



Balancing Community and Commerce

44 N. SAN JOAQUIN STREET SUITE 374 STOCKTON, CA 95202 209-468-3198

## AGENDA

Thursday, June 8, 2023 9:00 A. M.  
BOARD OF SUPERVISORS CHAMBERS  
44 NORTH SAN JOAQUIN STREET, 6<sup>TH</sup> FLOOR  
STOCKTON, CALIFORNIA

\* \* \* \*

Call to Order

Announce Date and Time of Meeting for the Record

Roll Call

Pledge of Allegiance

Oath of Office to Commissioner Diallo and Commissioner Barton

Introduction of Commissioner Diallo as Regular Voting City Member and Commissioner Barton as Alternate City Member.

## CONSENT ITEMS

1. MEETING MINUTES OF APRIL 13, 2023  
(Action by All Members)  
Approve Summary Minutes of the regular meeting.
2. OUT-OF-AGENCY SERVICE REQUEST  
(Action by Regular Members)  
Request from the City of Stockton to provide out-agency water and sewer service outside the City boundary under Government Code §56133 to 3327 Belvedere, 1842 Clover Lane, 2357 E. Alpine Avenue, 5507 E. Main Street, and 731 S. Cardinal Avenue in Stockton.
3. PROPOSED POLICIES AND PROCEDURES
  - A. Financial and Accounting Procedures
  - B. Public Member and Alternative
  - C. Application Procedure and Map Requirements
  - D. Fire Protection District Reorganization Procedures

## **PUBLIC HEARING**

4. TRACT NO. 4040 MOUNTAIN HOUSE NEIGHBORHOOD 'A', UNIT 7 OF COLLEGE PARK REORGANIZATION TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT (L AFC 15-23)  
*(Action by Regular Members)*  
Request to annex approximately 34.71 acres to Mountain House Community Services District.
5. FINAL BUDGET FOR THE FISCAL YEAR 2023-2024  
*(Action by All Members)*  
Commission consideration of the Preliminary Budget for Fiscal Year 2023-2024, Work Program and Schedule of Fees.

## **ACTION ITEMS**

6. ELECTION OF VICE-CHAIR  
*(Action by All Members)*  
Election Vice-Chair to serve the remainder of the 2023 calendar year.
7. APPOINTMENT OF ALTERNATE PUBLIC MEMBER  
*(Action by All Members)*  
Commission to review applications and appoint an Alternate Public Member.

## **PUBLIC COMMENTS**

8. Persons wishing to address the Commission on matters not otherwise on the agenda.

## **CORRESPONDENCE**

9. Written communication received from Louis Meyer, Foreperson, 2022-2023 San Joaquin County Civil Grand Jury, dated April 3, 2023.
10. Written communication received from Wendy Root Askew, Committee Chair, CALAFCO Board Election Committee, CALAFCO Board of Directors, dated May 5, 2023.

## **EXECUTIVE OFFICER COMMENTS**

11. Comments from the Executive Officer

## **COMMISSIONER COMMENTS**

12. Comments, Reports, or Questions from the LAFCO Commissioners

## **ADJOURN**



Balancing Community and Commerce

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**SUMMARY MINUTES**

**April 13, 2023**

BOARD OF SUPERVISORS CHAMBERS  
44 NORTH SAN JOAQUIN STREET, 6<sup>TH</sup> FLOOR  
STOCKTON, CALIFORNIA

Chairman Patti called the meeting to order at 9:01 a.m.

MEMBERS PRESENT: Commissioners Johnson, Lincoln, and Chairman Patti

MEMBERS ABSENT: Commissioner Villapudua

ALTERNATE MEMBERS PRESENT: Commissioner Diallo, Commissioner Ding

ALTERNATE MEMBERS ABSENT: None

OTHERS PRESENT: J.D. Hightower, Executive Officer, Tom Terpstra, Legal Counsel; Mitzi Stites, Analyst /Clerk; and Claudia Iboa, Administrative Assistant

Chairman Patti introduce Commissioner Ding as new Alternative County Member.

Commissioner Patti presented Commissioner Lincoln with a plaque and thanked him for his years of service on LAFCo. Commissioners Johnson, Diallo and Ding all thanked Commissioner Lincoln for his dedication service on LAFCo. Commissioner Lincoln thanked the other Commissioners for all that they do on the Commission.

## **PUBLIC HEARING**

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Request to annex approximately 34.71 acres to Mountain House Community Services District.
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## **EXECUTIVE OFFICER COMMENTS**

11. Comments from the Executive Officer

## **COMMISSIONER COMMENTS**

12. Comments, Reports, or Questions from the LAFCO Commissioners

## **ADJOURN**



## **CONSENT ITEMS**

The Chairperson Patti introduced Agenda Item No. 1, Summary of Minutes.

Chair Patti opened the floor to Commissioner Comments, no comments were made, closed Commissioner Comments.

Chair Patti opened the floor to Public Comments, no one came forward, Chair Patti closed the floor to Public Comments.

A motion was made by Commissioner Johnson and seconded by Commissioner Lincoln to approve the Summary of Minutes of March 9, 2023. The motion was passed by a unanimous vote of the Commission.

Chair Patti opened Agenda Item No. 2, Out-Of-Agency request for water and sewer service from the City of Stockton to 1312 Meadow Ave in Stockton, CA. Chair Patti opened the floor to Commissioner Comments, no comments were made. Commissioner Patti opened the floor to Public Comments, no one came forward, Chair Patti closed the floor to Public Comments. A motion was made by Commissioner Johnson and seconded by Commissioner Lincoln to approve Resolution 23-1516, approving the Out-of-Agency from the City of Stockton to 1312 Meadow Ave in Stockton, CA. The motion was passed by a unanimous vote of the Commission.

## **PUBLIC HEARING ITEMS**

### **3. MARIPOSA INDUSTRIAL PARK REORGANIZATION TO THE CITY OF STOCKTON (L AFC 04-23)**

*(Action by Regular Members)*

Request to annex approximately 203.5 acres to the City of Stockton.

Mr. J.D. Hightower, Executive Officer, stated that Mr. Charlie Simpson with Basecamp Environmental is the consultant for the project and was unable to attend in person and is available via phone.

Mr. Hightower presented a PowerPoint presentation, which provided a background on

Mariposa Industrial Park Reorganization to the City of Stockton. This proposed reorganization consist annexing ten parcels (APN 179-220-10, 11, 12, 13, 16, 17, 18, 19, 24 and 25) totaling 208.34 acres to the City of Stockton and is located on the south side of Mariposa Road, 0.37 miles southeast of the Carpenter Road intersection north of north Little Johns Creek.

This proposed project is to have a reorganization that consists of both the annexation of 208.34 acres to the City of Stockton and simultaneous detachment from the Montezuma Fire District and San Joaquin County Resource Conservation District.

Chair Patti opens the floor to Commissioner Comments, no Comments.

Commissioner Patti opened the floor to Public Comments.

Mike McDowell, Assistant Director of Community Development City of Stockton, thanked the commission for consideration for this great project and we believe this project will provide job opportunities for residence of Stockton. He thanked the staff and Commission.

Mike Souza, Project Manager, Souza Realty & Development, thanked Mr. JD. Hightower and staff for the hard work and approval of this project and is available for any questions.

Chair Patti opened the floor to Public Comments, no one came forward, Chair Patti closed the floor to Public Comments.

Chair Patti opened the floor to Commissioner Comments, Commissioner Lincoln commented on the importance of job growth for the City of Stockton and thanked staff for provided impressive report.

Chair Patti stated that moving forward is it possible for LACFo Executive Officer to bring a policy that relates to detachment and Special Districts. J.D. Hightower, Executive Officer, stated that he would bring a policy for the June meeting.

Commissioner Lincoln, stated that he supports the policy moving forward.

Commissioner Ding, stated that since the County is growing, we need to know what we are facing especially with public safety being number one priority in this community.

Commissioner Johnson commented that it is always easier to come up with an important policy before you need it.

Commissioner Diallo, stated that she welcomes a policy.

Chair Patti Inquired if there was a motion and a seconded to approve Resolution 23-157, Mariposa Industrial Park Industrial Park Reorganization to the City of Stockton with concurrent detachments from San Joaquin Resource Conservation District and resolution 23-1518 approve with the City of Stockton Municipal Service Review and Sphere of Influence. A motion was made by Commissioner Lincoln and seconded by Commissioner Johnson.

Chairman Patti asked for a Roll Call Vote:

Ayes: Commissioner Diallo, Ding, Johnson, Lincoln and Chairman Patti

Noes: None

4. DUTRA REORGANIZATION TO THE CITY OF MANTECA (LAFc 10-23)  
(Action by Regular Members)

Request to annex approximately 39.49 acres to the City of Manteca

J.D. Hightower, Executive Officer, presented a PowerPoint presentation, which provided annexation of eight (8) parcels (APN 226-170-08 (Portion), 226-170-12,-13,-14,-15, -16, -17 and 18) and existing right-of-way totaling 39.49 acres to the City of Manteca and simultaneous detachment from the Lathrop Manteca Fire Protection District and the San Joaquin Resource Conservation District. The location of this project is Northwest corner of the intersection of Oleander Avenue and Peach Avenue. The requested reorganization is necessary because it creates additional housing opportunities with a 197 dwelling unit subdivision map meeting the City of Manteca development standards.

Chair Patti opened the floor for comments.

Doug Ledebor, Kiper Homes, thanked staff for the efforts on the project and is available to answer questions.

Chair Patti opened the floor to Public Comments, no one came forward, closed Public Comments.

Chairman Patti opened the floor to Commissioner Comments, no comments made.

Chairman Patti asked for a motion to approve Resolution 23-1519 approving the Dutra Reorganization to the City of Manteca with concurrent detachments from the Lathrop-Manteca Fire District and the San Joaquin Resource and Conservation District.

A motion was made by Commissioner Johnson and seconded by Commissioner Diallo.

Chairman Patti asked for a Roll Call Vote:

Ayes: Commissioner Diallo, Ding, Johnson, Lincoln and Chairman Patti

Noes: None

5. PRELIMINARY BUDGET REPORT FOR THE FISCAL YEAR 2023-2024  
(Action by Regular Members)

Commission consideration of the Preliminary Budget and Schedule of Fees for FY 2023-2024

Mr. Hightower, Executive Officer, presented an overview of the proposed budget. The preliminary budget is a balanced budget it was revived by the ad-hoc sub-committee. City county split is \$259,638 paid by County \$259,638 paid by cities. The total balanced revenues and expenditures \$597,801. In FY 2022/2023 LAFCo

completed MSRs for by the cities of Lathrop, Lodi, Escalon and Mountain House, 9 Annexations reorganization, 15 Out of Agency Service Requests and provide in-house corporation to Mountain House. The budget will allow LAFCo to fulfill its mission including finalization of the Mountain House City incorporation application. The budget also includes review and updates, as needed, operational policies.

Chair Patti opened the floor to Commissioner Comments.

Chair Patti opened the floor to Public comments, seeing none, closed the floor to Public Comments

Chair Patti questioned a 4.6% CPI increase that was passed on to all over our cities agency fees and a 4.6% increase on salaries, when LAFCo increased a salary scale a few meetings ago.

J.D Hightower, Executive Officer, stated the CPI will take affective in July. What was brought to the Commission a few months ago was the creation of a new position.

Chairman Patti inquired if we should we be approving raise increases before a full year of employment is completed.

J.D Hightower, Executive Officer, stated that with the increase of 4.6% for FY 2023-24 budget, there will be a balanced budget.

Commissioner Johnson inquired that with all the staff changes within 60 days and current labor market conditions, should the Commission accept the preliminary budget.

Chair Patti stated he agreed. LAFCo should look at salaries and wages next year to see where LAFCo wages are at. When the new positions were filled, those positions were at fair market value or were wages were bit low and when new staff was employed.

J.D. Hightower, Executive Officer, stated LAFCo wages are below average according to a salary survey that was completed.

Chair Patti inquired if LAFCo will have a balanced budget with the CPI factored in.

Commissioner Ding inquired if employees received a paid increase a few months ago and are we giving them a new one.

J.D Hightower, Executive Officer, stated the budget does not represent a pay increase. That position was created and it was little below the average. In order to keep LAFCo positions competitive it is recommended that wages keep pace with inflation as reflected by the CPI. It is a balanced budget with the CPI increase included.

Commissioner Ding stated that the County does evaluations within one year of employment. He also inquired if the increase to salaries was prudent for this budget.

J.D Hightower, Executive Officer commented that the CPI increase is to keep up with inflation and that position was based on average at that time. To keep that position average salary range, LAFCo needs to increase salary equal to inflation.

Commissioner Lincoln inquired if the increase is for one position or for all three positions.

J.D Hightower, Executive Officer, stated that one new position was created and one left unfilled. LAFCo organizationally has an Executive Officer, an unfilled Analyst position that remains vacant in the FY 2023/2024 budget, a Clerk/Analyst position recently created and Clerk position. Working for currently LAFCO there are three individuals representing 2.5 full time employees that is proposed to be static for FY 2023/2024. The Clerk/Analyst and Clerk position wages are proposed to be increased by 4.6 percent to keep up with inflation. This is what the budget reflects.

Commissioner Johnson stated there were three positions filled in. LAFCo hired a new Executive Officer in October, and the Analyst retired in January 2022. LAFCo then had two employees. The full-time Clerk/Analyst position was created and filled by the then Clerk employee and LAFCo back filled the Clerk position with a new employee. It doesn't make a huge dollar amount difference but one of the other items budget is \$182,000 dollars LAFCo paid to the previous Executive Officer and he doesn't fault the person. The issue is with the system. Expressed concerns that government positions with retirement benefits and then are entitled to a pay check of \$182,000 dollars to retire in addition to the benefits.

Executive Officer, J.D. Hightower clarified that LAFCo can ensure that it won't happen again with contract language.

Commissioner Johnson clarified his understanding that LAFCo is paying fair market wage for recent hires. He thinks is difficult to say we are giving 4.7 percent increase while everyone is dealing with inflation. That is his concern and realizes that LAFCo has phenomenal staff.

J.D Hightower, Executive Officer stated he did not insight on factors considered with last year's budget as he was with another agency. Cortese-Knox-Hertzberg (CKH) provide that LAFCo cannot decrease the budget from last year without findings. This year LAFCo is decreasing operating budget primarily due to the separation employment payment to the previous Executive Officer. Currently LAFCo is reducing the operating cost over last year. Overall, the budget has less operating cost and still reflects the cost of living allowance.

Chair Patti stated when LAFCo is below the median when compared other LAFOs and to Commissioner Johnson point of view, if inflation is 6.8 percent next year

wages should not go up by 6.8%. He stated that in the private sector if business costs go up employees don't get raises. His salary hasn't changed in 10 years while every single factor went up because his company had to remain competitive. However, he is willing to evaluate further information and if the Commissioners agree with him, he is willing to accept this increase. Chair Patti understands LAFCo may be lower than market value. He is open to considering bring wages and salaries to median. He stated that staff is performing well. He expressed his opinion that there is a recession coming meaning hardships all. Since LAFCo wages are below the median he would be open to bringing wages to median, if budget adjustments can be made to keep the budget balanced and if the other Commissioners agree.

Commissioner Johnson stated that he agrees with comments made.

Commissioner Ding can we ask for more clarification or can we ask more time, does LAFCo need to vote on it today.

Chair Patti stated that we need to move forward with the budget as the County and Cities do need to know what their portion of fees would be.

Commissioner Lincoln inquired the specific time and he would appreciate more time because the public deserves to know the outcome of survey.

JD Hightower stated, Executive Officer budget is balanced the cities and counties need their figures for their budgets purpose. For compliance with CKH, the Commission needs to approve the Preliminary Budget and then the Final Budget needs to be approved in June. LAFCo can approve the Preliminary Budget today and then make changes to it in June.

Commissioner Lincoln stated that he understands this but would like more time to make the financial decisions. Expressed his desire to make sure LAFCo has time to review salaries. He stated his support for this increase but would like to have salary survey information.

Commissioner Johnson stated that he would appreciate more time for consideration. He understands it is easy to compare other LAFCo's and that LAFCo is competing with the local market. So comparable local positions are the ones LAFCO should be taken into account. Expressed his confidence that LAFCo can get back on track over the next couple of years. Looking at local salaries to ensure that LAFCo is competitive is part of that effort. Maybe LAFCo can approve this budget with the message that next fiscal year the budget process start a little earlier to evaluate merit increases and salaries separately rather than lump in with the other budget items.

Commissioner Diallo stated that she agrees with Commissioner Ding and Lincoln. Since there is time to correct, now is the time. Expressed her understanding of the issue and need to meet average wage structure but there is no salary survey documentation. If we have time to correct this, this is the time to do so.

JD Hightower, Executive Officer stated that the budget is balanced. The cities and counties need their figures for their budgets purpose. State law prohibits reduction of the previous year budget without findings. As presented the budget is balanced and line items are tied to the CPI for a rational and objective budget. The increase in the cost of living is real and is what the CPI measures. It provides a rational basis for decision making. The budget process will start earlier next year.

Chair Patti stated that he understands the time and effort spent on the budget and the need to deliver budget numbers to the cities and county. Expressed his opinion that the Commission needs to approve median salaries. He would entertain a motion to approve the preliminary budget with duly noting that next year LAFCo starts the budget process earlier. Doing so will allow the Commission to evaluate information and have a robust conversation. Stated his support for a motion to approve this Preliminary Budget.

Commissioner Johnson stated for discussion he would make a motion, Chair Patti asked for a second, Chair Patti made the 2<sup>nd</sup> to move to a vote.

Roll Call

Chairman Patti asked for a Roll Call Vote:

Ayes: Chairman Patti

Noes: Commissioner Diallo, Ding, Johnson, Lincoln

Chairman Patti asked the Executive Officer, JD Hightower what happens next.

Mr. Hightower, Executive Officer stated that LAFCo needs to have preliminary budget approved today. According to the CHH, the Preliminary Budget is to be adopted by May 15 and final by June 15. Without doing so LAFCo would be out of compliance with the act. With the May meeting being cancelled the preliminary budget needs to be approved today.

Commissioner Johnson stated that you are saying that we need to approve the Preliminary Budget today.

JD Hightower, Executive Officer stated you can approve the Preliminary Budget today and you can amend it in June. Individual Line items can be adjusted so long as the cities/county shares remain the same.

Commissioner Johnson inquired if LAFCo could approve the preliminary budget with footnote on salaries and wages. LAFCo will have a meeting in June for the final budget.

JD Hightower, Executive Officer stated that this needs to be approved today because One Voice is the week of May 8, 2023. The final budget needs to be approved in June.

Commissioner Johnson stated support for the preliminary budget with a footnote that the final budget reflecting direction on salaries. Stated support for an AD HOC committee with the least one of three Commissioners that need more information.

Tom Terpstra stated if the Commissioner were interested in delegating this to a committee, He would suggest for Brown Act Purpose that the Chair created that within his discretion that we exclude that portion from the motion.

Commissioner Lincoln do we need an AD Hoc Committee or can the Executive Officer give more information in June.

J.D. Hightower, Executive Officer stated that the Commissioners will be provided with requested information in a salary survey so that a budget can be approved at the June meeting.

Commissioner Lincoln stated that LAFCo needs to ensure that the cities and county get budget information in a timely manner and expressed his opinion that there is no need for an Ad Hoc Committee. Stated that the Executive Officer has the resources and tools to gather and present the information in the June agenda package.

Chairman Patti stated that the Executive Officer will be available for any questions.

Commissioner Johnson stated that his only concern is to make sure all questions will be asked and answered so that LAFCo can approve a final budget in June.

Commissioner Ding stated that he did not think there is a need for an AD Hoc Committee. LAFCo salaries need to meet the local market median for similar positions. The survey should include local comparable positions and nearby and Central Valley LAFCo's structures. When brought back in June, this would help facilitate discussion.

J.D. Hightower, Executive Officer, acknowledged and stated the budget would have a salary survey as directed. Commissioner Ding thanked Mr. Hightower, Executive Officer and stated that is what is needed.

Commissioner Lincoln inquired is it appropriate for commissioners to reach out to Mr. Hightower to directly to provide that feedback as opposed to creating an AD Hoc Committee. Mr. Hightower, Executive Officer asked Commissioners reach out anytime.

Commissioner Patti stated that the Commission looks forward to reviewing a salary survey. Chairman Patti inquired if the Commission had any more questions or concerns.



Tom Terpstra, Legal Counsel, stated the needed clarification that Commissioner Johnson clarifies his motion because there has been quite discussion.

Commissioner Johnson stated a motion that the Commission approve the preliminary budget with footnote regarding that salaries still needed to be discussed. Commissioner Ding seconded that motion.

Chairman Patti asked for a Roll Call Vote:

Ayes: Commissioner Diallo, Ding, Johnson, Lincoln, Chairman Patti

Noes: None

### **ACTION ITEMS**

#### **6. APPOINTMENT OF ALTERNATE PUBLIC MEMBER**

(Action by All Members)

Commission to review applications and appoint an Alternate Public Member

Chair Patti informed the Commission that this Agenda Item will be continued to the next Commission Meeting as there are two Commissioners not in attendance and he stated that all Commissioners should be in attendance for the appointment of a new Alternate Public Member.

### **PUBLIC COMMENTS**

7. Persons wishing to address the Commission on matters not otherwise on the agenda.

Mr. Bob Bentz commented why he attends LAFCO meetings because it is the leading edge of government in the San Joaquin County, and today were looking at jobs. The staff reports did not mention how many and who will be filling them, if they would be residents or people outside the County

### **EXECUTIVE OFFICER COMMENTS**

8. Comments from the Executive Officer

Mr. Hightower had no comments at this time.

### **COMMISSIONER COMMENTS**

9. Comments, Reports, or Questions from the LAFCO Commissioners.

Commissioner Johnson stated today was one of the best meeting because it was respectful. I appreciate everyone today. We are here to represent our region. It was my pleasure to be part of the Commission.

## **CLOSED SESSION**

10. Open Session Disclosure Regarding Closed Session Items pursuant to Government Code Section 54957.7

11. CLOSED SESSION

a. Conference with Legal Counsel-Existing Litigation pursuant to Government

Code Section 54956.9(a)

Name of Case: Tracy Rural County Fire Protection District with the City of Tracy as named Real Party of Interest v. San Joaquin LAFCo (San Joaquin County Superior Court Case No. 2019-9687)

12. Open Session Report on Closed Session pursuant to Government Code Section 54957.1

Commission went into Closed Session at 10:18 a.m. and came back from Closed Session at 10:27 a.m.

Pursuant to the Peremptory Writ of Mandate issued by the Superior Court of California, County of San Joaquin, as directed by the Third District Court of Appeal decision in the case of Tracy Rural County Fire Protection District v. Local Agency Formation Commission of San Joaquin County (84 Cal.App.5<sup>th</sup> 91), and pursuant to the direction of the Commissioners of the San Joaquin LAFCo during a closed session at a duly noticed public meeting occurring on April 13, 2023, the San Joaquin LAFCo hereby orders that San Joaquin LAFCo Resolution No. 1402 be vacated immediately.

Chairman Patti adjourned the meeting at 10:28 a.m. The next LAFCo Meeting will take place on June 8, 2023 at 9 a.m.



Balancing Community and Commerce

44 N. SAN JOAQUIN STREET SUITE 374 STOCKTON, CA 95202 209-468-3198

**EXECUTIVE OFFICER'S REPORT**

June 8, 2023

TO: LAFCo Commissioners

FROM: Jeffery Hightower, Executive Officer

SUBJECT: **CITY OF STOCKTON OUT-OF-AGENCY SERVICE REQUESTS****Recommendation**

It is recommended that the Commission approve the requests from the City of Stockton to provide Out-of-Agency water service under the Government Code §56133 to properties located at 3327 Belvedere, 1842 Clover Lane, 5507 E. Main St. and 2357 E. Alpine Ave in Stockton. There is one commercial Out-of-Agency request from the City of Stockton to provide Out-of-Agency water service to property located at 731 S. Cardinal Ave in Stockton.

**Background**

Government Code Section §56133 states that the Commission may authorize a city or special district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization and that prior to providing new or extended service, the city or district must first receive approval from LAFCo. The Commission adopted a policy that conditions their approval for out-of-agency service requiring the recordation of an agreement with the landowner consenting to annexation of their property when annexation becomes feasible.

The City of Stockton submitted request for approval to extend sanitary water services to single-family residences and commercial property outside the city limits but within the City's sphere of influence. A vicinity map is attached showing the location of the out-of-agency requests connections to City water lines are available to the properties and the property owner's have paid the appropriate connection fees to the City. The request for out-of-agency service are in compliance with the Government Code §56133 and Commission policies. Please note that the blue line shows the sewer line and the circle reflect the connection locations. Staff recommends approval of the attached Resolution 23-1521 approving out-of-agency services.

Attachment: Resolution No. 23-1521  
Vicinity Maps

**Resolution No. 23-1521**  
**BEFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION**  
**APPROVING AN OUT-OF-AGENCY SANITARY WATER SERVICE FROM THE CITY**  
**OF STOCKTON TO 3327 BELVEDERE, 1842 CLOVER LANE, 2357 E. ALPINE AVE,**  
**5507 E. MAIN ST. AND 731 S. CARDINAL AVE IN STOCKTON**

WHEREAS, the above-reference requests have been filed with the Executive Officer of the San Joaquin Local Agency Formation Commission pursuant to §56133 of the California Government Code.

