment is made subject to GC §56650 et seq. by resolution of the Solano Irrigation District. All landowners have consented to the proposal therefore; the Commission waives the conducting authority proceedings/protest hearing.
5. The boundaries are definite and certain and conform to lines of ownership and parcel lines. The detachment will provide a logical and orderly boundary for the Solano Irrigation District.
6. The environmental documents were approved by the City of Vacaville as the lead agency on November 13, 2018 (SCH #2017062068) and are found to satisfy the requirements of the California Environmental Quality Act (CEQA). The environmental impacts of the change of organization have been disclosed and adequately addressed by the lead agency and the potential environmental effects have been adequately mitigated. The City of Vacaville has fulfilled its obligations under CEQA and the EIR and associated environmental documents for the Farm at Alamo Creek Specific Plan adequately disclose and describe the subject change of organization project.
7. The subject detachment is in the best interests of the citizens within the affected area.
8. The subject detachment will not result in negative impacts to the cost and adequacy of services otherwise provided by SID to adjacent areas within their service boundaries.
9. The subject detachment will result in a loss of \$619.71 tax base from SID and a gain of the same amount for the City of Vacaville.
10. The District has collected all applicable detachment fees per the agreement between the City and the District.

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

1. The Commercial Property detachment from SID is approved, subject to the conditions listed below.
2. Said territory is detached 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. Pursuant to Section 15096 of the CEQA Guidelines, LAFCO has considered the Environmental Impact Report and related environmental documents adopted by the Lead Agency. LAFCO hereby adopts the Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program prepared and adopted by the Lead Agency marked "Exhibit B" and by this reference incorporated herein.
4. Said territory includes approximately 5.41 acres and is found to be uninhabited, and the territory is assigned the following short form designation:  
  
Solano Irrigation District detaching Commercial Property (Vacaville)
5. The proposal area shall be removed from the sphere of influence of the Solano Irrigation District concurrent with the subject detachment.
6. The following changes of organization or reorganization are approved:  
  
Detachment from Solano Irrigation District
7. All subsequent proceedings in connection with this detachment shall be conducted only in compliance with the approved boundaries and conditions set forth in the attachments and any terms and conditions specified in this resolution.
8. Conducting Authority proceedings are waived.
9. The Executive Officer is hereby directed to file a Notice of Determination in compliance with the California Environmental Quality Act and local ordinances implementing the same.

Terms and Conditions of Approval per GC Sections: 56885, 56885.5, and 56886:

1. The Commission orders the change of organization without an election as provided by GC 56885.5.
2. Immediately following LAFCO approval, the District shall submit a warrant to LAFCO for the CA State Board of Equalization in the amount of \$350.00.
3. Immediately following LAFCO approval, the District shall submit a warrant to LAFCO for the Mapping Fee Changes at Solano County in the amount of \$119.00.
4. The effective date of the change of organization shall be the date of the recordation made with the County Recorder of the Certificate of Completion per GC Section 57202.
5. Certificate of Completion shall not be recorded until the project map and legal description are approved and signed by the Solano County Surveyor.

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**I HEREBY CERTIFY** that 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 vote:

AYES:  
NOES:  
ABSENT:

  
Nancy Shopay, Chair  
Presiding Officer Solano LAFCO

ATTEST:



Christina Love, Deputy Executive Officer

Attachments:

Exhibit A – Legal Description and Map Commercial Property