NOW THEREFORE, the San Joaquin Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

Section 1. Said out-of-agency service request is hereby approved.

Section 2. The proposal is found to be Categorically Exempt from CEQA.

Section 3. The proposal is subject to the following conditions:

- a. Prior to connection to the city water and sewer, the City of Stockton shall record a covenant and agreement with the property owners to annex to the City of Stockton in a form acceptable to the Executive Officer.
- b. This approval and conditions apply to current and future property owners.

PASSED AND ADOPTED this 8<sup>th</sup> day of June 2023 by the following roll call vote:

AYES:

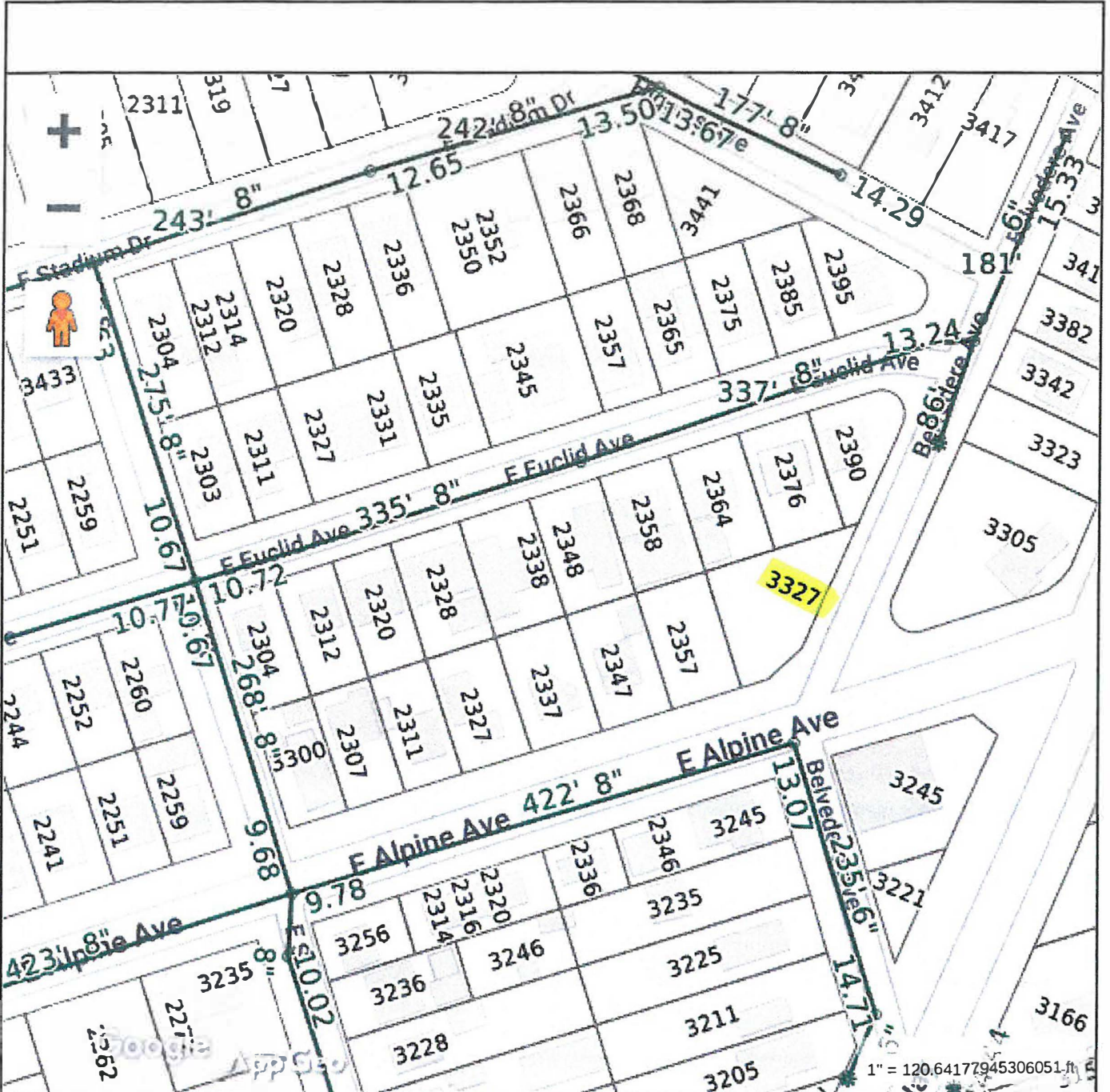
NOES:

ABSTAIN:

\_\_\_\_\_  
TOM PATTI, CHAIRPERSON  
SAN JOAQUIN LOCAL AGENCY  
FORMATION COMMISSION

ATTEST:

\_\_\_\_\_  
MITZI STITES, COMMISSION CLERK  
SAN JOAQUIN LOCAL AGENCY  
FORMATION COMMISSION



Property Information

Property ID 14505002-232  
 Location 77 S VENTURA AV  
 Owner STOCKTON PORT DISTRICT



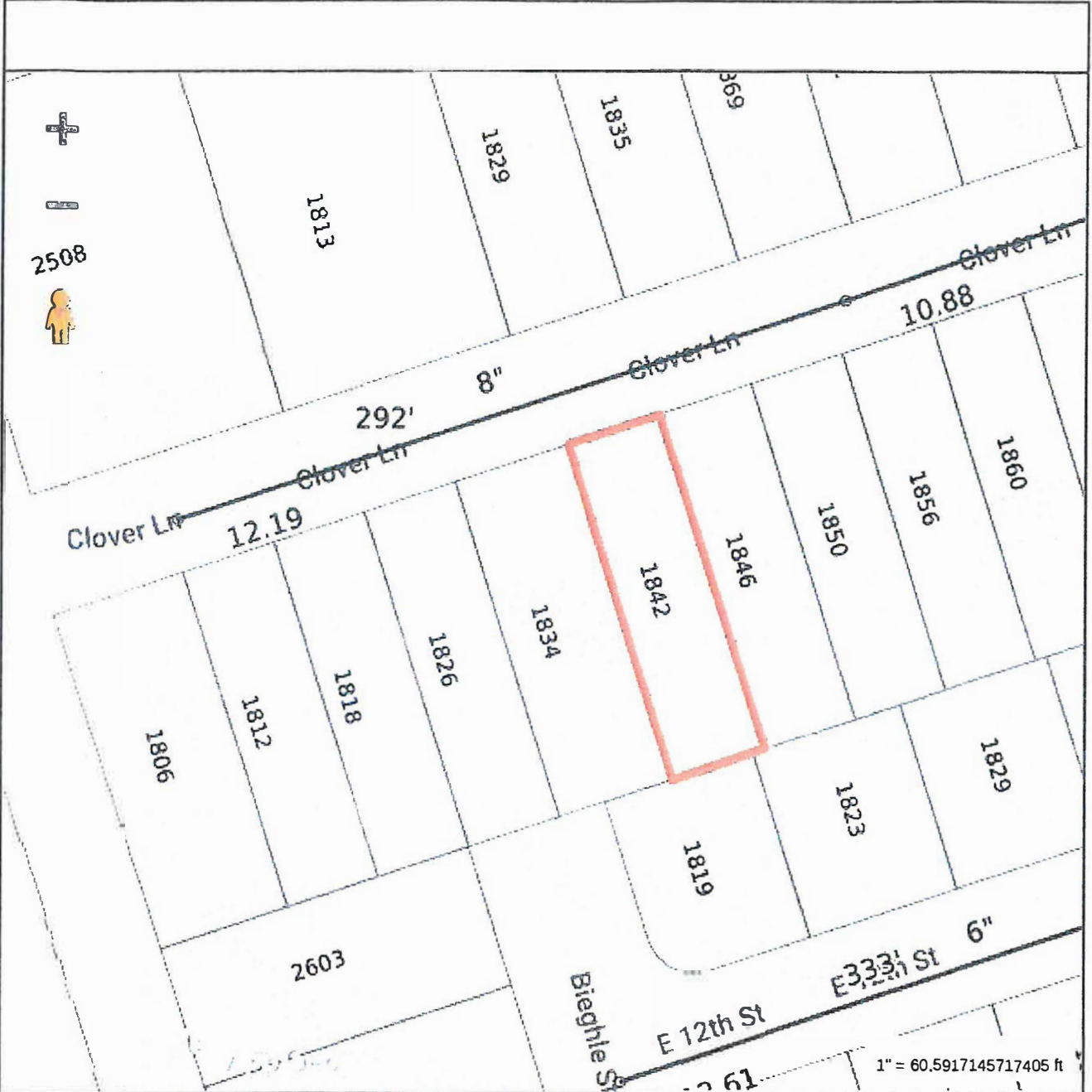
MAP FOR REFERENCE ONLY  
 NOT A LEGAL DOCUMENT

City of Stockton, CA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.


Geometry updated 05/03/2023  
 Data updated 05/01/2023

Print map scale is approximate.  
 Critical layout or measurement activities should not be done using this resource.



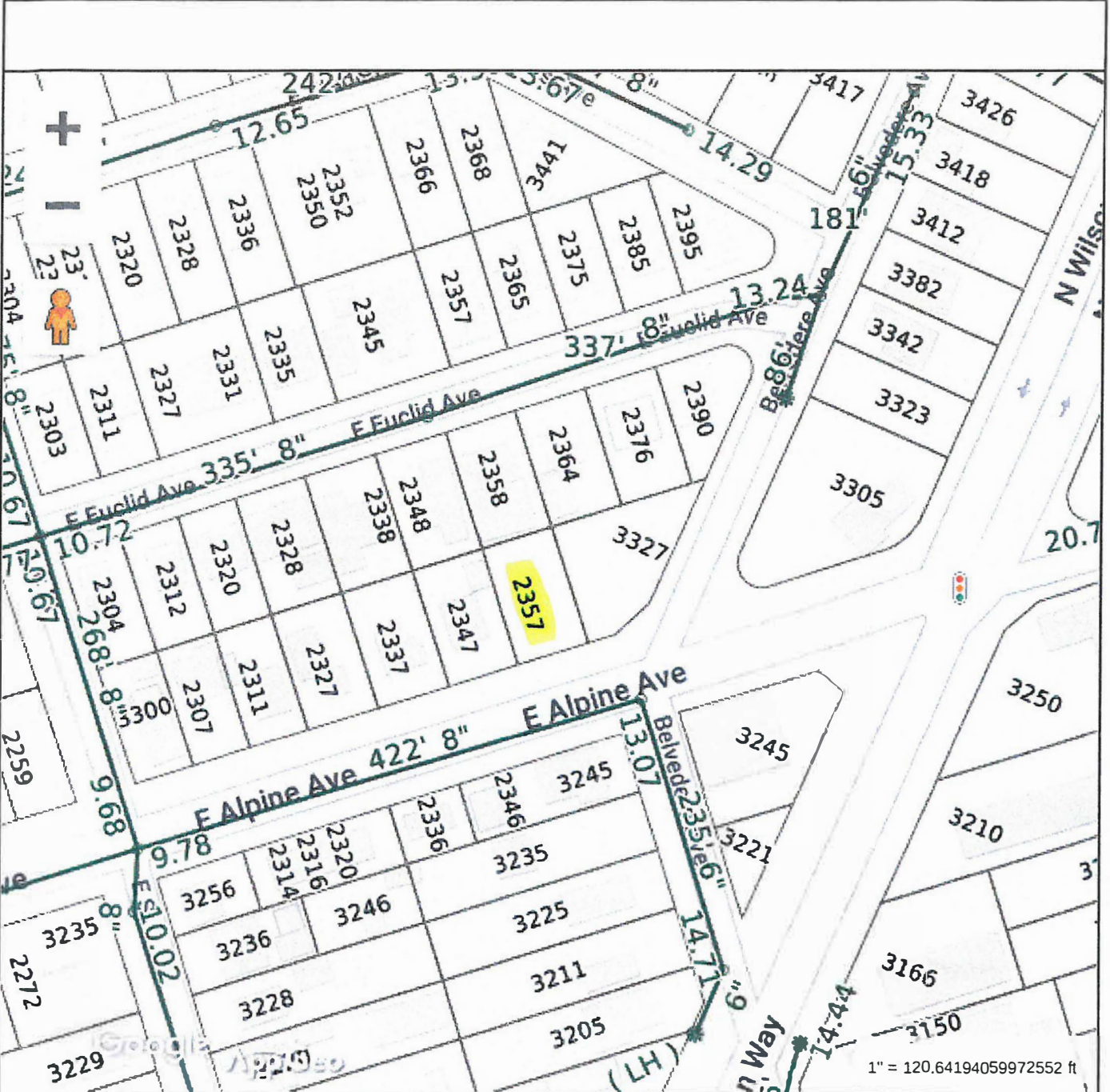


Property Information	
Property ID	17116306-106031
Location	1842 CLOVER LN
Owner	DD HOME INVESTMENTS LLC


**CITY OF STOCKTON**  
 MAP FOR REFERENCE ONLY  
 NOT A LEGAL DOCUMENT  
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Property information

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 Location 77 S VENTURA AV  
 Owner STOCKTON PORT DISTRICT



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 NOT A LEGAL DOCUMENT

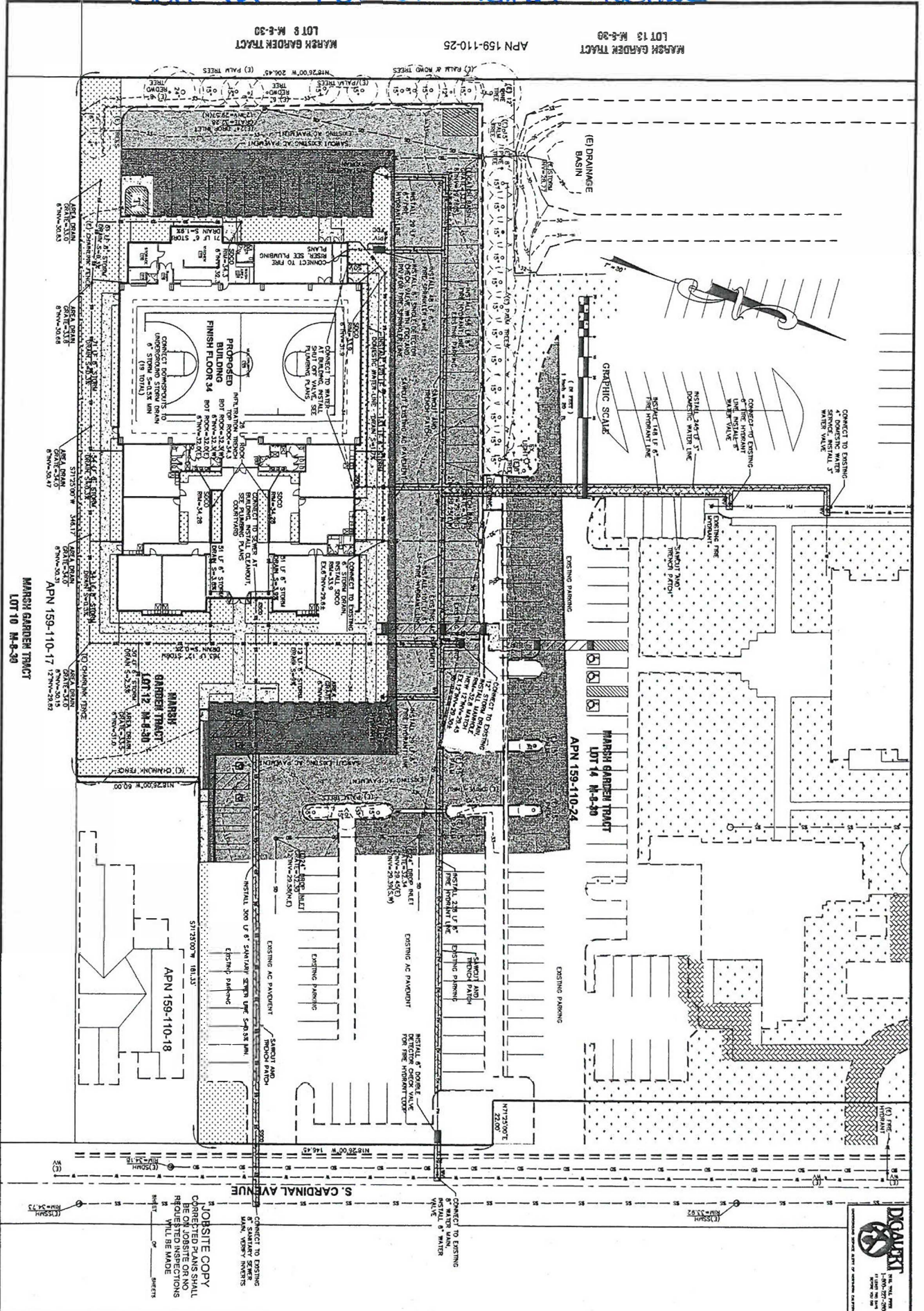
City of Stockton, CA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 05/03/2023  
 Data updated 05/01/2023

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.



00A Fox 731 S. Cardinal Avenue



**UTILITY PLAN**  
**APN 159-110-24**  
**ST. EDWARDS PARISH**  
**731 S. CARDINAL AVENUE**

DATE: 12/02/2006  
 TIME: 12:00:00  
 SHEET: 20-118

NO.	DATE	REVISIONS
1	12/02/2006	ISSUED STORM DRAIN TO CONNECT TO DOWNSPOUTS

**MORRIS**  
**ENGINEERING & SURVEYING, INC.**  
 334 S. YOSEMITE AVENUE, SUITE D  
 OAKDALE, CA 95361  
 TEL: 916.336.8888  
 FAX: 916.336.8889  
 WWW.MORRIS-ENG.COM

SCALE: 1" = 20'  
 DRAWN BY: PLM  
 CHECKED BY: RMW  
 DATE: 12/02/2006

PROJECT NO.: 159-110-24  
 SHEET NO.: 20-118

APPROVED: [Signature]

FOR SITE COPY, CORRECTED PLANS SHALL BE ON JOB SITE OR NO REQUESTED INSPECTIONS WILL BE MADE

CONNECTIONS TO EXISTING MAIN WATER MAINS SHALL BE MADE AT THE MAIN WATER MAINS

CONNECTION TO EXISTING WATER MAIN SHALL BE MADE AT THE MAIN WATER MAIN

CONNECTION TO EXISTING WATER MAIN SHALL BE MADE AT THE MAIN WATER MAIN



Balancing Community and Commerce

44 N. SAN JOAQUIN STREET SUITE 374 STOCKTON, CA 95202 209-468-3198

## EXECUTIVE OFFICER'S REPORT

June 8, 2023

TO: LAFCo Commissioners

FROM: Jeffery Hightower, Executive Officer

SUBJECT: **PROPOSED REVISIONS TO POLICIES AMENDMENTS:**

- A. Financial and Accounting Procedures
- B. Procedure for Public Member and Alternate
- C. Application Procedure and Map Requirements
- D. Adverse Impact of Annexations and/or Reorganizations on Special Districts

### Recommendation

It is recommended that the Commission consider the proposed change to the Procedure for Selecting Public Member and Alternate and the Financial and Accounting Procedures

### Background

#### Financial and Accounting Procedures:

Currently LAFCo Policy for Financial and Accounting Procedures states in section G Purchasing, Item 1 that the Commission will approve contracts for professional services such as LAFCo Counsel or consultants. Staff is requesting the Purchasing Policy change to reflect the following:

The Commission will approve contracts for professional services for scopes of work consistent with the budget objectives over \$50,000.00 (such as LAFCo Counsel or consultants); or for all contracts for scopes of work not anticipated by the budget.

This will allow the Executive Officer the ability to hire consultants directly and in return will streamline the time of proposed projects and /or reports.

#### Public Member and Alternate:

At the February 11, 2016 meeting, the Commission added term limits for the Regular Public



Member and Alternate Public Member. The current term limit states that no person shall be appointed more than two consecutive four-year terms as Public Member or Alternate Public Member. A partial mid-term appointment will not count against these term limits. A person who served as Alternate Public Member may be appointed to two full consecutive terms as Public Member.

Staff recommends termination of the term limits for the Public Member and Alternate Public Member.

Staff is requesting a Public Member and Alternate Selection Sub-Committee to review all applicants present the three most qualified candidates with the April meeting agenda. The three most qualified applicants will be invited to attend the meeting and briefly present their qualifications to the Commission

Application Procedure and Map Requirements:

Currently LAFCo's application procedure and map requirements are not a part of LAFCo Policy. Staff would like to create a new section in the Policy and Procedure guidelines for this process. In doing so, we are updated our policies to make things more clear and concise in hope to streamline the time it would take bring a potential project to the commission. The application procedure includes detailed information that coincide with the Cortese-Knox-Hertzberg regulations.

The regulations that the Surveyors Office use to approve maps are from the State Board of Equalization. They Surveyor's Office have requested that LAFCo ask for additional documents be sent to them with the copy of the map. This will assist the Surveyor's Office with the turnaround time for approving a map.

It is our goal by having a more detailed process for both the application and map requirements it will allow Staff to present proposed projects to the Commission in a more efficient matter.

Adverse Impact of Annexation and / or Reorganization on Agencies:

At the April 13, 2023 Commission Meeting, the Commission directed the Executive Officer to create a policy that would assist any and all agencies that would be effected with the approval of a project.

Please find attached the Adverse Impact of Annexation and / or Reorganization on Agencies Policy for your review and discussion.

Attachments:	Proposed Policies:
	Exhibit A. Financial and Accounting Procedures
	Exhibit B. Public and Alternate Public Member
	Exhibit C. Application Procedure and Map Requirements
	Exhibit D. Adverse Impact of Annexations and/or Reorganization on Special Districts

**FINANCIAL AND ACCOUNTING PROCEDURES**

(Adopted January 16, 2004

Revised June 16, 2018)

**A. PURPOSE**

These Financial and Accounting Procedures are intended to serve as a guide to the fiscal procedures of LAFCo. These procedures will serve to provide good internal accounting and administrative controls and establish a uniform and systematic approach to LAFCo's financial and accounting process.

**B. LAFCO FUNDING**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides that the operational costs of LAFCo shall be shared one-half by the county and one-half by its cities where only the county and cities are represented on the Commission. As agreed to by the Mayor's Selection Committee, the cities share is apportioned in proportion to each city's population. In the future, if the County's independent special districts choose to be represented on the Commission, LAFCo funding will then be shared one-third by the County, cities, and the special districts or by an alternative method approved pursuant to §56381(b)(4) of the California Government Code.

The LAFCo budget is also augmented by fees established by the Commission in accordance with §56383 of the California Government Code for services rendered to process applications for annexations, reorganizations and detachments, as well as other LAFCo actions.

**C. ORGANIZATION OF ACCOUNTING SYSTEM**

**1. General**

Financial records shall be maintained in accordance with generally accepted accounting principles and applicable state regulations.

**2. Basis of Accounting**

Financial transactions shall be accounted for by the use of the cash basis of accounting, whereby revenues are recognized when they become available to finance expenditures of the current fiscal period, and expenditures are generally recognized when the related fund liabilities are incurred.

**3. Records**

In maintaining records and preparing reports, LAFCo shall reconcile financial information with the budget reports compiled by the County of San Joaquin in its capacity as Treasurer and Auditor/Controller.

#### **4. Internal Controls**

LAFCo shall organize and assign work duties and responsibilities so that a system of checks and balances are in place. LAFCo procedures require that proper authorizations be required for all budgetary actions taken.

#### **D. ACCOUNTS RECEIVABLE**

##### **1. Receipts**

All cash receipts shall be processed in accordance with the following procedures:

- a. Checks or warrants received by mail shall immediately be dated and endorsed.
- b. A LAFCo receipt shall be issued upon receipt of checks or warrants accepted in the office.
- c. All checks and warrants shall be photocopied and logged onto the cash receipts record.
- d. The Commission Clerk shall deposit all receipts in the County Treasury in the Special District Fund No. 6053-0000 at the end of each business day. In the interim, checks shall be kept in a locked place for safekeeping. At no time shall cash or checks be left unattended in an unsecured location.
- e. At the end of each month, the LAFCo Analyst shall reconcile the LAFCo cash receipts report for the month with the County Auditor's Budget Reports. The Analyst will provide a report to the Executive Officer on a quarterly basis.

#### **E. EXPENDITURES**

##### **1. Payroll**

The Commission Clerk shall be responsible for administering the payroll in accordance with County policy and procedures.

##### **2. Travel Reimbursement**

The Executive Officer is charged with the responsibility of approving or disapproving requests for travel not previously approved in the regular budget approval process. The Executive Officer or the Commission Clerk shall review, verify and approve all expense claims for travel.

- a. Lodging: Lodging costs shall be reimbursed at actual cost, single rate, plus tax, for each day of travel during overnight lodging. Supporting documentation will consist of action receipts or a credit card summary statement.

- b. Meals: Reimbursement for meals will be paid at the same rate paid by San Joaquin County. Meal receipts are not required for reimbursement.

Reimbursement for meals will be prorated for partial travel days. Gratuities are included in the reimbursement amount. Alcoholic beverages will not be reimbursed.

- c. Transportation: Prudent judgment shall be exercised in the selection of mode of transportation. Actual costs shall be reimbursed, based upon supporting documentation. Use of personal vehicles shall be reimbursed at the approved San Joaquin County mileage rate.
- d. Other: Other incidental expenses including, but not necessarily limited to, business related long distance telephone calls, bridge tolls, parking fees, gratuities and taxis shall be provided via a credit card statement or actual statements.
- e. Upon return from travel, LAFCo Commissioners and employees shall submit required supporting documentation for travel reimbursement to the LAFCo Commission Clerk. The LAFCo Clerk will complete a "Travel Reimbursement Request" form for the Executive Officer's approval and signature. The form will be forwarded to the County Auditor/Controller for payment. The Commission Chairperson shall approve travel reimbursement for the Executive Officer.
- f. At the end of each month, the LAFCo Analyst shall reconcile travel expenditures with the County Auditor's Budget Reports. The Analyst will provide a report to the Executive Officer on a quarterly basis.

## **F. CONTINGENCY FUND**

LAFCo may establish a Contingency Reserve Fund to cover emergencies and other unforeseen costs not budgeted but deemed necessary for the continued operation of LAFCo. Expenditure of Contingency Funds must receive prior approval of the Commission. Funds not expended at the end of the fiscal year shall be carried over to the next fiscal year.

## **G. PURCHASING**

### **1. General Responsibility and Control**

Once the Commission has adopted the annual budget, it shall be considered the controlling plan of expenditure. Purchases and acquisitions shall be processed within the limitations established by the amount of budgeted resources allocated.

The Executive Officer or Commission Clerk are authorized to approve purchases and shall be responsible for purchases of and contract execution for materials, supplies, furnishing, equipment and services required by LAFCo in the performance of daily operations. Types of purchases the Executive Officer or Commission Clerk are

authorized to approve include office supplies, copy machine leases, rental space, telephones, postage, incidental expenses directly related in support of CALAFCO, and computer services. Supporting documentation for said expenses will consist of actual receipts or a credit card summary statement. The Commission will approve contracts for professional services for scopes of work consistent with the budget objectives over \$50,000.00 (such as LAFCo Counsel or consultants); or for all contracts for scopes of work not anticipated by the budget.

SAN JOAQUIN LAFCO  
PROCEDURE FOR SELECTING  
PUBLIC MEMBER AND ALTERNATE  
(Adopted February 15, 2008, Revised February 15, 2011,  
Revised February 11, 2016)

**Authority**

1. All members of the Commission shall appoint a Public Member to represent the general public (Government Code Section 56325(d)). Provided that the current Public Member is not seeking another term.

The Public Member shall be subject to the affirmative vote of at least one County Member and at least one City Member.

2. All members may also appoint an Alternate Public Member, provided that the current Alternate Member is not seeking another term. The Alternate Member shall be subject to the affirmative vote of at least one County Member and at least one City Member (Government Code Section 56331).

3. The Public Member and Alternate must be residents of San Joaquin County and shall not be an officer or employee of the County or any City or District with territory within the County (Government Code Section 56331).

4. The term of office is four years and until the appointment and qualification of ~~his or her~~ the member's successor. The expiration date of the term of office shall be the first Monday in May of the year in which the term expires. A mid-term vacancy shall be filled for the unexpired portion of the term. Any member may be removed at any time and without cause by the body appointing that member. (Government Code Section 56334).

**Selection Procedure For Public Member and Alternate**

1. The procedure shall be initiated by the Commission, usually in February, by directing the Executive Officer to announce that applications would be accepted. The announcement may be for both the Public and Alternate Members to give the Commission the ability to appoint a new Alternate member if the incumbent Alternate Member is appointed to the Public Member position.

2. If directed, the Executive Officer shall issue a press release. It shall announce that applications are available and will be accepted through the close of business the not less than 21 days after the publication of the position availability. ~~Wednesday prior to the April Commission meeting. The applications will be considered at the April Commission meeting.~~



3. The Executive Officer shall post notice of the vacancy on or near the doors of the Commission meeting room and at the Executive Officer's office. The Executive Officer shall send a copy of the notice to the clerk or secretary of the legislative body of each local agency within the County. Final appointment to fill a vacancy may not be made for 21 days after the posting of notice.

4. All applications received by the deadline will be reviewed by a Public Member Selection Sub-Committee. The Sub-committee will present the 3 most qualified candidates with the April meeting agenda. All applicants will be invited to attend the meeting and briefly present their qualifications to the Commission.

5. At the April meeting, the Commission may make an appointment by majority approval of the four members or may continue this matter from time to time. The appointment shall be subject to the affirmative vote of at least one County Member and at least one City Member.

6. A mid-term vacancy shall be filled by the same procedure as used for full term of appointments. The appointment shall be effective immediately, and the term of office shall be the unexpired portion of the predecessor's term.

7. The term of the Alternate Member to be selected to begin term in May and it will be a four year term to end in May to stagger the terms of the Public and Alternate Member and avoid both seats being vacant at the same time. Thereafter, the term of the Alternate Member will be to a four-year term.

**Consecutive Term Limitation**

~~No person shall be appointed to more than two consecutive four year terms as Public Member or Alternate Public Member. A partial mid-term appointment will not count against these terms limits. A person who served as Alternate Public Member may be appointed to two full consecutive terms as Public Member.~~

## SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION (LAFCo) APPLICATION PROCESS

### INTRODUCTION

The information on these pages will familiarize you with LAFCo application process and outlines the information required to file a complete application. Applications requiring environmental review by LAFCo will take longer than applications that have already complied with the California Environmental Quality Act (CEQA).

### PRE-APPLICATION PROCEDURE

Applicants are encouraged to contact San Joaquin LAFCo staff to discuss a proposal and all related materials which must accompany the submittal to identify any issues related to your application prior to submission, This may require a site visit as well as photos taken of the proposed project site. Application materials are available online or may be requested from the LAFCo office by phone at (209) 468-3198.

An application will not be deemed complete and scheduled for processing until the LAFCo office receives the application fee and the completed petition, application questionnaire, map, and legal description. The applicant will be notified in writing if any additional information is required to complete the application.

The map, legal description and grant deeds will be transmitted to the San Joaquin Department of Public Works (Mapping/Surveys Division) for technical review. For more information regarding the requirements for the map and legal description, please see the link for map and legal descriptions.

### APPLICATION COMPLETENESS

Submittal of an application is the first formal step in the process. With your application, please include a table of contents with the following attachments:

- (a) Pursuant to Cortese Knox Hertzberg Act, State Government Code Section 56668, list the factors outlined in this section and where the information for each item is discussed and evaluated within the application. This should be the first section within an annexation plan intended to complement the Table of Content for each annexation plan.
- (b) Population and population density; land area and land use; assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; and the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

(c) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; and probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

(2)"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.

(d) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

(e) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, and efficient patterns of urban development.

(f) Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.

(g) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016 of the Cortese–Knox–Hertzberg Local Government Reorganization Act of 2000.

(h) 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.

Within 30 calendar days of receiving an application, the Executive Officer of LAFCo will inform the applicant in writing whether the application is complete and accepted for filing. If incomplete, the written correspondence will indicate where the application is deficient and specify the additional information needed. Applications must be deemed complete by the Executive Officer before processing will begin.

#### ENVIRONMENTAL REVIEW

LAFCo applications are subject to environmental review, as required by the Guidelines for Implementation of the California Environmental Quality Act (CEQA). Once an application has been deemed complete by the Executive Officer, LAFCo staff will initiate the environmental review process. New environmental documents are not usually required for the LAFCo application if the activity underlying the application has already undergone environmental review by a city, county, special district or other public agency. Please ensure that the environmental

documents forwarded to LAFCo include the Environmental Site Assessment (ESA) Phase I Report and if warranted an ESA Phase II Report for the project.

You will be required to submit copies of these environmental documents as part of your complete application. If the activity underlying the LAFCo application has not undergone previous environmental review by another public agency or the underlying activity was not considered in the agency's environmental review, LAFCo may be responsible for preparing the necessary CEQA documents. Should LAFCo be responsible for preparing the CEQA documents, the applicant may be asked to submit additional environmental information to aid LAFCo in preparing the appropriate mandated documents. LAFCo's environmental review may include the preparation of a Notice of Exemption, Initial Study, Negative Declaration, or Environmental Impact Report. The time and professional expertise required to prepare the appropriate supporting CEQA documents varies and could take several months. LAFCo cannot take action on the application until the requirements of CEQA have been satisfied.

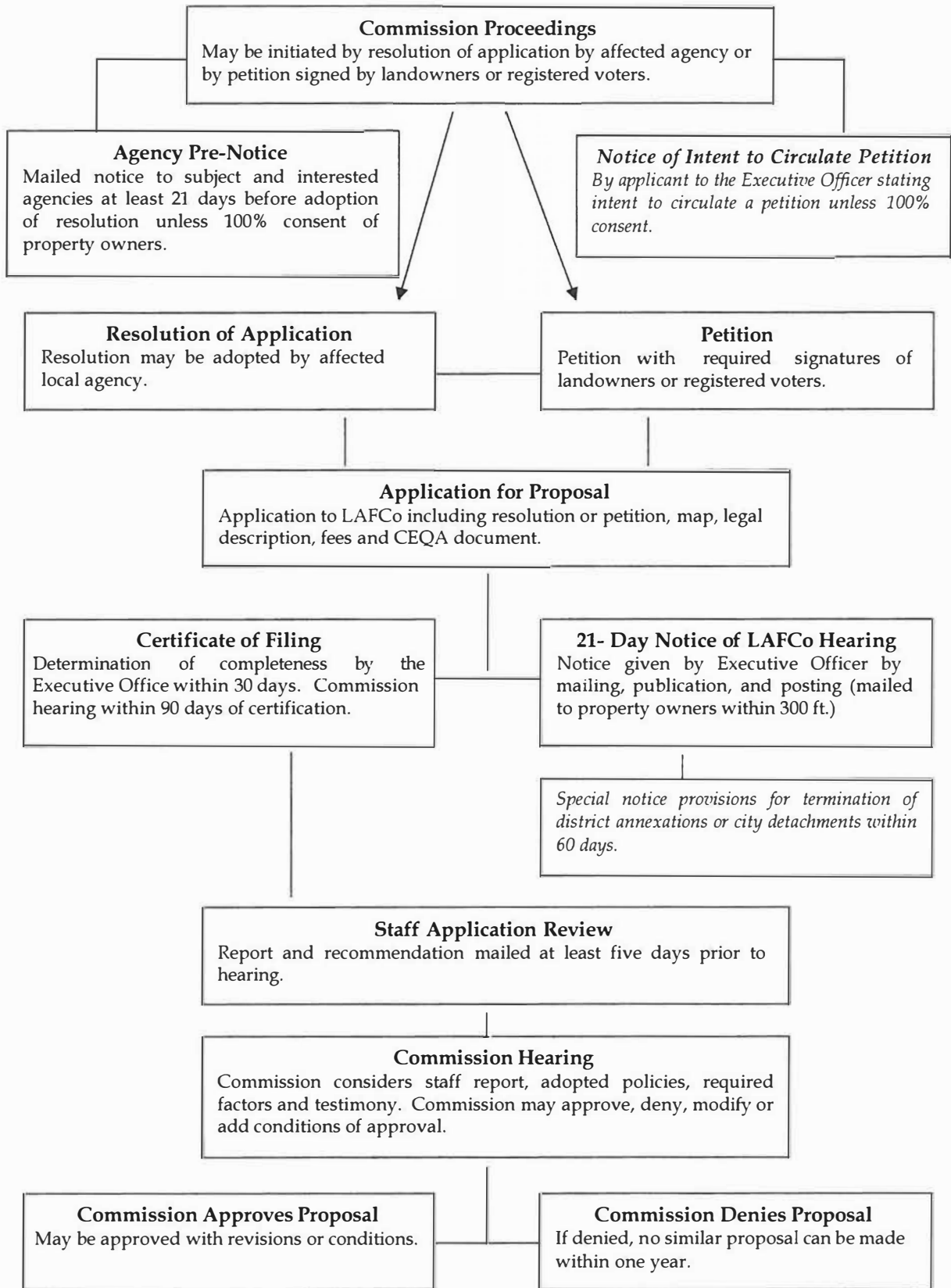
#### LAFCo ACTION

Once the application has been deemed complete by the Executive Officer, and assuming LAFCo does not have to prepare any environmental documents, the application will be scheduled for hearing within 90 days of the application completeness date. If LAFCo needs to prepare environmental documents to comply with CEQA, the application will be scheduled for hearing within 90 days of approval or certification of the appropriate CEQA documents.

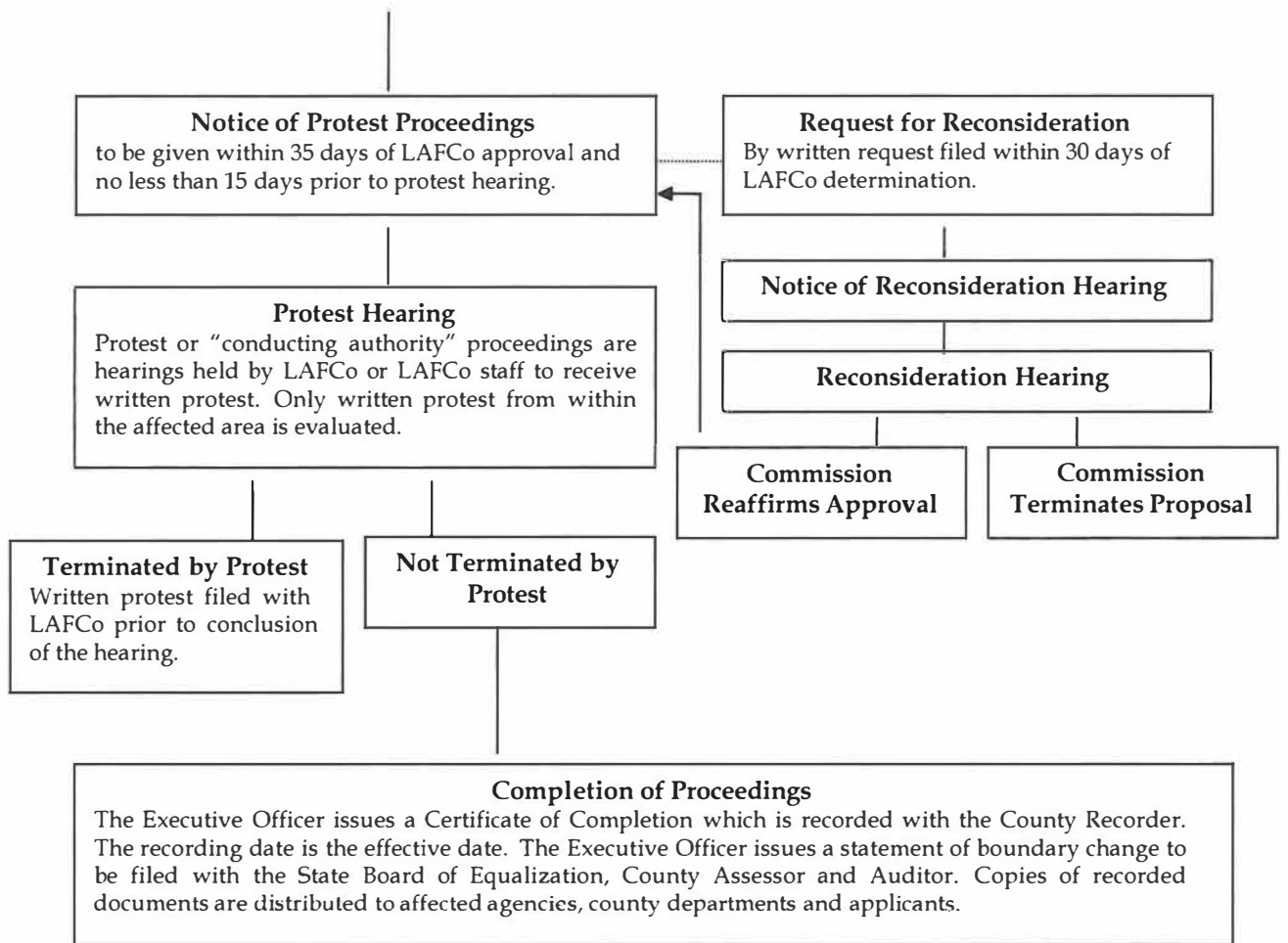
#### LAFCo MEETING SCHEDULE

The San Joaquin LAFCo meetings are held on the second Thursday of each even month, commencing at 9:00 a.m. in the San Joaquin Board of Supervisors Chambers located at 44 N. San Joaquin Street, Stockton, Ca 95202. After your application has been deemed complete and LAFCo's environmental review is completed, you will be notified of the date your application will be heard by LAFCo . You will receive a copy of the agenda and Executive Officer's Staff Report prior to the hearing on your application. Please contact LAFCo staff to assure no changes has been made to the schedule.

**BOUNDARY CHANGE PROCEDURE DIAGRAM**



**CONTINUED**



## Disclosure of Contributions and Expenditures Related to LAFCo Proposals:

Please note that certain contributions or expenditures made by any individual or group in support of or in opposition to any LAFCo proceeding, whether initiated by petition or resolution and including activities related to protest proceedings, may be subject to disclosure and reporting requirements pursuant to state law (California Government Code Section 56100.1 and Article 2.5 (commencing with Section 84250) of Chapter 4 of the Political Reform Act of 1974 (Title 9 (commencing with Section 81000))). For more information regarding these requirements, please visit the California Fair Political Practices Commission website at [www.fppc.ca.gov](http://www.fppc.ca.gov) (<http://www.fppc.ca.gov/>).

## **Commission Members**

The Commission is comprised of five regular members and three alternate members appointed to four-year terms. The current Commission members are:

<b>Regular Members:</b>		<b>Telephone</b>
Tom Patti (Chair)	Board of Supervisors	(209) 468-3113
David Breitenbucher	City Member, Manteca	(209) 456-8017
Miguel Villapudua	Board of Supervisors Member	(209) 468-3113
Gary Barton	City Member, Ripon	(209) 599-0215
Peter Johnson	Public Member Term Expires May 2, 2024	(209) 946-3912

<b>Alternate Members:</b>		
Stephen Ding	Board of Supervisors Member	(209) 468-3113
Vacant	Public Member Term Expires May 7, 2027	
Minnie Diallo	City Member, Lathrop	(209) 922-0010 (Cell)

### **Terms**

Commission members serve four-year terms that expire the first Monday in May.

### **Selection Process**

San Joaquin LAFCO Commission consists of five-members. The Board of Supervisors selects 2 LAFCO Commissioners from their own membership. A City Selection Committee consisting of Mayors of all 7 Cities within the County select 2 LAFCo Commissioners from City Council Members of all such Cities. The 4 Members so selected, select another Commissioner to represent the General Public. The three above categories each have an Alternate Member selected in the same manner.

On May 1, 1991, the City Selection Committee adopted a 4-Year Rotation Plan for regular City Commission members. The order of City rotation is as follows: Escalon, Stockton, Manteca, Lathrop, Ripon, Tracy, and Lodi.

Starting with May 2019 the 4-Year Rotation will be:

<u>Year</u>	<u>Member (1)</u>	<u>Member (2)</u>	<u>Alternate</u>
2019	Escalon	Stockton	Manteca
2021	Stockton	Manteca	Lathrop
2023	Manteca	Lathrop	Ripon
2025	Lathrop	Ripon	Tracy
2027	Ripon	Tracy	Lodi
2029	Tracy	Lodi	Escalon



## MAPPING REQUIREMENTS

These requirements are consistent with the requirements set forth by State and County offices, including but not limited to State Board of Equalization, San Joaquin Mapping and GIS Department, and the County Recorder's Office.

Applications to LAFCO must be accompanied by a map, legal description and grants of the affected area that meets the format requirements listed below. Draft maps, legal descriptions and affected grants submitted with the application will be forwarded to the Surveys Office for technical approval and will be returned to the applicant for final changes.

The following requirements are enumerated to assist you in preparing maps and legal descriptions for use by LAFCO.

1. Maps and legal descriptions must be professionally prepared by a Licensed Land Surveyor or a Registered Civil Engineer authorized by the State of California to perform land surveying pursuant to Business and Professions Code, Section 8731. Maps prepared by someone other than a Licensed Land Surveyor or Registered Civil Engineer authorized by the State of California to perform land surveying pursuant to Business and Professions Code Section 8731 will be rejected and the applicant will be required to resubmit maps and legal descriptions prepared in compliance with this section.
2. Maps shall be 8 ½" x 11" in size. No larger or smaller maps will be accepted.
3. The map legend and legal description title must contain the proposal title and a space for a LAFCo file number. File numbers are not assigned until an application has been submitted; application submission requires a map and legal description, so map and legal description will precede the file number. Notation such as "LAFCo File # \_\_\_\_\_" with a blank spot for LAFCo to input the file number is ideal.

### Map Documents

All maps shall be professionally and accurately drawn. Rough sketches or pictorial drawings will not be accepted. Assessor's parcel maps will not be accepted as a substitute for the project map.

1. Include a vicinity map showing the affected territory in relationship to major highway or street and surrounding areas. The location map should be drawn as an inset map and should not exceed 3½"x 3½" in size.
2. Any portion of an existing district or city in close proximity to the project area must be shown and identified. The proposed boundary must also be distinctively shown without obliterating any essential geographic or political features.
3. Maps and legal descriptions must state the township and ranges, section number or rancho of the annexation area.

4. The full width of existing streets, roads, and highways within and adjacent to the subject territory and their current names shall be included.
5. Maps shall bear a north point, scale, date, title or short-term designation, the name(s) of the affected agency or agencies, area in square feet or acres, point of beginning of the legal description, and current Assessor's Parcel Number of parcels to be annexed.
6. Bearings and distances must be shown on all lines. If the scale of the map is such that it is impractical to letter adjacent to or near the line, then a table may be used and the course designated by a number or, if a series, by inclusive numbers. The table should appear on the same sheet as the map.
7. All legal descriptions, deeds, lot or subdivision references should be noted on the map to clarify a point, line or direction. The boundaries of the project area shall be distinctively delineated on each map without masking any essential geographic or political features. The boundaries of the project area must be the most predominant line on the map. Boundary lines that are delineated by a line that exceeds 1.5 millimeter in width shall be rejected. The use of graphic tape or broad tip marking pens to delineate the boundary is not acceptable.
8. All dimensions needed to plot the boundaries must be given on the map of the project area. Each map shall have numbered courses matching the written geographic description. Index tables may be utilized.
9. All parcels within the project area that touch the new boundary shall be clearly labeled with the assessor's parcel number. Interior parcels that do not touch the boundary need not be identified on the map.
10. When it is necessary to use more than one map sheet to show the boundaries of the project area, the sheet size should be uniform. A small key map giving the relationship of the several sheets shall be furnished. Match lines between adjoining sheets must be used. While the geography on adjoining sheets may overlap, the project boundaries must stop at the match lines.
11. \*If more than one boundary change is requested on a single application, all proposed boundary changes must be indicated on one map.
12. Maps must include street addresses of each parcel or addresses at all boundaries or both sides of all streets and roads running through the annexation. This information is necessary and must be completely accurate, as it will be used to amend the 9-1-1 Emergency street address guide. It will also be used to determine which emergency service provider will be dispatched.

## Legal Descriptions

Subdivision maps, tract maps, recorded survey maps, survey monuments, and deeds are not on file with the State Board of Equalization, who LAFCo must submit application maps to. Boundary descriptions that merely cite recorded documents or refer to assessor's parcel numbers will not be accepted. Any supporting documents may be used as reference only and cannot be used as a substitution. Written geographic descriptions shall conform to the following specifications:

1. Every written geographic description (a document separate from the maps) must be labeled Exhibit A and must stand on its own without the necessity of reference to any extraneous document; a description that relies solely on the use of secondary references will not be accepted. The TASS cartographic staff must be able to plot the boundaries from the written description alone.
2. The written description shall be of the project area only. If a complete description of the special district is filed, the project area shall be clearly identified in a separate document.
3. The geographic description shall:
  - a. State the township and range, section number(s) or rancho(s)
  - b. Have a point of beginning (POB) referenced to a known major geographic position (e.g., section corners, intersection of street centerlines, or the intersection of street centerline and an existing district boundary at the time of filing). A description will be rejected if the POB refers only to a tract map, a subdivision map or a record of survey map. It is preferable that the POB be the point of departure from an existing district boundary (when applicable).
  - c. Be expressed as a specific parcel description in sectionalized land (e.g., "The SW 1/4 of Section 22, T1N, R1W") or by bearings and distances. When the description is by bearings and distances, all courses shall be numbered and listed individually in a consistent clockwise direction. The description shall not be written in a narrative format. All courses required to close the traverse of the project area must be stated. All curves must be described by direction of concavity. Delta, arc length, chord, and radius shall be listed, including radial bearings for all points of non-tangency. Following are examples of unacceptable and acceptable descriptions:
    - i. Unacceptable (This description refers only to extraneous documents and does not stand alone.): "From the point of beginning, northerly to the southwest corner of that certain property recorded in Book 12, Page 15 of Recorded Deeds, thence easterly to the southeast corner of that certain property recorded in Book 12, Page 16 of Recorded Deeds...."
    - ii.

Acceptable (This is the same description with the courses numbered and the bearings and distances added.): "From the point of beginning: Course 1. North  $1^{\circ} 18'56''$  West a distance of 150' to the southwest corner of that certain property recorded in Book 12, Page 15 of Recorded Deeds, thence, Course 2. North  $85^{\circ} 7'56''$  West a distance of 75' to the southeast corner of that certain property recorded in Book 12, Page 16 of Recorded Deeds, thence...."

4. The written description shall state the acreage for each separate single area (see Definitions and Special Fee Provisions for the definition of a single area) and a combined total acreage of the project area. Example: "Area A containing 2.50 acres, Area B containing 1.75 acres: Total computed acreage containing 4.25 acres more or less."

5. All information stated on the description must match with the map(s), such as the name of the short title, the point of beginning, the course numbers, all the bearings and distances, and the acreage(s).

6. Provide lot closure calculations prepared and stamped by a licensed land surveyor or qualified engineer. Closure calculations must be per "closed-traverse method," using the metes and bounds from the legal description. Include closure error data.

**Adverse Impact of Annexation and Reorganization Special Districts**

LAFCo will consider any significant adverse effects upon special districts, other service recipients or other agencies serving the area and may condition any approval to mitigate such impacts. Significant adverse effects shall include the effect of proposals that negatively impact special districts' budgets or services or require the continuation of services without the provision of adequate funding. LAFCo will not approve reorganizations that include detachments from special districts or annexations to cities that fail to provide adequate mitigation of the adverse impact on the district. LAFCo may determine an appropriate temporary mitigation, if any, and impose that temporary mitigation to the extent it is within its powers. If the needed mitigation is not within LAFCo's authority and approval would, in the opinion of the Commission, seriously impair the District's operation, the Commission may choose to deny the application.

When a reorganization that annexes territory to a city and detaches from a special district; and, the Commission deems that the loss of property tax revenue is significant to that district, then following applies. Prior to the close of public hearing on the matter, the district may request and the Commission will impose as a term and condition that a duly executed detachment contract be submitted to the Executive Officer prior to the recordation of a Certificate of Completion. LAFCo expectations are that both parties will negotiate in good faith and that time is of the essence. Below are guidelines intended to facilitate and streamline the process for both parties:

1. If a detachment payment is chosen as the form of mitigation, then:
  - A. Pursuant to Government Code Section 56886 (a), as amended, the payment to the district is expected equal to the property tax increment that otherwise the district would have received from within that territory for a period of not more than 15 years.
  - B. Pursuant to Government Code Section 56668(m), if a reorganization includes affordable housing or market rate housing units needed for a city to achieve its Regional Housing Need Allocation, as determined by the San Joaquin Council of Governments, the payment to the district is expected to equal to the property tax increment that otherwise the district would have received from within that territory for a period of not more than 10 years.
  - C. The city and district may use a mutually agreeable adjustment annual factor, if any, in order to reach a determinable amount. Both parties are encouraged to reach a determinable detachment payment calculated by a mutually agreeable methodology i.e., an adjustment factor equal to the average of the Consumer Price Index for the past agreed upon term length (10 year average CPI for 10 year term), annual fixed percentage increase (usually ranging between 2% to 3%) or any other mutually

agreeable method. Upon agreement of methodology, the parties are to communicate such to the Executive Officer.

- D. For annexations that include development plans mandating a certain number of affordable housing units for families with very low, low, and moderate income, it is expected that both parties will recognize the overwhelming need and benefits that mixed income neighborhoods bring to a community when evaluating payments and annual adjustment factor methodology, if any.
2. Any other conditions to which the city and district mutually agree.
  3. Prior to filing a Certificate of Completion for the reorganization, written proof of satisfaction of the scope and specifications of the contract will be submitted to the Executive Officer.



Balancing Community and Commerce

44 N. SAN JOAQUIN STREET SUITE 374 STOCKTON, CA 95202 209-468-3198

## EXECUTIVE OFFICER'S BRIEF

**CHAIR**  
**TOM PATTI**  
BOARD OF SUPERVISORS

June 8, 2023

**MINNIE DIALLO**  
LATHROP CITY COUNCIL

TO: LAFCo Commissioners

**DAVID BREITENBUCHER**  
MANTECA CITY COUNCIL

FROM: J. D. Hightower, Executive Officer

**PETER JOHNSON**  
PUBLIC MEMBER

AGENDA ITEM NO. 4

**MIGUEL VILLAPUDUA**  
COUNTY BOARD OF  
SUPERVISORS

SUBJECT: Tract No. 4040 Mountain House, Neighborhood 'A', Unit No. 7 of College Park Reorganization to the Mountain House Community Services District (MHCS D).

### ALTERNATE MEMBERS

**STEVEN J. DING**  
COUNTY BOARD OF  
SUPERVISORS

### Recommendation:

It is recommended that the Commission approve the College Park III Tract 4040 A-7 Reorganization consisting of annexation of two (2) parcels totaling 34.71 acres to the MHCS D and simultaneous detachment from the Tracy Rural Fire District (TRFD) and San Joaquin Resource Conservation District. The action requires adoption of the attached resolution.

**GARY BARTON**  
RIPON CITY COUNCIL

### Environmental:

As a responsible agency LAFCo staff concurs with MHCS D that the Mountain House EIR and Mitigation Monitoring and Reporting Program (SCH # 2003102074) addresses all foreseeable impacts created by the project.

**VACANT**  
PUBLIC MEMBER

### EXECUTIVE OFFICER

**J.D. HIGHTOWER**

### Brief:

The requested reorganization would allow development for a 143 single family detached residential subdivision. As highlighted in the attached Staff Report and the Annexation Plan, MHCS D has the resources to plan and deliver urban services to the requested annexation with all infrastructure within the existing streets of Nasergholi Avenue and Pasqua Glen. The land is not a Prime Agricultural Resource as it has been fallow for more than 5 years and is classified as Farmland of Local Importance and classified Agricultural under the SJCOG Habitat Conservation Plan. The annual property tax from the annexation area, \$2,976.59, MHCS D position is that detachment payment has already been made to TRFD due to the unique PAYMENT history of the Fire Station.

### LAFCO ANALYST/COMMISSION CLERK

**MITZI STITES**

### ADMINISTRATIVE ASSISTANT

**CLAUDIA IBOA**

### COUNSEL

**ROD ATTEBERY**

### Attachments:

1) Staff Report



Balancing Community and Commerce

44 N. SAN JOAQUIN STREET SUITE 374 STOCKTON, CA 95202 209-468-3198

### EXECUTIVE OFFICER'S REPORT

- PROJECT:** MOUNTAIN HOUSE SPECIFIC PLAN III: TRACT 4040 – A7 REORGANIZATION TO THE MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT (MHCSD).
- PROPOSAL:** Annexation of two (2) parcels (APN 209-07-23 & 24) totaling 34.71 acres to Mountain House Community Services District (MHCSD) and concurrent detachments from the Tracy Rural Fire District; and, San Joaquin Resource Conservation District.
- APPLICANT:** MHCSD
- LOCATION:** The project site is located south of Grant Line Ave. and immediate north of the Delta College Mountain House campus. Immediately north and west of the reorganization area are existing rural residential land uses and ranchettes. Immediately east of the site is an existing single family subdivision, Subdivision Tract 3507. The project is located at the western edge of the Mountain House Specific Plan III area. The project will connect to and extend Nasergholi Avenue and Pasqua Glen.





**Figure 1 – Aerial View**

**PURPOSE:** The purpose of the project is the development within the MHCSD of 143 single family detached dwelling units (3 Very Low Density & 140 Low Density), 8.28 acres of open space and necessary infrastructure. The proposed development density and improvements are consistent with the Mountain House Specific Plan III. Development plans are consistent with the land use density and intensity evaluated within the Mountain House Environmental Impact Report (SCH# 2003102074). Hence the reorganization is consistent with San Joaquin County General Plan and College Park III Specific Plan in accordance with CKH Section 56668 (h),

**PROCESS:** Proposed annexation area is uninhabited and has consent of the landowners as defined by CKH Section 56079.5. All findings to waive of protest proceedings are present in accordance with CKH Section 56663.

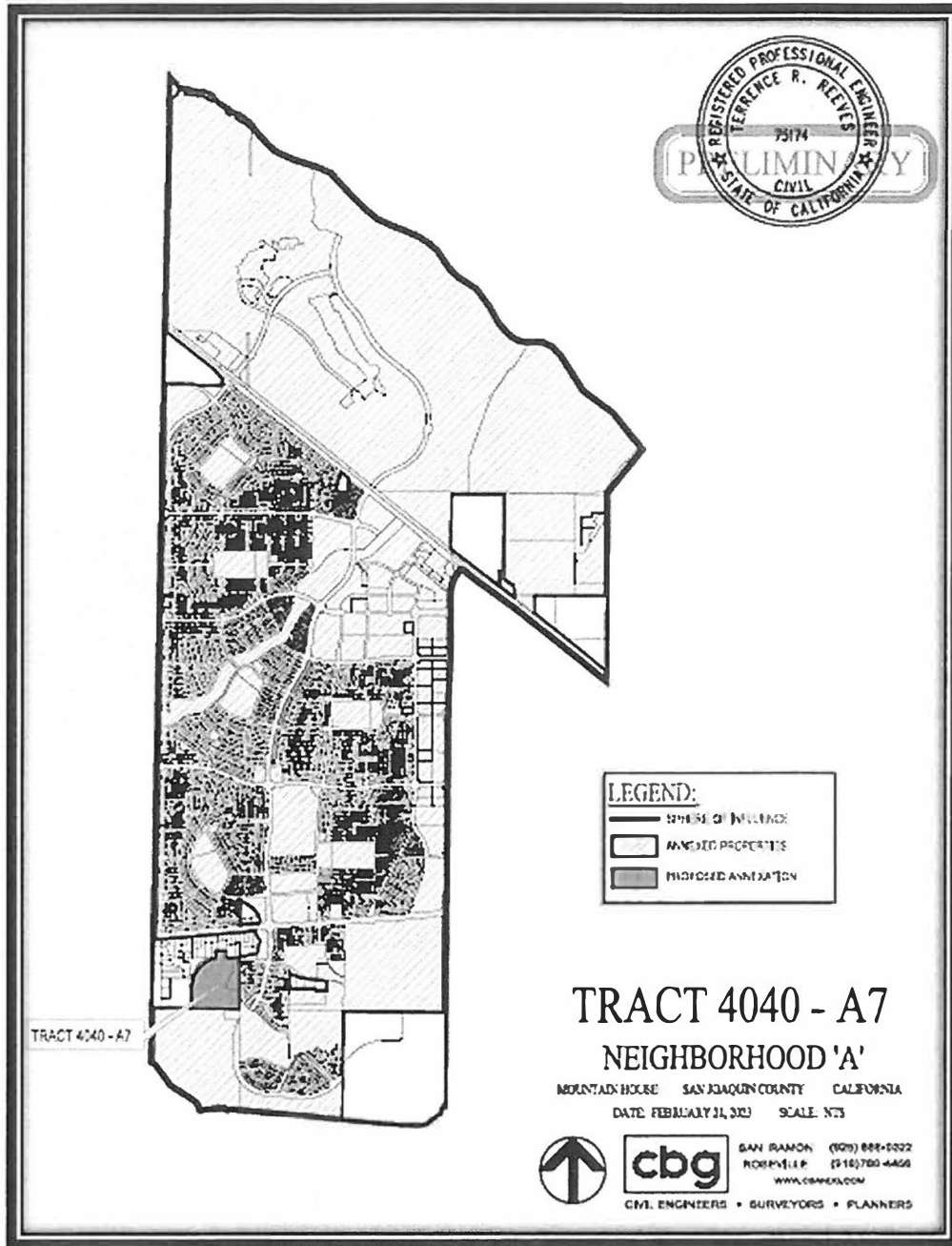
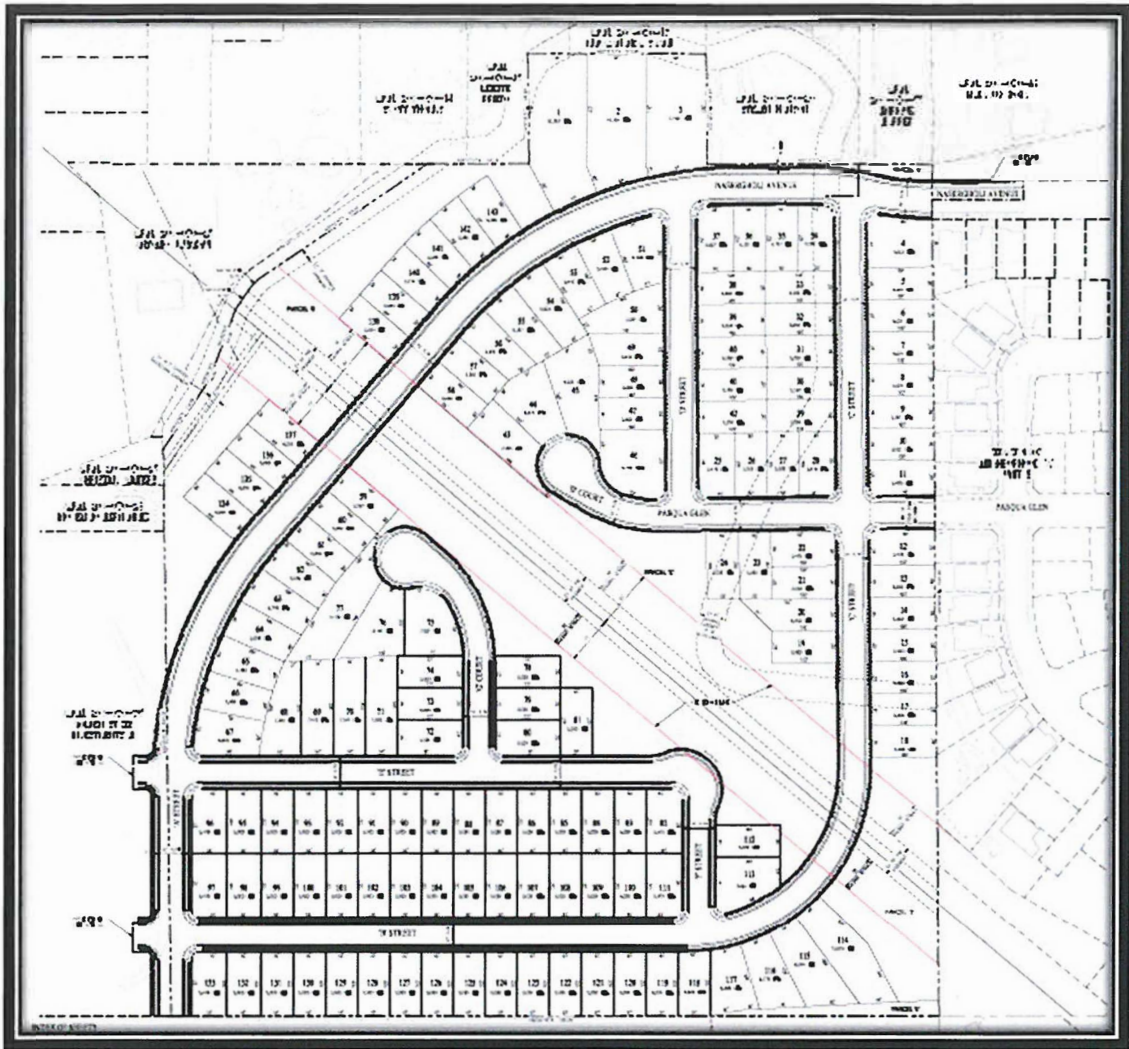


Figure 2 – Vicinity Map



**Figure 3 – Tentative Vesting Subdivision Map**

## **RECOMMENDATION**

It is recommended that the Commission find that the reorganization meets all requirements necessary and approve Resolution No. 1512 approving the annexation of the Tract 4040 – A7 Reorganization to MHCS D and detachment from the Tracy Rural Fire District and San Joaquin Resource Conservation District.

## **BACKGROUND**

In 1994, the County Board of Supervisors adopted the Mountain House Master Plan. The Mountain House Master Plan is intended to be an incorporated city with a population of approximately 44,000 residents, covering 4,784 acres or approximately 7.5 square miles, to be developed over a 30-year period. In 1996, LAFCo approved the formation of the MHCS D, an independent special district, and authorized the district to provide an array of services including police (current contract with San Joaquin Sheriffs), fire (current contract with French Camp McKinley Fire District), library services, water, sewer, garbage, public recreation,

road maintenance, street lights, graffiti abatement, CC&R (Master Restrictions) enforcement, telecommunication services, converting utilities to underground, transportation services, flood control protection, wildlife habitat mitigation, pest and weed abatement, and dissemination of information. LAFCo adopted the district's Sphere of Influence (SOI) to coincide with the master plan boundaries and approved the latest Municipal Service Review (MSR) Update on June 8, 2022. The MSR evaluated and found that MHCSD provides adequate services in a cost effective manner to accommodate new growth. The reorganization area was identified as a remaining annexation area within the MHCSD Sphere of Influence.



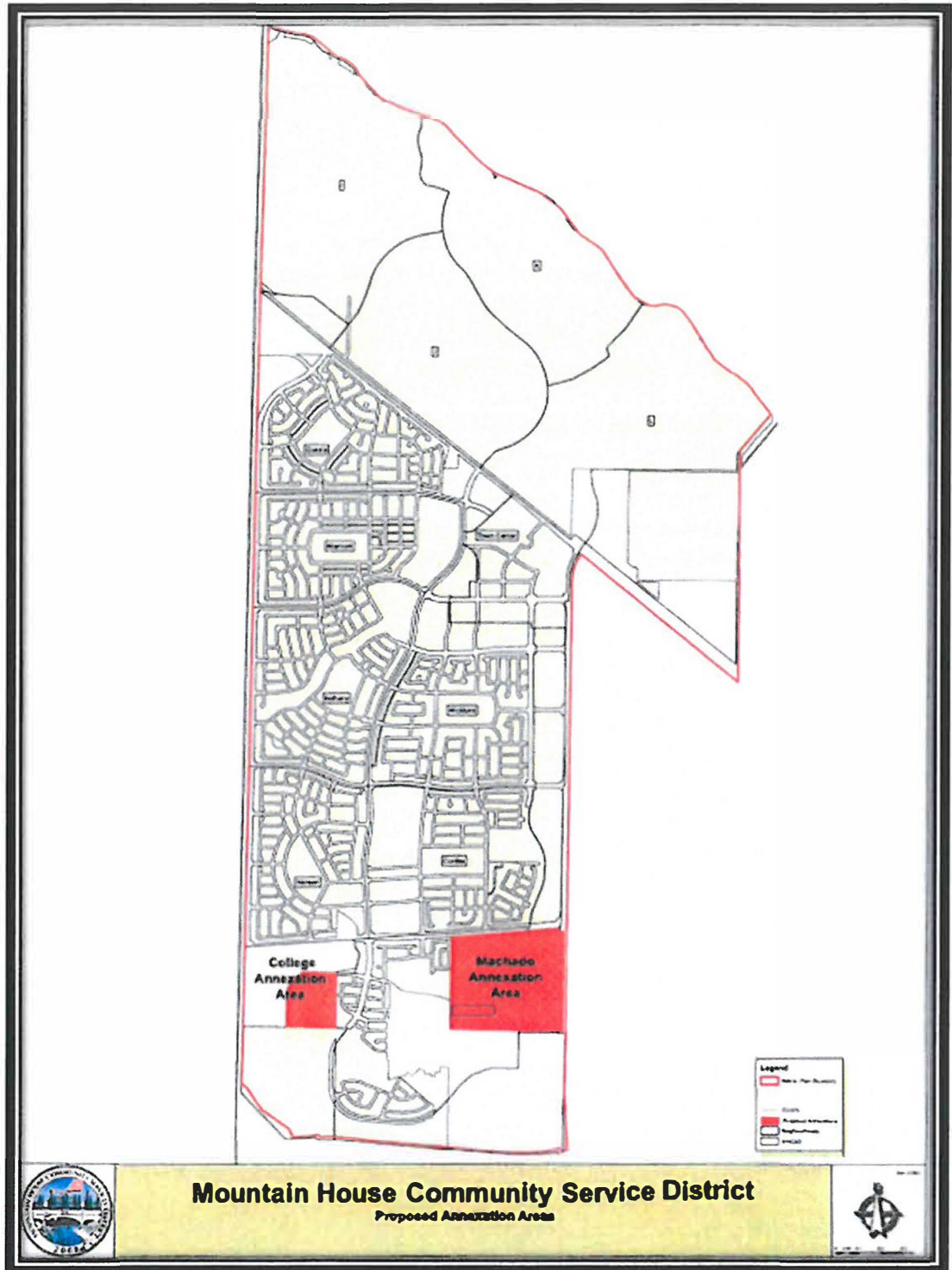


Figure 4 – Remaining Annexation Areas within MHCSO

On January 11, 2023, the MHCSO Board of Directors approved an application submittal to LAFCo to annex two (2) parcels totaling 34.71 acres to the District. The parcels are within the MHCSO SOI. The two (2) parcels are currently vacant and determined to be uninhabited pursuant to CKH Section 56079.5.

The design of the subdivision within the reorganized area complies with CKH Section 56668(a) in that the design provides for a planned and logical land use pattern. Accordingly, the subdivision design is responsive to planned population and population density; land area and land use; ... proximity to other populated areas (adjacent subdivision); and the likelihood of significant growth in the area (Mountain House Specific Plan III), and in adjacent incorporated (MHCSD) and unincorporated areas (rural residential).

The development plan calls for 140 single family detached homes, on predominately 5,000 square foot lots; 3 single family detached homes on half-acre lots; and, 8.28 acres of open space. Combined the half-acre lots and open space provide a transition between the rural residential land uses and the single family subdivision.

The half-acre lots are on the north side of Nasergholi Avenue and serve as a transition from the rural residential land uses to the north and the single family residential development within the rest of the development. Open space lot, Parcel B provides 2.34 acres of permanent open space acting as a buffer between the subdivision and the rural residential land uses to the north and west. Below is a table showing the proposed land uses within the reorganization area:

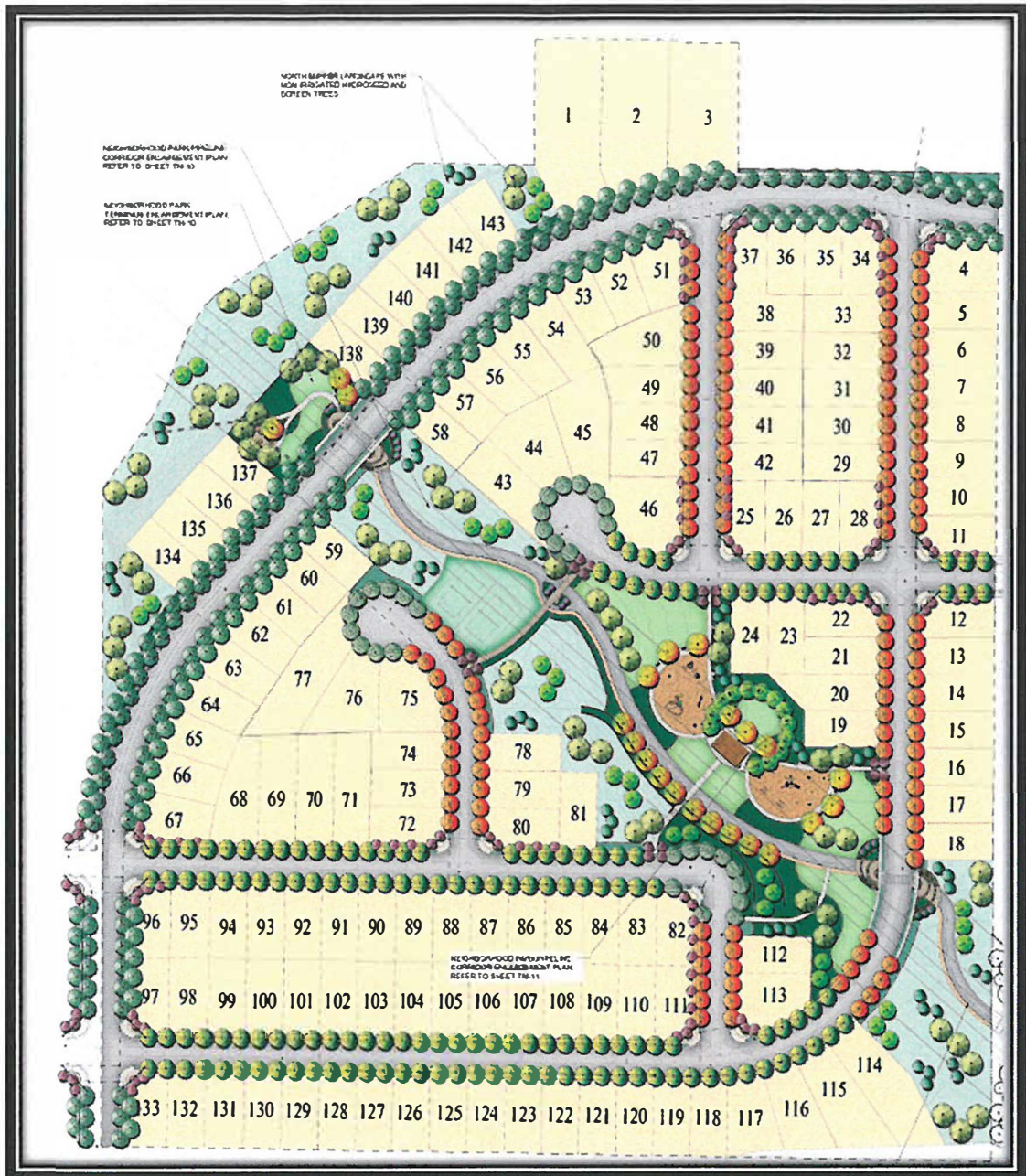
LAND USE SUMMARY		RESIDENTIAL LAND USE SUMMARY				
LAND USE	ACRES	LOT #S	MIN. LOT WIDTH	MIN. LOT SIZE	# OF LOTS	PERCENT
RESIDENTIAL - VERY LOW DENSITY	1.50	1-3	75'	15,000 SF	3	2%
RESIDENTIAL - LOW DENSITY	29.62	4-143	45'	5,000 SF	143	98%
PUBLIC FACILITIES	4.71					
TOTAL	35.83					

RESIDENTIAL DENSITY CALCULATIONS				
LAND USE	# OF LOTS	ACRES	DENSITY	ALLOWABLE DENSITY
VERY LOW DENSITY	3	1.50	2.0 DU/AC	1-2 DU/AC
LOW DENSITY	140	29.62	4.73 DU/AC	3.75-4.75 DU/AC

**Figure 5 – Land Use Summary**

The reorganization makes planned, orderly and efficient use of an existing PG&E natural gas transmission line easement that bisects the area in compliance with CKH Section 56668(d). Three existing PG&E lines are within an easement that bisects the property in a northwest to southeast direction. The area within the easement will be improved as a centralized neighborhood park in compliance with both PG&E standards and MHCSD standards. Planned improvements include turf volleyball courts, 2 tot lots play areas, and a shade structure as well as enhanced landscaping as allowed by deed restrictions within and near the easement.



**Figure 5 – Open Space and Landscape Plan**

The open space and stubbed future streets on the western boundary of the reorganized area provides for 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 open space protection priorities in Section 56377.

The annexation plan provides additional details on the development plan for the reorganization and how the plan complies with LAFCo policies.



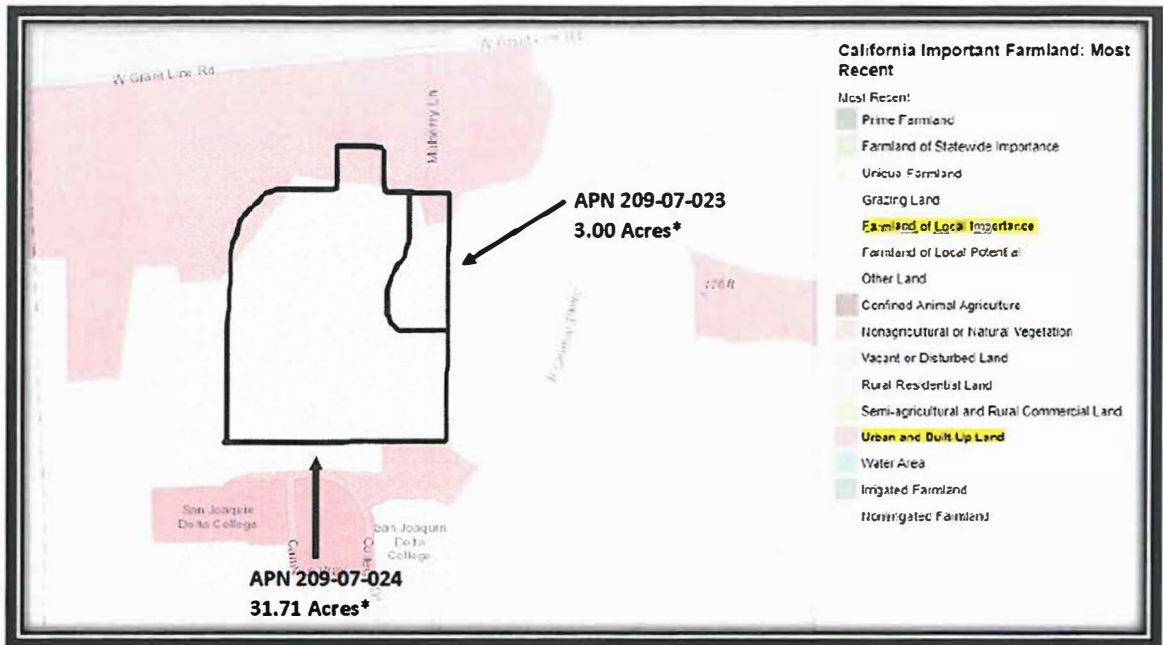


Figure 6 – Farmland Resources Map

At the time that the Mountain House Specific Plan III was adopted the land within the reorganization area was mapped as Prime Farmland. Since then, the area has been reclassified as Farmland of Local Importance (FLI) with portions classified as Urban and Built-up (Please see Figure 6 above). San Joaquin County as defined FLI: All farmable land within San Joaquin County not meeting the definitions of “Prime Farmland,” “Farmland of Statewide Importance,” and “Unique Farmland.” This includes land that is or has been used for irrigated pasture, dryland farming, confined livestock or dairy facilities, aquaculture, poultry facilities, and dry grazing. It also includes soils previously designated by soil characteristics as “Prime Farmland,” “Farmland of Statewide Importance,” and “Unique Farmland” that has since become idle. The reorganized area has been fallow for over 5 years.

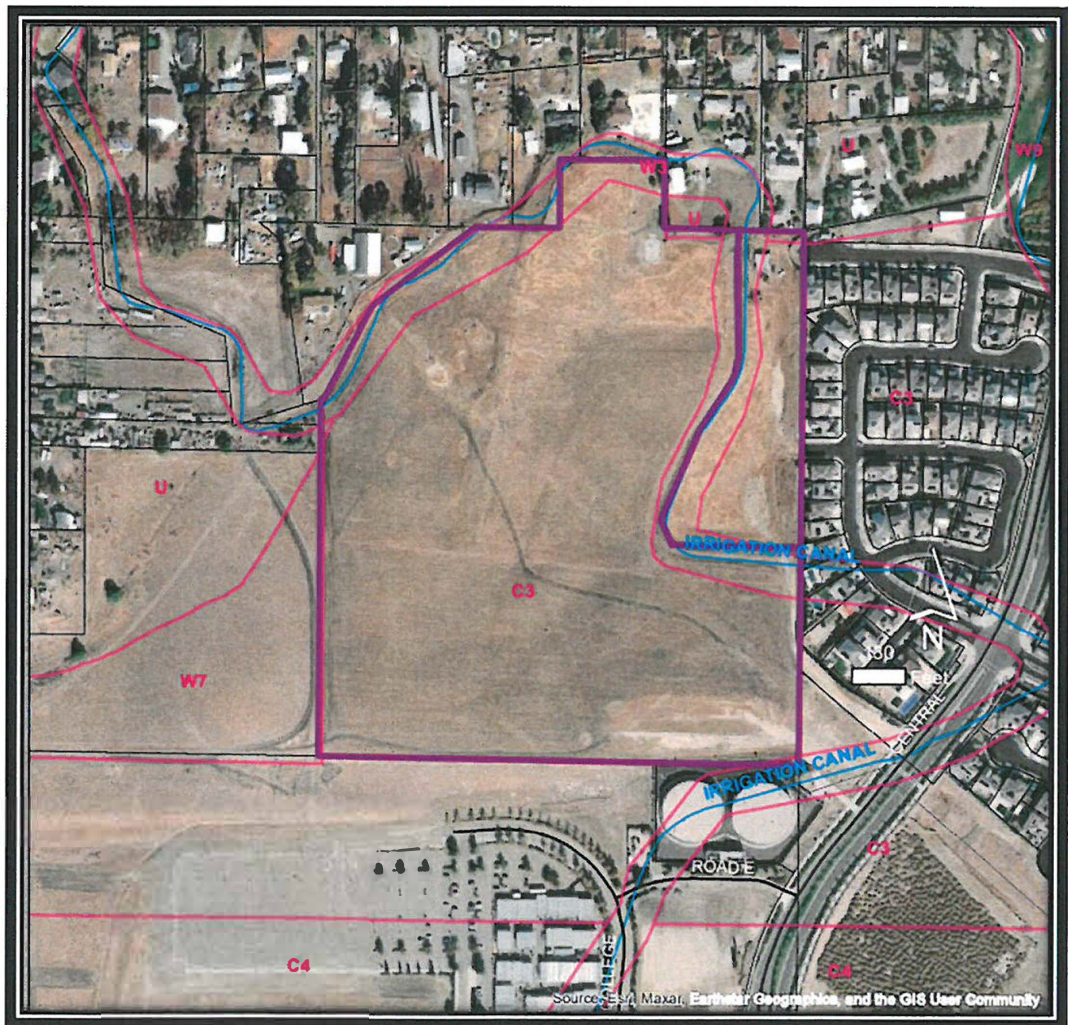
Being fallow, the reorganization will not have an impact on agricultural and open space resources according to CKH. CKH Section 56064 assigns a \$400 annual gross value of agricultural production per acre for the current year or at least 3 of the past 5 years in determining if a parcel is considered prime agricultural land. In this case, the two parcels have been fallow and not actively farmed for over five (5) years. Because of the reorganization consistency with the Mountain House Specific Plan III, the reorganization will promote the planned, orderly, efficient development of the MHCS D.

The stubbed streets could be viewed as having the anticipated effect of adding development pressure on agricultural and open space resources (CKH 56668(d)). In this case the stubbed streets will provide future connection for the existing and already developed rural residential area. These rural residential lands are also classified as FLI. When that land is ready for future development that potential development will necessarily be reviewed by both MHCS D and LAFCo. Thus the reorganization is consistent with the LAFCo agricultural land protection policies, CKH Section 56377.



These parcels were evaluated for proposed the land use intensity and density by the Specific Plan III EIR (SCH #2003102074) and the project will implement all identified mitigation measures of such. As a result, development of the reorganization is consistent with the policies and priorities identified in Section 56377 of the CKH because it will result in the planned, orderly, and efficient development of non-prime agricultural lands.

Pursuant to CKH Section 56668.5, the parcels are classified as Agricultural (denoted as C3 on map below) under the San Joaquin Multi-Species Habitat Conservation Plan administered by the San Joaquin Council of Governments (SJCOG). Participation in the plan is voluntary and provides coverage for incidental takings under the Endangered Species Act. The fee for conversion of agricultural lands under the plan is currently \$19,255 .per acre. Prior to ground disturbing activities, the applicant must obtain all permits from SJCOG, Inc. SJCOG in turn uses the fees collected to acquire conservation easements from willing land owners.



**Figure 7 – San Joaquin Multi-Species Habitat Conservation Plan**

The Annexation Plan Open Space Conversion Statement has further detailed discussion on the reorganization compliance with LAFCo policies.

## **ENVIRONMENTAL**

In 2006, the Board of Supervisors approved the Mountain House College Park Specific Plan III (“Specific Plan III”), to implement the Master Plan, and for which an Environmental Impact Report was certified. The reorganization proposed by this application is expressly addressed in the Specific Plan III EIR (SCH# 2003102074). Also in 2006 San Joaquin County approved Tentative Subdivision Maps for the Machado Property based on finding that the map is consistent with Specific Plan III and did not result in any impacts beyond those evaluated in the Specific Plan III EIR. An economic recession occurred shortly thereafter, development of Specific Plan III slowed considerably and construction did not occur on the Machado Property. Nevertheless, certain Specific Plan III backbone infrastructure, including roadway and utility lines, were installed by surrounding developers and mitigation measures were implemented. In 2018, the County approved a six-year extension for the Tentative Subdivision Maps for the Machado Property, which are now valid until November 6, 2024.

As a responsible agency LAFCo staff concurs with the evaluation adopted by the MHCS D and finds that the proposed reorganization was evaluated within the Final Environmental Impact Report for College Park at Mountain House Specific Plan III (SCH #2003102074) and adopted Specific Plan III for MHCS D. LAFCo staff concurs that the Mitigation Monitoring and Reporting Program for the EIR is up to date and no significant changes have occurred that were not evaluated by the EIR.

## **FACTORS**

Government Code Section 56668.3 (annexation to special districts) states that if a proposed change of organization consists of an annexation to a special district, the Commission shall consider the following factors:

*(1) Whether the proposed annexation will be for the interest of landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district.*

The landowners have applied for annexation into MHCS D so that development can take place in accordance with the Mountain House Specific Plan. The site is a key site in the overall development of the Specific Plan with a centralized park space and trail element and sets the western boundary of the master plan area. Annexation to MCHD will allow the site to be served with receive water and sewer services needed to develop the property.

The development plan’s circulation improvements include future street stubs to the west as well as a potential future connection of Nasergholi Avenue to the Delta College campus. Depending on future build-out of the campus, the



Nasergholi Avenue stub is anticipated to integrate the campus with the A7 neighborhood.

Annexation of the parcel does not impact the provision of services to inhabitants within MHCS D as they will continue to receive services at their present levels. The annexation will provide capital improvements to the Mountain House community. The developers will be responsible for the costs to install the necessary infrastructure to provide services to the property as well as make payment to the District for associated maintenance and on-going services for the new residents.

*(2) Any factors which may be considered by the Commission as provided in §56668 (annexation to a city). The following factors from §56668 which are appropriate for this annexation include:*

*The extent to which the proposal will affect ... the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments.*

On September 22, 2022, the San Joaquin Council of Governments adopted the 6<sup>th</sup> round Regional Housing Needs Allocation (RHNA). The RHNA sets forth the total number of housing units that each city and the unincorporated county must plan for during the specified planning period. The 6<sup>th</sup> cycle of the RHNA process begins June 30, 2023 and ends December 31, 2031. Each jurisdiction is responsible for updating the housing element of their respective general plans to demonstrate the manner in which they will meet the allocated housing unit growth. For this cycle, the sixth (6th) for Unincorporated County Areas, the RHNA is a total of 2,969 Lower Income and 5,839 Higher Income housing unit allocations, please see below:

Jurisdiction	Total RHNA Allocation	Very-Low Income Units	Low Income Units	Lower Income (Very-Low & Low-Income)	Moderate Income Units	Above-Moderate Income Units	Higher-Income (Moderate & Above-Moderate-Income)
Escalon	367	90	56	146	66	155	221
Lathrop	8,402	2,386	1,498	3,884	1,342	3,176	4,518
Lodi	3,909	941	591	1,533	706	1,671	2,377
Manteca	8,306	2,246	1,409	3,654	1,381	3,270	4,651
Ripon	1,424	347	218	565	255	604	859
Stockton	12,673	2,465	1,548	4,014	2,572	6,088	8,660
Tracy	8,830	2,994	1,879	4,873	1,175	2,782	3,957
Unincorporated County Areas	8,808	1,824	1,145	2,969	1,734	4,105	5,839
<b>Total San Joaquin County</b>	<b>52,719</b>	<b>13,293</b>	<b>8,344</b>	<b>21,637</b>	<b>9,231</b>	<b>21,851</b>	<b>31,082</b>

**Figure 8 – RHNA Cycle 6**

Currently MHCSA abides by the San Joaquin County's Housing Element that was adopted as part of the previous RHNA planning period, Cycle 5. This certified Housing Element calls for the land use designations within the reorganization area to mandate that 10% of the homes have accessory dwelling units. The reorganization area will have 15 mandatory accessory dwelling units as shown on the map below.

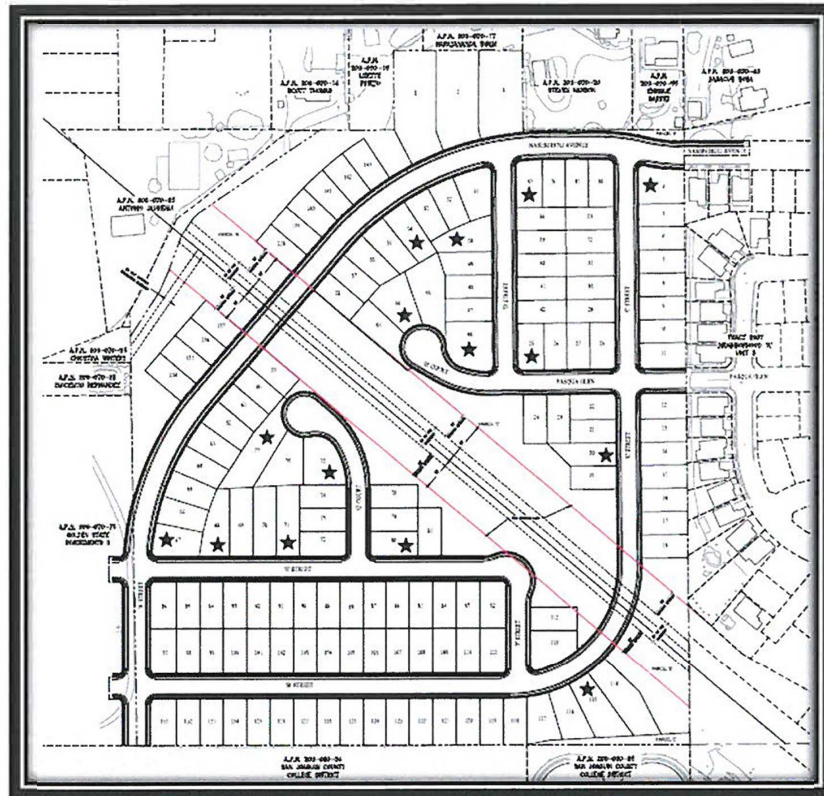


Figure 9 – Accessory Dwelling Unit Map

*Definiteness and certainty of the boundaries*

The proposed annexation consists of two (2) parcels (APN 209-070-23 and 24). The reorganization area along with the previously approved Machado reorganization are the two areas that were identified within the 2021 MSR as remaining annexations. This reorganization, Tract 4040 A7, fills in the area between the Delta College Campus and existing rural residential land uses and continues the single family detached land use pattern established immediately east of the area. The north and western edge of the Specific Plan area is set by larger ½ acre lots and permanent open space. The resulting boundaries will provide a clear boundary between the Mountain House Specific Plan and the existing rural residential land uses.

*The proposal's consistency with county general and specific plans*

The Board of Directors of the MHCS D has determined that the annexing the parcels is consistent with it's Specific Plan III Planning Area. (Exhibit E: MHCS D Resolution of Application).

*The ability of the District 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. (Exhibit F: Plan for Services)*

MHCS D will provide a number of municipal services to the annexation territory including: water supply; wastewater collection, treatment and disposal; storm water drainage and flood protection services; streets and roads; park facilities and recreation services; and general administrative services. The attached Plan for Services has further details for all urban services needed for the development plan. Below are highlights from that plan.

MHCS D contracts for law enforcement services through the San Joaquin County Sheriff's Office. Fire protection and emergency medical services are provided by MHCS D under contract with the French Camp McKinley Fire District.

School facilities and education services are provided by the Lammersville Joint Unified School District. Additionally the site is adjacent to the Delta College Mountain House campus.

MHCS D has an array of existing franchise agreements needed for urban development. Solid waste (garbage) services and recycling are provided under a franchise agreement with West Valley Disposal Services. Electrical service is provided by Modesto Irrigation District (MID); natural gas is provided by Pacific Gas and Electric Company (PG&E); telecommunication services are provided by Charter Communications.

Other needed services for urban development are in place via contracts with public service providers. Animal Control field services are provided jointly by the Stockton Police Department and San Joaquin County. Library services are provided by the Mountain House Branch Library, operated by the Stockton-San Joaquin County Library System and contracted for through MHCS D. Public transit services are provided by San Joaquin Regional Transit District.

The property owners will pay all MHCS D fees upon annexation that will assist in paying for needed capital improvements in accordance with the College Park III Specific Plan. The proposed development of 144 single family detached dwelling units that will pay all fees in accordance with MHCS D policies. Additionally, the project also includes required improvements to support those land uses including storm water treatment and retention basins, landscaping, street frontage improvements, and offsite sanitary sewer, water services and other required improvements. The revenues from fees, property tax and future sales tax are expected to provide sufficient revenues to MHCS D to cover the on-going service and maintenance costs.

## WATER

The properties are within the Byron-Bethany Irrigation District (BBID). MHCS D obtains its raw water supply under contract from BBID for up to 9,813 acre-feet per year. Raw water is delivered to the District's s Water Treatment Plant (WTP). Currently 15 MGD of raw water is treated and made potable for distribution to MHCS D. As of 2020, the total water demand (including system losses) was 4,672 acre-feet per year, meaning that there is currently 5,141 acre-feet per year available to meet demands of new development in MHCS D. By 2040, demand within MHCS D is expected to increase to 9,595 acre-feet with buildout of currently undeveloped areas, including the annexation area. Additionally, even though MHCS D has sufficient water supplies to meet planned growth through 2040, it also has the ability to purchase additional raw water supplies from BBID, if BBID has available water. As a result, MHCS D has a potential water supply surplus of 2,788 acre feet per year available to meet planned development through 2040, including the growth identified for the Annexation Area.

The Mountain House Specific Plan III identifies the potable water demand factors that were used to design the MHCS D water treatment and delivery system for this annexation. The proposed annexation area is served by water storage tanks totaling 7.4 million gallons.

New development within the annexation area will require connection fees for individual water service connections. The MHCS D Public Works Department has indicated that current water supplies are adequate.

The Project's water service will include a primary connection to an existing 12" water line that currently terminates at Nasergholi Avenue and a primary connection to an existing 8" water line that currently terminates at Pasqua Glen. The balance of the project's in-tract improvements will be serviced from these lines. Water lines will be within in the stubbed streets on the western edge of the area. For further details on potable water supply to the reorganization site, please see Exhibit 12, Availability of Water Supply, of the Annexation Plan.



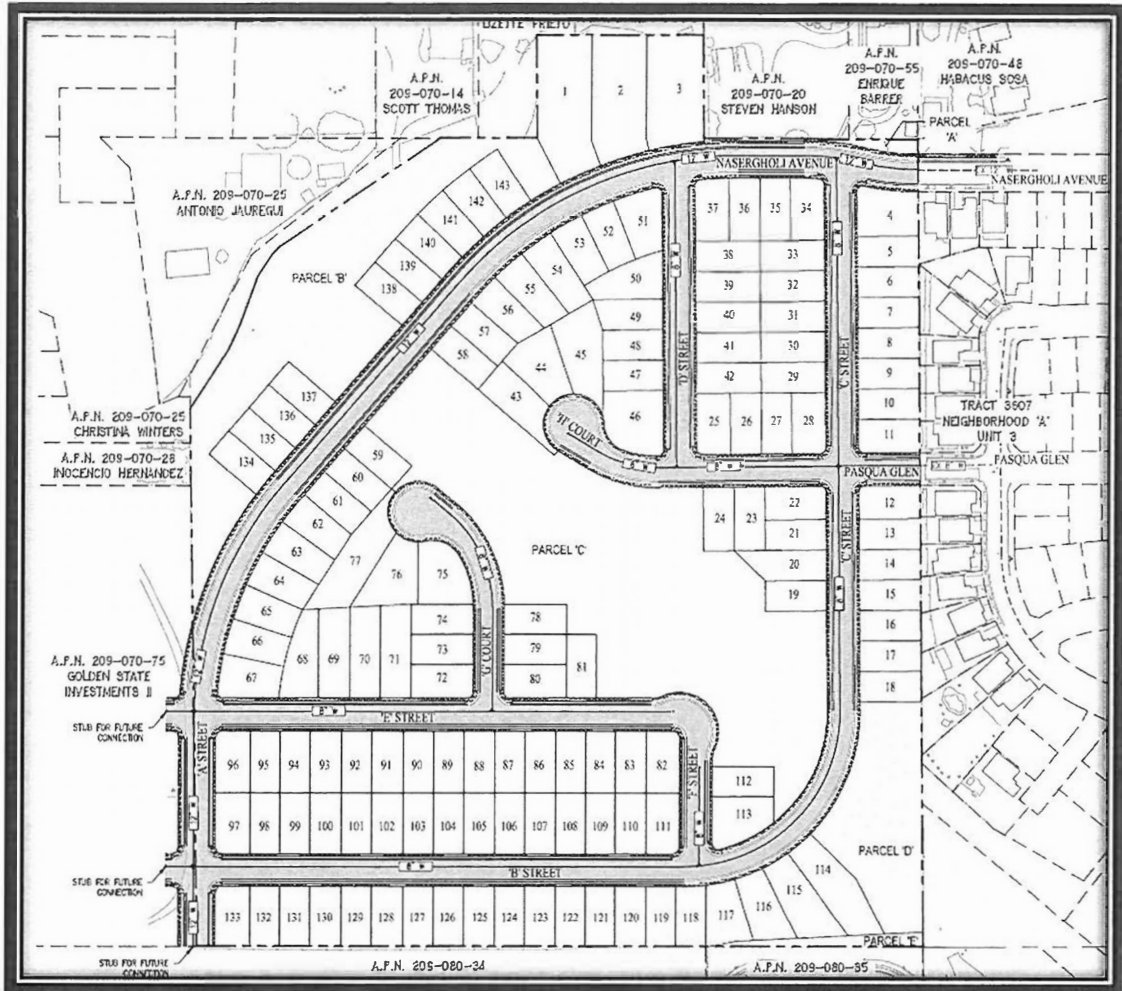


Figure 10 – Potable Water System Plan

## SANITARY SEWER SERVICE

The Mountain House Waste Water Treatment Plant (WWTP) has a design capacity to treat 5.4 MGD Average Dry Weather Flow (ADWF). The current Annual Average Day Flow at the WWTP (as of 2021) is 1.25 MGD. The MHCS D Public Works Department has indicated that the that the excess capacity at the WWTP is sufficient to meet the anticipated flows from the reorganization area.

Collection of the flows to the treatment plant will via both existing and planned lines. The annexation area will connect and extend the 8" sewer lines in Nasergholi Avenue and Pasqua Glen. The existing lines go to the Mountain House Treatment Plant. Sewer collection lines will be within the stubbed streets on the western edge of the area. A detailed analysis on the waste water collection and treatment facilities is presented in the Annexation Plan.



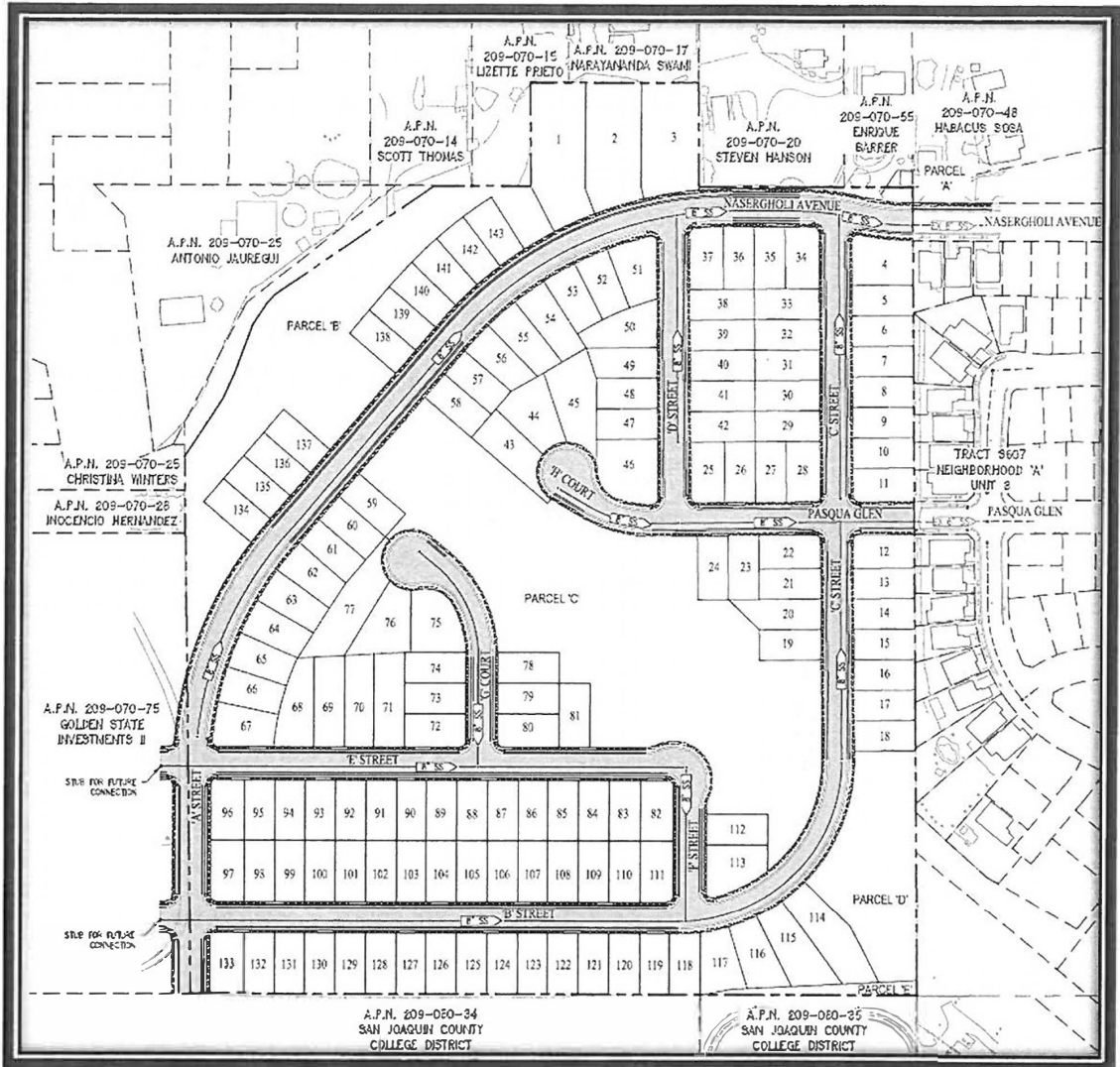


Figure 11 -- Existing and Proposed Sanitary Sewer Collection System

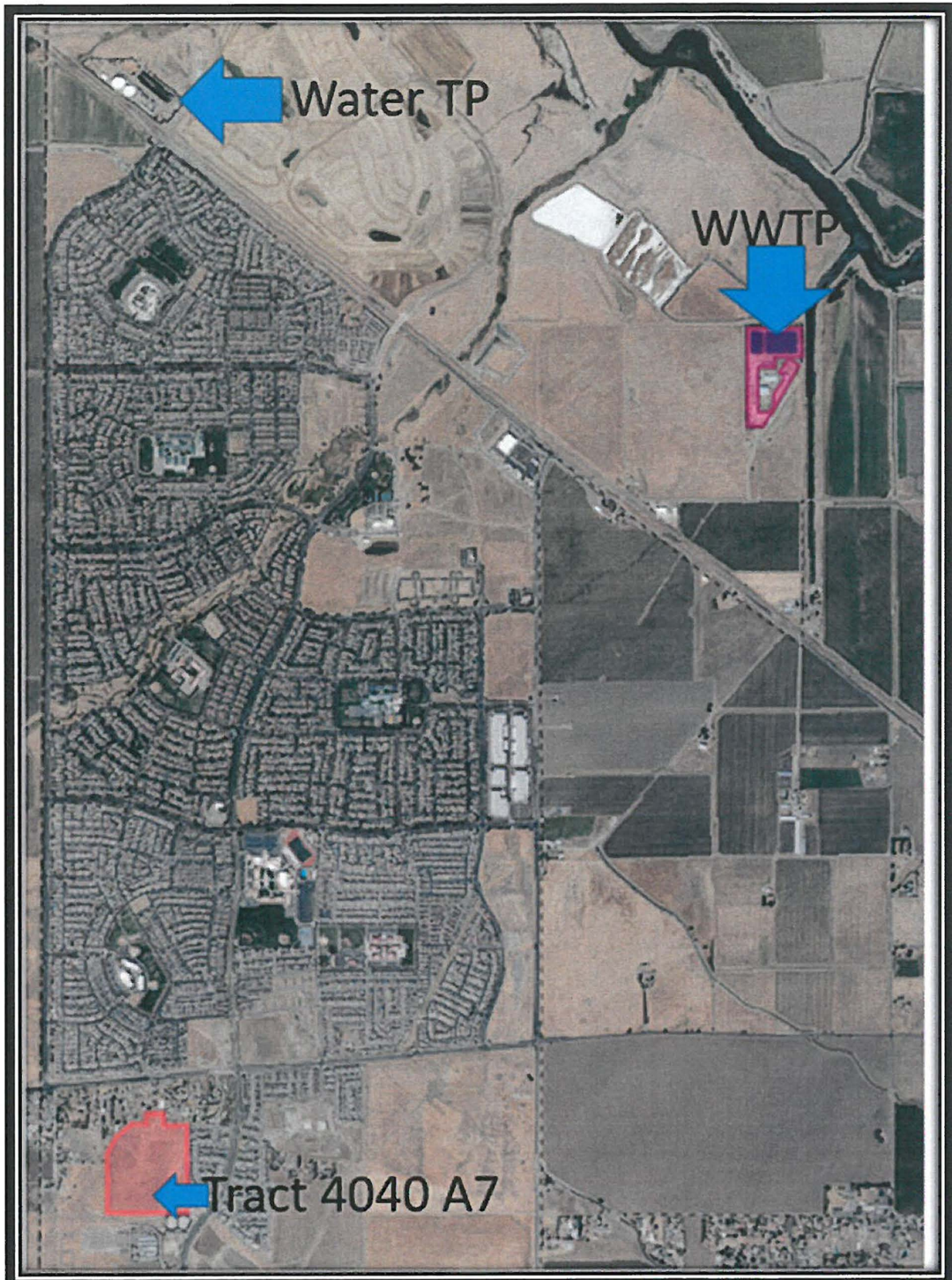


Figure 12 – Mountain House CSD Water & Wastewater Treatment Plants

### DRAINAGE

Storm drainage facilities and improvements, as well as flood protection services, are reflected in the Storm Water Master Plan adopted in 2008. This plan calls for MHCS D to use an array of storm water drainage concepts to improve water quality, reduce costs, and protect the environment. Accordingly, the District will

utilize storm water main pipelines designed to contain a 100-year storm event for this area.

Within the Tract 4040 A7 reorganization area, storm water main pipelines are designed to contain a 100-year storm event. Within the area storm water runoff will be collected in underground pipes for collection in larger trunk lines and eventual discharge to storm water basins and Old River utilizing best management practices (BMPs).

The project will construct storm water management lines that include primary connections to an existing 48" line and an existing 24" line that currently terminate at Nasergholi Avenue. Additionally, a primary connection to an existing 15" line that currently terminates at Pasqua Glen will be constructed. The balance of the reorganization area will be serviced from interior storm lines and drain inlets. Storm lines will be within the stubbed streets on the western edge of the area to provide for future development needs. Additional details are presented in the Annexation Plan.

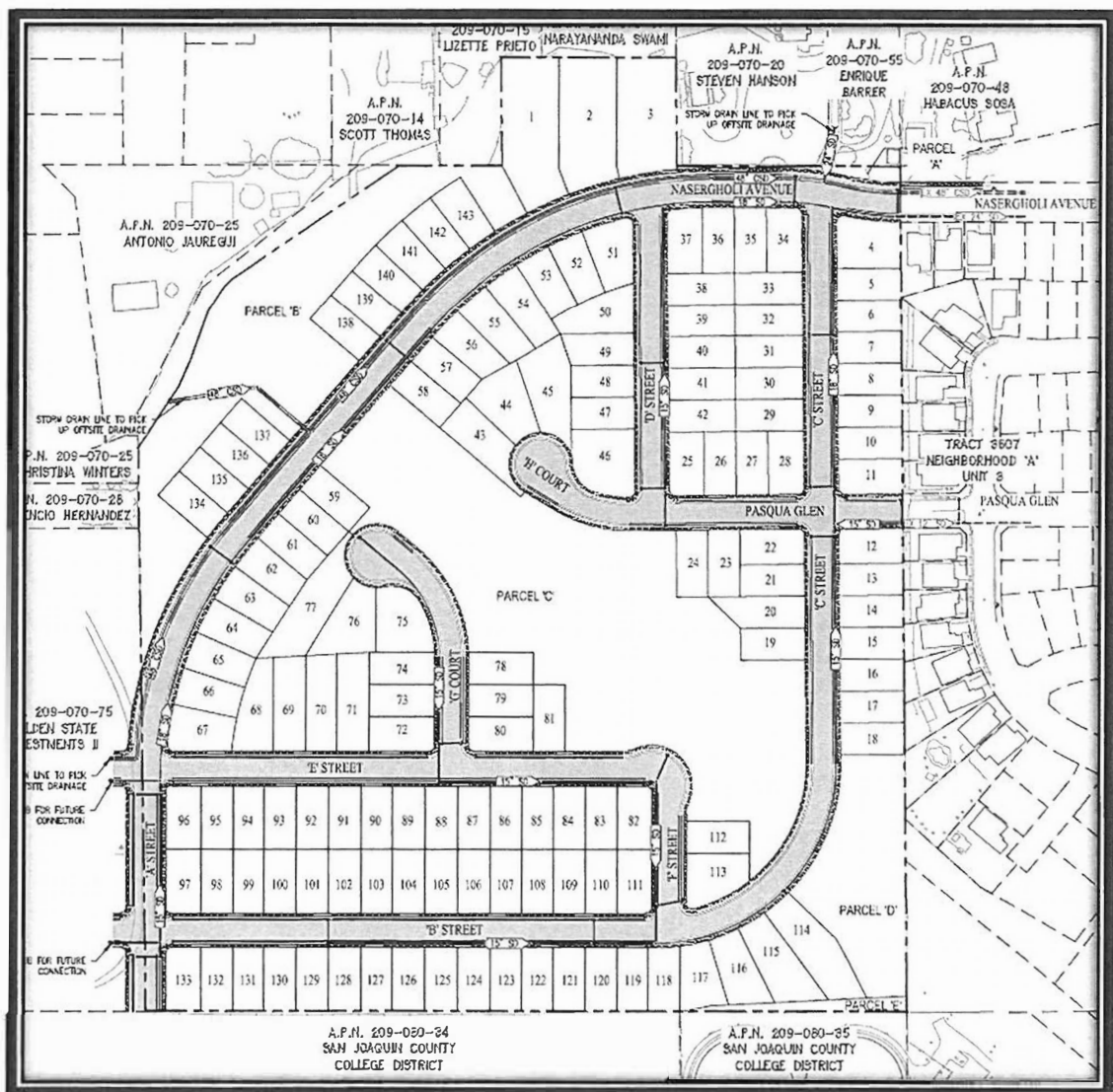


Figure 13 -- Existing and Proposed Storm Drain System



## **POLICE SERVICE**

Police Services in Mountain House are provided primarily by the San Joaquin County Sheriff's Office and the California Highway Patrol for traffic enforcement.

The San Joaquin County Sheriff's Office (SO) provides law enforcement services to the Mountain House community by contract with MHCSD. The contract calls for the SO to provide six full time equivalent (FTE) deputies to serve a population of over 15,000 residents (0.4 sworn officers per 1,000 residents). Through its contract with the San Joaquin County Sheriff's Department for law enforcement, the MHCSD provides the Mountain House community with six fulltime (Full-Time Equivalents or FTEs) deputies. Mountain House is designated by the Sheriff's Department as Beat 8. The Sheriff's Office also provides additional deputy support to Mountain House through its assignment of one fulltime deputy for the western part of the county defined as Beat 8.

The SO also provides an administrative command structure, investigative services, technical support (evidence gathering, video/picture logging), community-oriented policing, a citizen's academy, and incarceration services at the County Jail.

Specific to Mountain House, the CHP is responsible to enforce traffic laws, as outlined in the California Vehicle Code, investigate traffic accidents, investigate vehicle thefts that occur from a roadway and respond to parking and other traffic complaints. MHCSD contracts with the CHP for services to supplement those provided by the SJCOSO.

In 2022, response times ranged from 5.4-minutes for Priority 1 calls (immediate dispatch, crime in progress including assault, homicide, kidnapping, robbery, home invasion, bomb threat, etc.); to 9.6-minutes for Priority 2 calls (family disturbance, suspicious person, theft of property, etc.) and 27.6-minutes for Priority 3 calls (delay in reporting crime, property theft or damage, mail theft, noise complaints, etc.). These response times are expected to be maintained to serve the Project.

The SJCOSO operates a satellite office located at the MHCSD Town Hall, 251 E. Main. As the community grows, a separate law enforcement headquarters building is planned to be constructed adjacent to Town Center Community Park near Byron Road. No date for construction has been established; its timing is dependent on the needs of law enforcement and the community.

## **FIRE SERVICE**

The proposed site is within the Tracy Rural Fire District and will be detached from the district upon annexation. Fire protection and emergency medical services (EMS) are provided by MHCSD under contract with French Camp McKinley Fire Protection District (FCFD), also referred to as the Mountain House Fire Department (MHFD). FCFD allows for coordinated fire and EMS services.

MHFD operates out of Mountain House Fire Station 1 (aka Station 16-1) at 911 Tradition Ln. A second fire station (Station 16-2) will be added once new development occurs north of Byron Highway, expected to be completed in 2024.

The MHFD station has a staffing level of five personnel, 24 hours per day, seven days per week, which include one Captain (Duty Officer), one Lieutenant, two engineers or certified driver operator, and one firefighter. Station No. 16-1 houses two Type 1 Fire Engines, one Ladder Truck, and one Type 6 Quick Response Vehicle.

The distance and response time to the Annexation Area from Station 16-1 at 911 Tradition is 1.2 miles, with an approximate 2 ½ minute non-emergency travel time. The distance and response time to the Annexation Area from the future Station 16-2 (Central Parkway and Stockyard) is 2.6 miles, with an approximate 5.5-minute non-emergency travel time. (See Attached Letter from FCFD)

As of 2021, MHFD responded to approximately 700 calls for service per year, which are dispatched through the Valley Regional Emergency Communications Center (VRECC). Average response time within the Mountain House community is 6-minutes 32-seconds for all calls, and 9-minutes 39-seconds for ninety percent of all calls. These response times are considered appropriate by Mountain House and will not be affected by the proposed annexation of the Project.

The contract with the FCFD provides for staffing additional fire apparatus and engine companies as the need occurs via mutual aid agreements.

For this reorganization request by MHCSO, detachment of the College Park III Tract 4040 A7 neighborhood property from Tracy Rural Fire District (TRFD) will result in a loss of annual property tax revenue and assessments to TRFD in the amount of \$2,976.59.

Upon detachment of the Project area from the Tracy Rural Fire Protection District (TRFPD), the current property tax allocated to TRFPD will be re-allocated to MHCSO. To offset these property tax revenues, MHCSO previously re-purchased Fire Station No. 1 from TRFPD for \$2.97 million and considers this payment adequate to offset any adverse impacts to TRFPD. The existing MHCSO Fire Station was constructed with MHCSO funds, then dedicated to TRFPD and subsequently purchased from TRFPD upon termination of their contract. Thus, MHCSO funds were used twice for the station.

There is recent precedent for LAFCo to grant the requested detachment fee waiver. Previously LAFCo has not considered the loss of revenue to TRFPD as significant because of the payment history of the fire station. The Commission has previously found, "that the Tracy Rural Fire Protection District has not demonstrated that the action will negatively impact the special district's budget or services or requires continuation of services without the provision of adequate funding." Thus there is a precedent for the waiver of detachment fee from Tracy Rural to MHCSO. For these reasons payment from MHCSO to TRFPD for loss of property tax is recommended to be waived because of the unique business

circumstances between MHCS D and TRFD. The resolution of approval reflects the fee waiver.

***Financial Ability to Provide Service***

The applicant will be responsible for financing and constructing the necessary facilities for development. the total cost of infrastructure includes water, sewer, storm drainage, and road upgrades for the property. The infrastructure improvements can be broken down into three locations: the infrastructure required to tie the development into Nasergholi Avenue, the internal infrastructure development, and the infrastructure requirements for the park corridor central to the project.

The tie in for Nasergholi Ave. is projected to cost a total of \$1,828,977, the internal infrastructure is projected to cost a total of \$3,360,522, and the projected total for the park corridor infrastructure is \$3,186,200. In total, the cost of all upgrades will be approximately \$8,375,699. Including 25% contingency, the projected total cost is \$10,465,000. A breakdown of these costs per upgrade type can be found in the Attachments to Plan for Services.

All infrastructure improvements will be constructed to MHCS D standards and with construction-related inspections at appropriate intervals. Upon completion of improvements, the improvements will be turned over to the District for acceptance.

***The comments of any affected local agency or other public agency. (Exhibit H: Referral Comments)***

County Public Works: No comment.

Environmental Health: No Comment.

*Any information or comments from the landowner, voters, or residents of the affected territory*

None, affected agencies includes the Tracy Rural Fire District and BBID.

**DISCUSSION**

Annexation and development of Tract 4040, A7 neighborhood of the College Park III Specific Plan was evaluated within the Environmental Impact Report for the Mountain House Community Service District (SCH# 2003102074). All environmental impacts remain the same as evaluated within that EIR. The project represents a logical extension of the MHCS D boundary, the district has the ability to extend services to the project site and the project provides for the orderly development of this area of the District.

The MHCS D has adequate system capacities for all services and utilities needed to provide needed services to this site within the Specific Plan. The associated development plan is designed to provide needed edge treatment that will provide



a clear boundary between the Specific Plan area and existing rural residential land uses. The development plan will also make adaptive open space park improvements to an otherwise unimproved PG&E gas line easement. These open space and park improvements are centrally located within the development plan and will allow replication of this pattern when adjacent properties are ready to develop. The development plan allows for a potential future connection to the Delta College campus, further integrating the campus to the Mountain House community.

All necessary infrastructure to service the area are present within Nasergholi Avenue and Pasqua Glen. Annexation into the MHCS D will ensure funding for the associated on-going maintenance and service costs proposed by the development plan. The MHCS D Board of Directors has reviewed the project and determined that the project meets the MHCS D Master Plan and the requirements of its College Park Specific Plan III. As a responsible agency pursuant to CEQA staff concurs with the MHCS D findings. The project meets all applicable review factors of CHK Section 56668.

The requested detachment fee waiver from TRFD to MHCS D, a waiver from LAFCo Standard 12 for annexations and detachments is recommended for approval because of the unique circumstances regarding the payment history of the MHCS D fire station.

Attachments: Resolution 23-1522

- Exhibit A: Justification of Proposal
- Exhibit B: MHCS D Master Plan Map
- Exhibit C: Notice of Determination
- Exhibit D: Resolution of Application
- Exhibit E: Plan for Services
- Exhibit F: Referral Comments

**RESOLUTION 23-1512**

**A RESOLUTION OF THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION APPROVING THE TRACT 4040 A7 REORGANIZATION TO THE MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT (MHCS D) ANNEXING 136.09 ACRES (APN 209-070-23 & 24) TO MHCS D AND CONCURRENT DETACHMENT FROM TRACY RURAL FIRE DISTRICT AND SAN JOAQUIN RESOURCE CONSERVATION DISTRICT**

WHEREAS, the above entitled proposal was initiated by resolution by the Mountain House Community Services District Board of Directors and on January 11, 2023; and

WHEREAS, the Executive Officer certified the application filed for processing in accordance with the Local Government Reorganization Act of 2000; and

WHEREAS, the Commission held a public hearing on the proposed reorganization on June 8, 2023 pursuant to notice of hearing which was published, posted, and mailed in accordance with State law; and

WHEREAS, at said hearing the Commission heard and received evidence, both oral and written regarding the proposal and all persons were given an opportunity to address the Commission; and

WHEREAS, in 2006 the San Joaquin County Board of Supervisions certified and adopted an Environmental Impact Report (State Clearinghouse No. 2003102074) and an associated Mitigation Monitoring and Reporting Program for the Mountain House College Park III Specific Plan; and

WHEREAS, On September 11, 2013, MHCS D gave direction to term the contact for fire protection services with Tracy Rural Fire Protection District (TRFPD) and on August 15, 2015 approved a loan transfer of \$2,970,000 plus closing costs to purchase to TRFPD for MHCS D Station 1 previously constructed with MHCS D funds and subsequently dedicated to TRFPD; and

WHEREAS, the subject territory is uninhabited and has 100% owner consent; and

WHEREAS, the land within reorganization area is classified as Farmland of Local Importance that is defined as, "All farmable land within San Joaquin County not meeting the definitions of "Prime Farmland," "Farmland of Statewide Importance," and "Unique Farmland." This includes land that is or has been used for irrigated pasture, dryland farming, confined livestock or dairy facilities, aquaculture, poultry facilities, and dry grazing. It also includes soils previously designated by soil characteristics as "Prime Farmland," "Farmland of Statewide Importance," and "Unique Farmland" that has since become idle."; and

WHEREAS, the land within the reorganization area is classified as Agricultural within the San Joaquin Multi-Species Habitat Conservation Plan, Mountain House Compensation Map; and

WHEREAS, the Commission has, in evaluating the proposal considered the report submitted by the Executive Officer, the factors set forth in Section 56668.3 of the California Government Code and testimony and evidence presented at the public hearing held on June 8, 2023.

NOW, THEREFORE, the San Joaquin Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

Section 1. Certifies that, as a Responsible Agency, the Commission has independently reviewed and considered the Environmental Impact Report (State Clearinghouse No. 2003102074) and associated Mitigation Monitoring and Reporting Program as certified by the San Joaquin County Board of Supervisors.

Section 2. The Annexing Property is within the scope of the EIR as the EIR expressly contemplates the annexation to the District proposed by Property Owner and adequately addresses all significant impacts therefrom.

Section 3. The conditions giving rise to the preparation of a subsequent EIR as set forth in Title 14 of the California Code of Regulations Section 15162 are not present.

Section 4. The conditions giving rise to the preparation of a supplement to an EIR as set forth in Title 14 of the California Code of Regulations section 15163 are not present.

Section 5. The conditions giving rise to the preparation of an addendum to an EIR as set forth in Title 14 of the California Code of Regulations section 15164 are not present.

Section 6. The conditions giving rise to the preparation of additional environmental documents tiered from a program EIR as set forth in Title 14 of the California Code of Regulations section 15168 are not present.

Section 7. The reorganization is consistent with MHCSO Sphere of Influence and Municipal Services Review approved by LAFCo on September 8, 2022.

Section 8. The Tracy Rural Fire Protection District (TRFPD) has not demonstrated the need for additional property tax payment other than the previously payment already made by the MHCSO related to MHCSO Station 1, therefore, the reorganization will not negatively impact TRFPD budget or services.

Section 9. The reorganization is necessary to provide services to a planned, well-ordered, and efficient urban development pattern that includes appropriate consideration of and adaptive use of open space lands consistent with the urban development pattern envisioned by the Mountain House Specific Plan.

Section 10. Prior to ground disturbing activities, the developer shall satisfy all requirements of the San Joaquin Multi-Species Habitat Conservation Plan to the

satisfaction of San Joaquin Council Governments; or, obtain all necessary permits for habitat disturbance from all applicable regulatory agencies.

Section 11. Pursuant to California Government Code Section 56668.3, the Commission considered all pertinent factors associated with the Tract 4040 A7 reorganization to the Mountain House Community Services District (MHCS D).

Section 12. The Commission finds that the proposed annexation to MHCS D will be for the interest of landowners or present or future residents within the MHCS D and within the territory proposed to be annexed to the district.

Section 13. The MHCS D Tract 4040 A7 reorganization is as depicted and described on the attached annexation map and legal description.

PASSED AND ADOPTED this 8<sup>th</sup> day of June 2023 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

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TOM PATTI, CHAIRPERSON  
SAN JOAQUIN LOCAL AGENCY  
FORMATION COMMISSION

ATTEST:

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MITZI STITES, COMMISSION CLERK  
SAN JOAQUIN LOCAL AGENCY  
FORMATION COMMISSION

**San Joaquin  
Local Agency Formation Commission**

509 West Weber Avenue Stockton, CA 95203  
209-468-3198 FAX 209-468-3199

**JUSTIFICATION OF PROPOSAL**

Please complete the following information to process an application under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000: (Indicate N/A if Not Applicable)

**SHORT TITLE OF THE PROPOSAL:** Mountain House CSD Annexation

**TYPE OF PROPOSAL**

- City Incorporation
- Consolidation
- Detachment
- Sphere of Influence Amendment
- Sphere of Influence Update
- Addition of Services
- Reorganization (involving an Annexation and Detachment(s))
- District Formation
- Annexation
- District Dissolution

**AGENCY CHANGES RESULTING FROM THIS PROPOSAL**

Agency or Agencies gaining territory: Mountain House Community Services District

Agency or Agencies losing territory: Tracy Rural Fire Protection District

**NOTIFICATION**

Please indicate the names, addresses and telephone numbers of all Applicants, Applicant's Agents, and all affected Agencies who are to receive the hearing notice and the Executive Officer's Report:

<u>Name</u>	<u>Mailing Address</u>	<u>Telephone</u>
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See Attached Property Owner Information Sheet for Applicant Names

Applicant Mailing Address: Altamount Hills, LLC. PO box 2088, Dublin, CA 94588

Applicant Contact: Sanidhya Dhir

Affected Agencies: (1) Mountain House CSD (2) Tracy Rural FPD

(Attach a separate sheet if necessary.)

**PROJECT INFORMATION**

Please provide project-related information for the following questions:

- 1. Do the proposed boundaries create an island of non-agency territory?  Yes  No
- 2. Do the proposed boundaries split lines of assessment or ownership?  Yes  No
- 3. Does the proposal involve public rights-of-way or easements?  Yes  No
- 4. Does the proposal involve public land or land assessed by the State?  Yes  No
- 5. Does any part of the proposal involve land under a Williamson Act Contract or Farmland Security Zone?  Yes  No
- 6. Does any part of the proposal involve land with a Wildlife/Habitat Easement or Agricultural Land Conservation Easement?  Yes  No

- 7. List the affected Assessor Parcel Numbers, Owners of record and Parcel Sizes:  

<u>APN</u>	<u>Owner</u>	<u>Acreage</u>
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See attachment with information on APNs, owners, and parcel sizes.

- 8. Physical Location of Proposal:

The project site is located south of Grant Line Ave. and immediate north of the Delta College Mountain House campus located to the south. The project is located at the extreme western edge of the Mountain House Specific Plan III area. The project will connect to Nasergholi Avenue and Pasqua Glen as well as Subdivision Tract 3507 to the east, Mountain House.

- 9. Has an application been filed for an underlying project (such as Development Plan, Conditional Use Permit, or Tentative Subdivision Map)?  Yes  No  
 If Yes, please attach a Project Site Plan or Tentative Subdivision Map.  
 If No, please provide an estimate of when development will occur: \_\_\_\_\_

- 10. List those public services or facilities which will be provided to the affected territory as a result of the proposed action:

Water; wastewater collection, treatment and disposal; storm water drainage and flood protection services; streets and roads; park facilities and recreation services; and general administrative services. Law enforcement services are provided under contract with the San Joaquin County Sheriff's Office and MHCSO. Fire protection and emergency medical services are provided through an agreement between the French Camp McKinley Fire District and MHCSO.

- 11. Indicate which of these services or facilities will require main line extensions or facility upgrades in order to serve the affected territory:

None of the identified services or facilities will require upgrades. We note, however, that there will be in-tract infrastructure that will be constructed to service the development.

- 12. Provide any other justification that will assist the Commission in reviewing the merits of this request. (Attach a separate sheet if necessary)

This reorganization implements a number of long-range planning decisions and subsequent land use entitlements and infrastructure development approved by the



San Joaquin County Board of Supervisors and the MHCS D Board of Directors over the past thirty years.

The San Joaquin County Board of Supervisors amended the General Plan to include the new community of Mountain House on February 25, 1993. The County certified a Final Environmental Impact Report (FEIR) on the entire project in 1992, and a Supplemental Environmental Impact Report (SEIR) in early 1993. In 1994 the Board of Supervisors adopted the Mountain House Master Plan which included master planning for the College Park area. In 1996, the Board of Supervisors established the MHCS D to provide municipal services to the Mountain House Community.

In 2006, the Board of Supervisors approved Mountain House College Park Specific Plan III ("Specific Plan III"), which implemented the Master Plan, and for which another environmental impact report was certified. The reorganization proposed by this application is expressly addressed in the Specific Plan III EIR. findings they were consistent with Specific Plan III and did not result in any impacts beyond those evaluated in the Specific Plan III EIR. As the economic collapse occurred shortly thereafter, development of Specific Plan III slowed considerably, and construction did not occur on the Tract 4040 Property. Nevertheless, certain Specific Plan III backbone infrastructure, including roadway and utility lines, was installed by surrounding developers and mitigation measures were implemented. On November 3, 2022 the San Joaquin County Planning Commission approved Tentative Subdivision Maps for Tract 4040.

The Property Owner is now prepared to move forward with approved development of Tract 4040 and carry out the General Plan, Master Plan, and Specific Plan, and, as a result, has requested MHCS D seek approval of this reorganization which annexes the Territory into MHCS D and simultaneously detaches the Territory from Tracy Rural Fire Protection District.

MHCS D contends that there will be no significant impact to the Fire District resulting from this reorganization. In 2002, the Fire District and MHCS D executed an agreement wherein Recital F addressed detachment; "At the time of detachment, the property tax allocated to the Fire District will be transferred to MHCS D." Pursuant to that agreement, MHCS D transferred title of its permanent fire station ("Fire Station"), for no payment, to the Fire District. In 2015 MHCS D paid the Fire District \$2,970,000.00 to repurchase the fire station when the agreement was terminated. MHCS D contends that any impact to the Fire District associated with this detachment has been mitigated with the payment of the \$2,970.000 payment in accordance with San Joaquin LAFCO Administrative Policy 12.

**INDEMNIFICATION AGREEMENT**

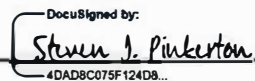
As part of this application, applicant and real property in interest, if different, agreed to defend, indemnify, hold harmless, and release the San Joaquin Local Agency Formation Commission, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of the above, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney's fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent passive or active negligence on the part of the San Joaquin Local Agency Formation Commission, its agents, officers, attorneys, or employees.

Executed at Mountain House, California, on March 8, 2023

**APPLICANT**

Signature: See Attached Signature Page

**REAL PARTY IN INTEREST**  
(If different from Applicant)

Signature:  Steven J. Pinkerton  
4DADB8C075F124D8...

Title: Steven Pinkerson MHCS D General Manager

**SUBMITTALS**

In order for this application to be processed, the following information needs to be provided:

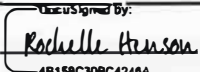
1. Two copies of this Justification of Proposal, completed and signed with original signatures;
2. Five prints of a full-scale proposal map showing the affected territory and its relationship to the affected jurisdiction (Refer to Guide for Preparation);
3. Five copies of an 8.5" x 11" or 11" x 17" reduction of the proposal map;
4. Three copies of a metes and bounds description of the affected territory;
5. One certified copy of the City Council and/or Special District Board Resolution of Application, or a petition making application to LAFCo (as appropriate);
6. Written permission from each affected property owner (or signature form);
7. One copy of the project environmental document (One Compact Disc if more than 25 pages);
8. One copy of the project Notice of Determination;
9. Three 8.5" x 11" copies of the Vicinity Map (if not included on the proposal map);
10. One copy of the plan for providing services along with a schematic diagram of water, sewer and storm drainage systems (refer to Government Code Section 56653);
11. One copy of the Pre-Zoning map or description (as required by Section 56375);
12. One copy of the Statement of Open Space (Ag) Land Conversion (refer to Section 56377);
13. One Copy of the Statement of Timely Availability of Water Supplies (refer to Section 56668(k));
14. One copy of the Statement of Fair Share Housing Needs (if residential land uses are included in the proposal) (refer to Section 56668(l));
15. One copy of the project design (site plan, development plan, or subdivision map);
16. One copy of the Residential Entitlement matrix form (if residential land uses are included in the proposal); and
17. Filing and processing fees in accordance with the LAFCo Fee Schedule and the State Board of Equalization Fee Schedule.

Additional information may be required during staff review of the proposal.

**CERTIFICATION**

The undersigned hereby certifies that all LAFCo filing requirements will be met and that the statements made in this application are complete and accurate to the best of my knowledge.

Date: 3/8/2023

(Signature)  Rochelle Henson  
4B159C309C4246A...

Print or Type Name: Rochelle Henson, MHCS D Principal Planner Daytime Telephone: \_\_\_\_\_

# ATTACHED SIGNATURE PAGE

San Joaquin  
Local Agency Formation Commission  
509 West Weber Avenue, Stockton, CA 95203  
209-468-3198 FAX 209-468-3199

## JUSTIFICATION OF PROPOSAL – SIGNATURE PAGE

**Sanidhya Dhir**

6937 village pkwy #2088  
Dublin, CA 94568  
sanidhyad@gmail.com  
Property Owner

*Sanidhya Dhir*  
Signature:

Date: 02/16/23

**South Orange Ave., LLC.**

Attn: Sidhant Dhir  
President  
6937 village pkwy #2088  
Dublin, CA 94568  
sidhir26@gmail.com

*Sidhant Dhir*  
Signature:

Date: 02/16/2

**Suneha Holdings, LLC.**

Attn: Naresh Bansal  
President  
2175 Skyline Drive  
Milipitas, 95035  
nareshbansal@gmail.com

*Naresh Bansal*  
Signature:

Date: 02/16/2023

**Altamont Hills, LLC.**

Attn: Sanidhya Dhir  
President  
6937 village pkwy #2088  
Dublin, CA 94568  
sanidhyad@gmail.com

*Sanidhya Dhir*  
Signature:

Date: 02/16/23

Written Geographic Description(s) of the Project Area(s)

Descriptions of the territory that are filed with the Board's Tax Area Services Section (TASS) are used to establish geodetic position and are not intended to establish property ownership in a court of law.<sup>2</sup> Subdivision maps, tract maps, recorded survey maps, survey monuments, and deeds are not on file with the Board. Boundary descriptions that merely cite recorded documents or refer to assessor's parcel numbers will not be accepted. Any supporting documents may be used as reference only and cannot be used as a substitution. Written geographic descriptions shall conform to the following specifications:

1. Every written geographic description (a document separate from the maps) must stand on its own without the necessity of reference to any extraneous document; a description that relies solely on the use of secondary references will not be accepted. The TASS cartographic staff must be able to plot the boundaries from the written description alone.
2. The written description shall be of the project area only. If a complete description of the special district is filed, the project area shall be clearly identified in a separate document.
3. The geographic description shall:
  - a. State the township and range, section number(s) or rancho(s)
  - b. Have a **point of beginning** (POB) referenced to a known major geographic position (e.g., section corners, intersection of street centerlines, or the intersection of street centerline and an existing district boundary at the time of filing). A description will be rejected if the POB refers only to a tract map, a subdivision map or a recorded survey map. It is preferable that the POB be the point of departure from an existing district boundary (when applicable).
  - c. Be expressed as a specific parcel description in sectionalized land (e.g., "The SW 1/4 of Section 22, T1N, R1W") or by bearings and distances. When the description is by bearings and distances, **all courses shall be numbered and listed individually** in a consistent clockwise direction. The description shall not be written in a narrative format. All courses required to close the traverse of the project area must be stated. All curves must be described by direction of concavity. Delta, arc length, chord, and radius shall be listed, including radial bearings for all points of non-tangency.

Following are examples of unacceptable and acceptable descriptions:

Unacceptable (*This description refers only to extraneous documents and does not stand alone.*)

"From the point of beginning, northerly to the southwest corner of that certain property recorded in Book 12, Page 15 of Recorded Deeds, thence easterly to the southeast corner of that certain property recorded in Book 12, Page 16 of Recorded Deeds...."

Acceptable (*This is the same description with the courses numbered and the bearings and distances added.*)

"From the point of beginning:

Course 1. North 1° 18'56" West a distance of 150' to the southwest corner of that certain property recorded in Book 12, Page 15 of Recorded Deeds, thence,

Course 2. North 85° 7'56" West a distance of 75' to the southeast corner of that certain property recorded in Book 12, Page 16 of Recorded Deeds, thence...."

---

<sup>2</sup> The Board's Tax Area Service Section is not involved in issues relating to property ownership.

4. The written description shall state the acreage for each separate single area (see Definitions and Special Fee Provisions for the definition of a single area) and a combined total acreage of the project area.

*Example: "Area A containing 2.50 acres, Area B containing 1.75 acres: Total computed acreage containing 4.25 acres more or less."*

5. All information stated on the description must match with the map(s), such as the name of the short title, the point of beginning, the course numbers, all the bearings and distances, and the acreage(s).

#### Map(s)

**It is strongly recommended that all maps submitted to the Board be filed in electronic/digital form. Digital information will not be shared without the permission of the applicant.**

Maps submitted as part of the jurisdictional boundary change filing shall conform to the following specifications:

#### **Map Documents:**

1. All maps shall be professionally and accurately drawn or copied. Rough sketches or pictorial drawings will not be accepted. Assessor's parcel maps will not be accepted as a substitute for the project map.
2. Original or copies of the same size project map must be submitted. Reduced maps are not acceptable and will be rejected.
3. A vicinity map shall be included. The vicinity map shall show the location of the project area in relationship to a larger geographic area that includes major streets and highways or other physical features.
4. Any portion of an existing district boundary in close proximity to the project area shall be shown and identified.
5. Every map must clearly show all existing streets, roads and highways with their current names that are within and adjacent to the project area. Additionally, every map shall indicate each township and range, section lines and numbers, or ranchos that are in proximity of the project area.
6. Every map shall bear a scale and a north arrow. The **point of beginning** shall be clearly shown and match the written geographic description.
7. The boundaries of the project area shall be distinctively delineated on each map without masking any essential geographic or political features. The boundaries of the project area must be the most predominant line on the map. Boundary lines that are delineated by a line that exceeds 1.5 millimeter in width shall be rejected. The use of graphic tape or broad tip marking pens to delineate the boundary is not acceptable.
8. All dimensions needed to plot the boundaries must be given on the map of the project area. Each map shall have **numbered courses matching the written geographic description**. Index tables may be utilized.
9. All parcels within the project area that touch the new boundary shall be clearly labeled with the assessor's parcel number. Interior parcels that do not touch the boundary need not be identified on the map.



10. If the project area has an interior island(s) of exclusion or the boundary has a peninsula of exclusion (or inclusion), that area(s) should be shown in an enlarged drawing. This drawing should be of sufficient size and scale to allow TASS to plot the boundary without difficulty.
11. When it is necessary to use more than one map sheet to show the boundaries of the project area, the sheet size should be uniform. A small key map giving the relationship of the several sheets shall be furnished. Match lines between adjoining sheets must be used. While the geography on adjoining sheets may overlap, the project boundaries must stop at the match lines. TASS has standardized the D size (24" x 36") map sheet, but will accept larger or smaller map sizes depending on the size and complexity of the individual single area(s).

**Tract 4040 Reorganization:**

<b>APN</b>	<b>OWNER</b>	<b>ACREAGE</b>
<b>TRACT 4040</b>		
209-07-023	Sanidhya Dhir, a single man	3.00
209-07-024	Suneha Holdings, LLC, a California Limited Liability Company, as to undivided 1/3 interest, and  Altamont Hill, LLC, a California Limited Liability Company, as to an undivided 80% interest of the 2/3 interest, and  South Orange Avenue, LLC, a California Limited Liability Company, as to an undivided 20% interest of the 2/3 interest  All as tenants in common	31.71



ASSESSOR RECORDER  
 COUNTY CLERK  
 GARY W. FREEMAN

**NOTICE OF DETERMINATION 2005 NOV 22 PM 4:11**

TO: (X) Office of Planning and Research **SAN JOAQUIN COUNTY** San Joaquin County  
 1400 Tenth Street, Room 121 Community Development Department  
 Sacramento, CA 95814 BY *[Signature]* 1810 East Hazelton Avenue  
 Stockton, CA 95205  
 (X) State Department of Fish and Game Deputy Phone: 209-488-3120  
 Fiscal and Administrative Services Branch  
 1416 Ninth Street  
 Sacramento, CA 95814  
 (X) County Clerk, San Joaquin County

SUBJECT: FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH SECTIONS 21152 OF THE PUBLIC RESOURCES CODE

FILE NUMBER: PA-0500142 (Specific Plan), STATE CLEARINGHOUSE NUMBER: 2003102074  
 PA-0500138 (General Plan Amendment),  
 PA-0500140 (Master Plan Amendment),  
 PA-0500141 (Mountain House Development Title Amendment),  
 PA-0500143 (Major Subdivision—Matthews Land, Inc.)(Tract 3506),  
 PA-0500144 (Major Subdivision—GNK)(Tract 3478 Souza/Teixeira),  
 PA-0500145 (Major Subdivision—GNK)(Tract 3480 Muela/Tuso),  
 PA-0500147 Development Agreement (Kamilos)  
 PA-0500148 (Development Agreement) (Matthews).  
 PA-0500149 (Use Permit—Potable water tanks)(San Joaquin Delta College District/GNK),  
 PA-0500151 (Williamson Act Cancellation)(Souza).

PROJECT TITLE, DESCRIPTION, & LOCATION: MOUNTAIN HOUSE SPECIFIC PLAN III PROJECT OF GERRY N. KAMILOS, LLC, ET AL: A Specific Plan ("Specific Plan III" (also referred to as "College Park")) as required by the Mountain House Master Plan to permit the development of approximately 816 acres (17%) of the Mountain House community. In addition to the Specific Plan application, the project includes amendments to the County General Plan, the Mountain House Master Plan, and the Mountain House Development Title; three Major Subdivision applications; two Development Agreements; a Use Permit for two water tanks; and a Williamson Act Contract cancellation. Collectively, these applications are referred to as the Specific Plan III Project. The Specific Plan III Project is located within the southern third of the Mountain House Master Plan area. It is generally bounded by Mountain House Parkway to the east, Interstate 205 (I-205) to the south, the Alameda County line to the west and Grant Line road to the north, except for a small portion that extends north of Grant Line road adjacent to Mountain House Parkway. (Superiorial District 5).

LEAD AGENCY: San Joaquin County Community Development Department. TELEPHONE NO.: (209) 468-3120

This is to advise that the San Joaquin County Board of Supervisors has approved the above ~~described~~ project on November 22, 2005 and has made the following determinations regarding the above ~~described~~ project:

1. The project will have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
3. Findings were adopted pursuant to the provisions of CEQA.
4. A Statement of Overriding Considerations was adopted for this project.
5. Mitigation measures were adopted as a condition of the approval of the project.

This is to certify that the College Park at Mountain House Specific Plan III Final EIR with comments and responses and a complete record of project approval is available for review by the general public at the office of the San Joaquin County Community Development Department, 1810 East Hazelton Avenue, Stockton, CA 95205.

SIGNATURE: *[Signature]* DATE: November 22, 2005  
 NAME: SONIA SERRANO TITLE: Deputy County Clerk

Date received for Filing at OPR: \_\_\_\_\_



**BEFORE THE BOARD OF DIRECTORS OF THE  
MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT**

**RESOLUTION**

**R-2023-02**

**RESOLUTION OF THE MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT TO  
SUBMIT AN APPLICATION TO THE SAN JOAQUIN LOCAL AGENCY FORMATION  
COMMISSION FOR THE ANNEXATION OF CERTAIN SPECIFIC PLAN AREA III LANDS  
LOCATED SOUTH OF GRANT LINE ROAD KNOWN AS TRACT 4040, THE A7  
PROPERTY**

WHEREAS, the Mountain House Community Services District (“District”) was formed on May 20, 1996, to provide capital improvements and public services to the Mountain House Community; and

WHEREAS, in 2006 the San Joaquin County Board of Supervisors certified a Final Environmental Impact Report for College Park at Mountain House Specific Plan III (SCH #2003102074, hereafter “EIR”) and adopted Specific Plan III for the District; and

WHEREAS, Property Owners now desire to annex land identified in **Exhibit A** (“Annexing Property”) into the District; and

WHEREAS, the Annexing Property is consistent with Specific Plan III, as well as the District’s most recent Sphere of Influence and Municipal Service Review approved by the San Joaquin Local Agency Formation Commission (“LAFCo”) on September 8, 2022.

NOW THEREFORE BE IT RESOLVED, that, pursuant to Title 14 of the California Code of Regulations section 15096 this Board of Directors has received and considered the EIR and finds as follows:

1. The Annexing Property is within the scope of the EIR as the EIR expressly contemplates the annexation to the District proposed by Property Owner and adequately addresses all significant impacts therefrom.
2. The conditions giving rise to the preparation of a subsequent EIR as set forth in Title 14 of the California Code of Regulations section 15162 are not present.



3. The conditions giving rise to the preparation of a supplement to an EIR as set forth in Title 14 of the California Code of Regulations section 15163 are not present.
4. The conditions giving rise to the preparation of an addendum to an EIR as set forth in Title 14 of the California Code of Regulations section 15164 are not present.
5. The conditions giving rise to the preparation of additional environmental documents tiered from a program EIR as set forth in Title 14 of the California Code of Regulations section 15168 are not present.
6. The Board hereby adopts those findings as set forth in Title 14 of the California Code of Regulations sections 15191 and 15093, including the statement of overriding considerations, attached as Attachment A to Board of Supervisors Order R-05-1289, certifying the EIR, which findings are also attached hereto and incorporated herein as **Exhibit B** to this resolution as well as the Notice of Exemption for the Map Approval by the San Joaquin County Planning Commission, **Exhibit C**.

BE IT FURTHER RESOLVED that the District does hereby approve submission of an application to the San Joaquin Local Agency Formation Commission for annexation of the Annexing Property as follows:

7. This proposal is made pursuant to the Cortese-Knox-Hertzberg Local Government Act of 2000, being Part 1 (commencing with section 56000) of Division 3 of Title 5 of the California Government Code.
8. This proposal is a reorganization that includes the annexation of the subject territory to the Mountain House Community Services District and the detachment of the same from the Tracy Rural Fire Protection District.
9. The description of the affected territory is described in **Exhibit A** to this Resolution.
10. The reason for this annexation proposal is to provide capital improvements and public services to the Mountain House Community consistent with the planned land uses for the community.
11. The District requests that the application be submitted, and the proceedings be taken pursuant to the Cortese-Knox-Hertzberg Local Government Act of 2000.
12. This proposal is consistent with the District's Sphere of Influence and Municipal Service Review approved by LAFCo on September 8, 2022.
13. Pursuant to Section 56377 of the Government Code, the District finds that this annexation proposal will induce, facilitate, or lead to the conversion of existing open-space lands to uses other than open-space uses. However, the Board finds that this

conversion is consistent with the County approved Specific Plan III and the planned development of the District.

BE IT FURTHER RESOLVED that the District does hereby approve the Plan for Services on file herein and authorizes the General Manager and Special Counsel to make changes therein that may be requested by LAFCo.

BE IT FURTHER RESOLVED that the General Manager is directed to file a Notice of Exemption with the County Clerk.

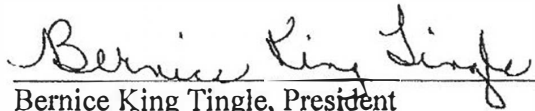
BE IT FURTHER RESOLVED that the General Manager is directed to submit the application to the LAFCo, and to execute all documents necessary to complete the application and annexation.

PASSED AND ADOPTED this 11th day of January, 2023, by the following vote of the Board of Directors of the Mountain House Community Services District, to wit:

AYES: DHILLON, DISKO, MORENO, SU, TINGLE

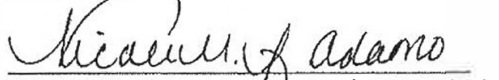
NAYS:

ABSENT:



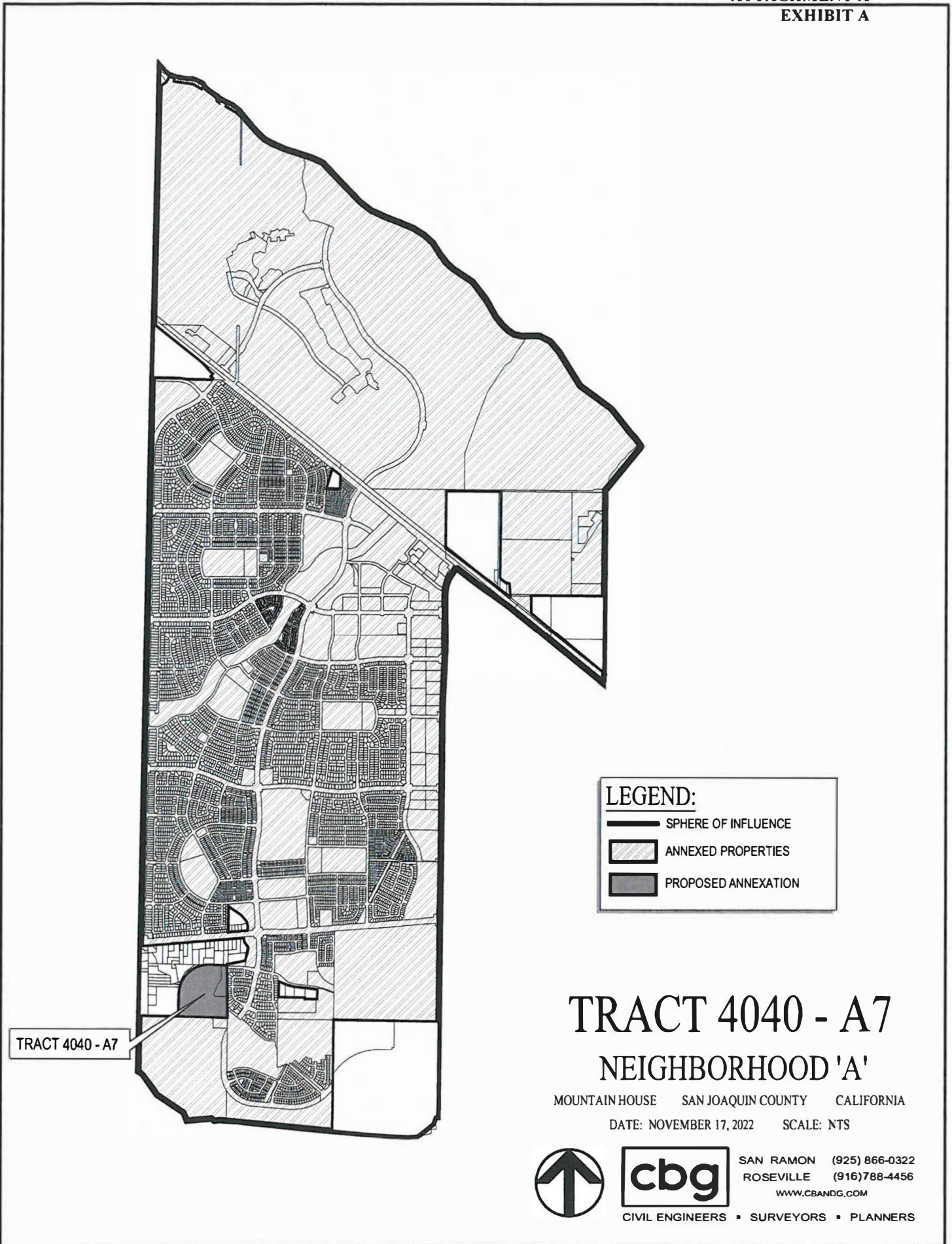
Bernice King Tingle, President  
Board of Directors of the Mountain House  
Community Services District

ATTEST:



NICOLE M.F. ADAMO, District Clerk  
of the Mountain House  
Community Services District





**LEGEND:**

- SPHERE OF INFLUENCE
- ▨ ANNEXED PROPERTIES
- PROPOSED ANNEXATION

# TRACT 4040 - A7

## NEIGHBORHOOD 'A'

MOUNTAIN HOUSE SAN JOAQUIN COUNTY CALIFORNIA

DATE: NOVEMBER 17, 2022 SCALE: NTS



SAN RAMON (925) 866-0322  
ROSEVILLE (916) 788-4456  
WWW.CBANDG.COM

CIVIL ENGINEERS • SURVEYORS • PLANNERS

## Before the Board of Supervisors County of San Joaquin, State of California

B- 05-1289

MOTION: ORNELLAS/SIEGLOCK/5

### SPECIFIC PLAN III PROJECT

THIS BOARD OF SUPERVISORS does hereby:

1. Certify as adequate the Final Environmental Impact Report for College Park at Mountain House Specific Plan III ("FEIR") under Section 15090 of the California Environmental Quality Act (CEQA), and adopt Findings which include statements of overriding consideration, attached and made a part of this Board Order as Attachment A;
2. Adopt the "Mitigation Monitoring Program" attached and made a part of the Board Order as Attachment B;
3. Adopt the attached Resolution approving Third Cycle General Plan Amendment for General Plan Amendment No. PA-0500138, with the Bases for General Plan Amendment attached as Exhibit A to said Resolution;
4. Adopt the attached Resolution approving Master Plan Amendment No. PA-0500140, with the Bases for Master Plan Amendment attached as Exhibit A to said Resolution;
5. Adopt the attached Resolution approving Specific Plan PA-0500142 (Specific Plan III), with the Bases for Specific Plan Amendment attached as Exhibit A to said Resolution and with the modifications recommended by the MHCSD attached to the Board memo of November 22, 2005 for the Specific Plan III Project;
6. Adopt the attached Ordinance approving Mountain House Development Title Amendment PA-0500141, with the Bases for Mountain House Development Title Amendment contained in the Specific Plan III Project staff report;
7. Adopt the attached Ordinance approving Development Agreement application PA-0500147 with the Bases for Development Agreement contained in the Specific Plan III Project staff report and deletion of the phrase "(as described in Exhibit D hereto)" on page 31, Section 3.4;
8. Adopt the attached Ordinance approving Development Agreement application PA-0500148 with the Bases for Development Agreement contained in the Specific Plan III Project staff report;
9. Adopt the attached Resolution approving Major Subdivision application PA-0500144, with the findings attached as Exhibit A, the conditions of approval attached as Exhibit B to said Resolution, and the additional conditions of approval and the modifications to said Resolution recommended by the MHCSD attached to the Board memo of November 22, 2005 for the Specific Plan III Project;

B-05-1289

10. Adopt the attached Resolution tentatively approving Williamson Act Contract Cancellation application (PA-0500151) with the Findings for Williamson Act Contract Cancellation attached as Exhibit A to said Resolution, the conditions and contingencies contained in the body of the Resolution, and the following change to the last sentence of the fifth paragraph on page 1 of the findings as follows: "These parcels are currently the subject of Williamson Act Contracts Nos. 72-C-1-4205 and 72-C-1-426";
11. Adopt the attached Resolution approving Major Subdivision application PA-0500145 with the findings attached as Exhibit A, the conditions of approval attached as Exhibit B to said Resolution, and the additional conditions of approval and the modifications to said Resolution recommended by CDD and MHCSD attached to the Board memo of November 22, 2005 for the Specific Plan III Project;
12. Adopt the attached Resolution approving Major Subdivision application PA-0500143 with the findings attached as Exhibit A, the conditions of approval attached as Exhibit B to said Resolution, and the additional conditions of approval and the modifications to said Resolution recommended by CDD and MHCSD attached to the Board memo of November 22, 2005 for the Specific Plan III Project;
13. Adopt the attached Resolution approving Use Permit PA-0500149 to construct two potable water tanks with the findings attached as Exhibit A and the conditions of approval attached as Exhibit B to said Resolution;
14. Refer Use Permit No. PA-0500150, to construct a 30-acre above ground tertiary wastewater storage pond, back to the Planning Commission to a date uncertain; and
- ~~15. Adopt the attached Ordinance amending the Zoning Map of the County with the zoning diagram of Specific Plan Amendment PA-0500142 (i.e., Figure 3-4 of Specific Plan III) attached as Exhibit A to said Ordinance.~~

I HEREBY CERTIFY that the above order was passed and adopted on this **22** day of **Nov.**, 2005 by the following vote of the Board of Supervisors, to Wit:

AYES: **ORNELLAS, MOW, SIEGLOCK, MARENCO, GUTIERREZ**

NOES: **NONE**

ABSTAIN: **NONE**

LOIS M. SAHYOUN  
Clerk of the Board of Supervisors  
County of San Joaquin  
State of California

LOIS M. SAHYOUN





## PLAN FOR SERVICES

### Tract 4040 Reorganization to the Mountain House Community Services District

February 16, 2023

#### Introduction

Pursuant to Section 56653 of the Government Code, San Joaquin LAFCo requires that any application for a change of organization or a re-organization include a plan for providing municipal services. In accordance with Section 56653 of the Government Code, this document includes the following information:

1. An enumeration and description of the services to be extended to the affected territory.
2. The level and range of those services.
3. An indication of when those services can feasibly be extended to the affected territory.
4. An indication of any improvements or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.
5. Information with respect to how those services will be financed.
6. Summary Statements for Commission consideration.

#### Background

Mountain House Community Services District (MHCSO or District) was formed on May 20, 1996 to provide a full range of municipal services to the master planned community of Mountain House. The MHCSO Sphere of Influence (SOI) contains 4,784 acres. San Joaquin County adopted the Mountain House Master Plan in 1994 to establish a land use plan for the lands within MHCSO's SOI that provides for a range of land uses including residential, commercial, mixed use, industrial, open space, and public (schools, transit, and utilities). Since formation, several development projects have been constructed to serve the community consistent with the Mountain House Master Plan. Referred to as 'villages' these areas include Wicklund, Bethany, Altamont, Questa, and Hansen. The proposed Tract 4040 development project was included in the original Mountain House Master Plan, the College Park at Mountain House Specific Plan III, and has received various development entitlements from San Joaquin County, however, it was not a part of the original District and must therefore annex in order to receive services.

#### Project Description

The proposal before LAFCo involves annexation of five parcels containing approximately 35.83 acres to MHCSO with concurrent detachment from Tracy Rural Fire Protection District. The

Project is zoned as Residential-Low, Residential-Very Low, and Public Facilities and will be developed consistent with the existing entitlements and subdivision maps that were approved by San Joaquin County.

### Municipal Services

MHCSD will provide a number of municipal services to the annexation territory including: water supply; wastewater collection, treatment and disposal; storm water drainage and flood protection services; streets and roads; park facilities and recreation services; and general administrative services. MHCSD contracts for law enforcement services through the San Joaquin County Sheriff's Office. Fire protection and emergency medical services are provided by MHCSD under contract with the French Camp McKinley Fire District. School facilities and education services are provided by the Lammersville Joint Unified School District. Solid waste (garbage) services and recycling are provided under a franchise agreement with West Valley Disposal Services. Electrical service is provided by Modesto Irrigation District (MID); natural gas is provided by Pacific Gas and Electric Company (PG&E); telecommunication services are provided by Charter Communications. Animal Control field services are provided jointly by the Stockton Police Department and San Joaquin County. Library services are provided by the Mountain House Branch Library, operated by the Stockton-San Joaquin County Library System and contracted for through MHCSD. Public transit services are provided by San Joaquin Regional Transit District.

MHCSD does not exercise authority over land use, planning, or development. San Joaquin County currently exercises such authority over the Territory and will continue to do so following completion of the Reorganization.

It should be noted that significant portions of the infrastructure improvements required to serve the annexation area are already installed. Refer to the Map Exhibits at the end of this document for those improvements already completed and those that remain to be completed.

### **Water Supply**

MHCSD obtains its raw water supply under contract from Byron Bethany Irrigation District (BBID) for up to 9,813 acre-feet per year. Raw water is delivered to the District's state of the art Water Treatment Plant (WTP), where currently 15 MGD is treated and made available for distribution to the community. These facilities are sized to meet the expected demand of 20 MGD at build out of the Mountain House community. The District has the ability to purchase additional raw water from BBID if BBID has available water. The WTP is currently sized at approximately 15 MGD, with an increase to 20 MGD at build-out.

The proposed annexation are/a is served by water storage tanks totaling 7.4 million gallons.

New development within the annexation area will require connection fees for individual water service connections. The MHCSD Public Works Department has indicated that current water supplies are adequate.

The Project's water service will include a primary connection to an existing 12" water line that currently terminates at Nasergholi Avenue and a primary connection to an existing 8" water line that currently terminates at Pasqua Glen. The balance of the project's in-tract improvements will be serviced from these lines.

### **Wastewater**

MHCSD is responsible for collection, treatment, and disposal of wastewater. During 2007, the existing Phase II Wastewater Treatment Plant (WWTP) treatment system and associated infrastructure were replaced with a 3.0 MGD Sequential Batch Reactor system. Lined aeration

lagoons exist for emergency treated effluent storage. Treated effluent is discharged to Old River under orders and permits issued by the Central Valley Regional Water Quality Control Board. Additional expansion of the WWTP is under review by the affected developers and the District. Ultimate treatment capacity of the WWTP at build-out will be sized to provide 5.4 MGD Average Dry Weather Flow (ADWF).

Approximately 80% of service area for wastewater collection system drains by gravity to the WWTP through a backbone collection system. The remaining 20% is pumped to the treatment plant through lift stations and force mains. At the present time, MHCS D does not recycle any treated effluent. Plans are in place to utilize recycled water for development that occurs north of Byron Highway.

New development within the annexation area will require connection fees for individual wastewater service connections. The MHCS D Public Works Department has indicated that current wastewater treatment capabilities are adequate.

The Project's wastewater service will include a primary connection to an existing 8" sanitary sewer line that currently terminates at Nasergholi Avenue and a primary connection to another existing 8" sanitary sewer line that currently terminates at Pasqua Glen. The balance of the project's in-tract improvements will be serviced from these lines.

#### **Storm Drainage**

Storm drainage facilities and improvements, as well as flood protection services, are reflected in an adopted Storm Water Master Plan. The District utilizes a variety of storm water drainage concepts to improve water quality, reduce costs, and protect the environment. Storm water main pipelines are designed to contain a 100-year storm event. Within each neighborhood runoff will be collected in underground pipes for collection in larger trunk lines and eventual discharge to storm water basins and Old River utilizing best management practices (BMPs).

The Project's stormwater service will include primary connections to an existing 48" CSD and an existing 24" SD that currently terminate at Nasergholi Avenue. Additionally, a primary connection to an existing 15" SD that currently terminates at Pasqua Glen will be included. The balance of the project's in-tract improvements will be serviced from these drains.

#### **Streets and Roads**

Mountain House Parkway, east of the Project, is an existing four-lane roadway that is classified as a Major Arterial. The final planned configuration for Mountain House Parkway includes the addition of two additional lanes for a total of six lanes. This expansion is planned to occur upon development of approximately 14,000 units within the Mountain House community.

Grant Line Road is an existing road north of the Project that is classified as a Major Arterial and has been fully built to its planned configuration. Grant Line Road is the closest Major Arterial to the Project, but is not directly connected.

Central Parkway is an [Existing] road along the eastern boundary of the Project that is classified as a Minor Arterial. It serves to connect interior neighborhoods such as Tract 4040 to Major Arterial Grant Line Road.

All other streets within the residential tracts are Local Streets and will be required to be constructed to local street standards. The development will tie into, Nasergholi Avenue and Pasqua Glen extending from the adjacent subdivision to the east.



Street lighting is provided by each developer on a project-basis and will be located and placed in accordance with MHCS D Public Works Department standards.

### **Park Facilities and Recreation Services**

Under the requirements of the Mountain House Master Plan and the College Park Specific Plan III, each of the 12 'Villages' within the community will have individual 5-acre neighborhood parks, as well as a three Community Parks. Phase 1 of the Central Community Park has been completed, along with six neighborhood parks: Altamont, Bethany, Cordes, Hansen, Questa, and Wicklund. Park facilities are constructed as part of the subdivision improvements within each Village. The Project is located in the College Park Specific Plan III area which will include two neighborhood parks and a utility corridor trail. The South Community Park will be located within the College Park Specific Plan area.

MHCS D also has an active recreation program with a variety of youth sports activities, events, educational programs, and community celebrations.

### **Law Enforcement**

The San Joaquin County Sheriff's Office (SO) provides law enforcement services to the Mountain House community by contract with MHCS D. The contract calls for the SO to provide six full time equivalent (FTE) deputies to serve a population of over 15,000 residents (0.4 sworn officers per 1,000 residents). Through its contract with the San Joaquin County Sheriff's Department for law enforcement, the MHCS D provides the Mountain House community with six fulltime (Full-Time Equivalents or FTEs) deputies; the service levels are planned to increase as noted below. Mountain House is designated by the Sheriff's Department as Beat 8. The Sheriff's Office also provides additional deputy support to Mountain House through its assignment of one fulltime deputy for the western part of the county defined as Beat 8.

The SO also provides an administrative command structure, investigative services, technical support (evidence gathering, video/picture logging), community-oriented policing, a citizen's academy, and incarceration services at the County Jail.

The California Highway Patrol (CHP) is responsible for all traffic related matters that occur within the unincorporated areas of the state, including Mountain House. Specific to Mountain House, the CHP is responsible to enforce traffic laws, as outlined in the California Vehicle Code, investigate traffic accidents, investigate vehicle thefts that occur from a roadway and respond to parking and other traffic complaints. As a law enforcement agency, the CHP also assists other local and state agencies when requested for general law enforcement and traffic control. MHCS D contracts with the CHP for services to supplement those provided by the SJCOSO.

In 2022, response times ranged from 5.4-minutes for Priority 1 calls (immediate dispatch, crime in progress including assault, homicide, kidnapping, robbery, home invasion, bomb threat, etc.); to 9.6-minutes for Priority 2 calls (family disturbance, suspicious person, theft of property, etc.) and 27.6-minutes for Priority 3 calls (delay in reporting crime, property theft or damage, mail theft, noise complaints, etc.). These response times are expected to be maintained to serve the Project.

Crime rates are typically low within Mountain House with emphasis on proactive community-oriented policing. Mountain House property and violent crime rates per 100,000 population were among the lowest by comparison to other San Joaquin County communities. The Master Plan includes implementation measures that would allow for the MHCS D to continue providing

adequate staffing levels. The Mountain House Master Plan provides that sworn officers will be added at levels specified in the San Joaquin County General Plan consistent with standards for comparable urban communities within the County and any additional needs determined by the community.

The SJCOSO command staff and deputies operate out of two facilities: (1) a satellite office located at the MHCSO Town Hall, 251 E. Main Street, Mountain House, California; and (2) the SJCOSO headquarters located at 7000 Michael Canlis Blvd, French Camp, California. As the community grows, a separate law enforcement headquarters building is planned to be constructed adjacent to Town Center Community park near Byron Road. No date for construction has been established; its timing is dependent on the needs of law enforcement and the community.

### **Fire Protection**

Fire protection and emergency medical services (EMS) are provided by MHCSO under contract with French Camp McKinley Fire District (FCMFD), also referred to as the Mountain House Fire Department (MHFD). FCMFD allows for coordinated fire and EMS services. MHFD operates out of Mountain House Fire Station 1 (aka Station 16-1) at 911 Tradition Ln. A second fire station will be added once new development occurs north of Byron Highway.

The station has a staffing level of five personnel, 24 hours per day, seven days per week, which include one Captain (Duty Officer), one Lieutenant, two engineers or certified driver operator, and one firefighter. Station personnel are supported by FCMFD with 24 full time firefighters and 3 reserve fire fighters. Also available from FCMFD are the following: one full-time Fire Chief, one Assistant Fire Chief/Fire Marshall, and one Battalion Chief for Training and Operations.

Station No. 16-1 houses two Type 1 Fire Engines, one Ladder Truck, and one Type 6 Quick Response Vehicle. Additional apparatus are available from FCMFD Station No. 11-1 located at 310 East French Camp Road, French Camp, including two Type 1 Fire Engines, one Medium Rescue Vehicle, and one Type 6 Wildland Engine.

Station No. 16-1 is 1.2 miles from Neighborhood A-7 Tract 4040, and the response time is approximately 2.5 minutes of non-emergency travel time. Proposed Station No. 16-2 will be 2.6 miles from Neighborhood A-7 Tract 4040 and the response time will be approximately 5.5 minutes of non-emergency travel time.

Generally, as of 2021, Mountain House Fire Department responds to approximately 700 calls for service per year, which are dispatched through the Valley Regional Emergency Communications Center (VRECC). Average response time within the Mountain House community is 6-minutes 32-seconds for all calls, and 9-minutes 39-seconds for ninety percent of all calls. Contractual response time 90<sup>th</sup> percentile requirements are 7 minutes and 19 seconds; well within actual response times. These response times are considered appropriate and will not be affected by the proposed annexation of the Project.

The contract with the FCMFD provides for staffing additional fire stations and engine companies as the need occurs. A second fire station is planned north of Byron Road and should be completed in 2024. National Fire Protection Administration and Insurance Service Office performance standards are met through the current Fire and EMS level and will continue to be met as demands increase from the growing population, equipment is added, and when the second fire station is operational.

Upon detachment of the Project area from the Tracy Rural Fire Protection District (TRFPD), the current property tax allocated to TRFPD will be re-allocated to MHCSO. To offset these property tax revenues, MHCSO previously re-purchased Fire Station No. 1 from TRFPD for \$2.97 million and considers this payment adequate to offset any adverse impacts to TRFPD.



## **Schools**

Public education is provided by the Lammersville Joint Unified School District, which operates Mountain House High School and five elementary schools – Altamont, Wicklund, Bethany, Hansen, and Sebastian Questa. Additionally, a new school is under construction in the College Park Specific Plan area. This new school will provide service directly to the College Park area. The school district offices are also located within the MHCS D at 111 South De Anza Boulevard.

## **Solid Waste Disposal**

Garbage service and recycling are provided by West Valley Disposal Services under a franchise agreement with MHCS D. Services include weekly garbage pick up; and curbside recycling 'toters' for recyclable waste and yard waste, alternating from one to the other each week. In addition, West Valley Disposal provides commercial services including bin and debris boxes; corrugated cardboard and white paper recycling; and wood, plastic and glass recycling.

## **Electricity**

Electrical service to the Mountain House community is provided by Modesto Irrigation District (MID) through a dedicated 69 kV transmission line from the Western Area Power Administration (WAPA) Switching Station near Tracy to the Mountain House Sub-station. This service began on January 1, 2001. New electrical service is available and will be extended to serve new development under existing franchise agreements.

## **Natural Gas**

Pacific Gas and Electric Company (PG&E) currently provides natural gas service to the Mountain House community. New gas service is available pursuant to Rule 15 and will be extended to serve new development under existing franchise agreements.

## **Telecommunication Services**

Telephone, cable television, and internet services are offered to the Mountain House community by Charter Communications. New telecommunication services are available and will be extended to serve new development under existing franchise agreements.

## **Libraries**

The Mountain House branch library is part of the Stockton-San Joaquin County unified library system. The Master Plan for the community and the Public Service Allocation Agreement between the County and the MHCS D both note that the library services will be provided to Mountain House through this arrangement. The MHCS D, like other communities with branch libraries of the countywide system, provides the library building and building operating expenses.

MHCS D constructed a new permanent library co-located with the new permanent community Town Hall on Main Street in the Town Center. The two new buildings share a common conditioned lobby and courtyard, as well as share a multi-purpose room and conference rooms accessible to the community. Both facilities are designed to serve the community through buildout of the Master Plan and SOI.

## **Public Transit**

Public transit services are provided by San Joaquin Regional Transit District.

## Infrastructure Financing

The total cost of infrastructure includes water, sewer, storm drainage, and road upgrades for the property. The infrastructure improvements can be broken down into three locations: the infrastructure required to tie the development into Nasergholi Avenue, the internal infrastructure development, and the infrastructure requirements for the park corridor central to the project. The tie in for Nasergholi Ave. is projected to cost a total of \$1,828,977, the internal infrastructure is projected to cost a total of \$3,360,522, and the projected total for the park corridor infrastructure is \$3,186,200. In total, the cost of all upgrades will be approximately \$8,375,699. Including 25% contingency, the projected total cost is \$10,465,000. A breakdown of these costs per upgrade type can be found in the Attachments to Plan for Services.

## Summary Statements

In support of this Plan for Services, the following statements related to the Project are provided for LAFCo's consideration:

- ❖ As described in the College Park Specific Plan III and the Mountain House Master Plan, the Project is adjacent to boundaries of MHCS D, and has been planned for the type of urban development that will be facilitated by this reorganization for approximately two decades.
- ❖ Reorganization of the Project is within the scope of Specific Plan III and its Environmental Impact Report.
- ❖ Certain backbone infrastructure has already been constructed adjacent to the Project which will facilitate the extension of this infrastructure to serve the Project.
- ❖ Annexing the Project to MHCS D will require additional facilities and the extension of public facilities and utility services.
- ❖ Such facilities and services will be constructed as development occurs in accordance with MHCS D and County of San Joaquin requirements.
- ❖ Annexation and development of the Project within Specific Plan III will facilitate the goals and objectives of the Mountain House Master Plan and Specific Plan III, including: a housing and employment balance; establishing a full range of services and infrastructure in the community; providing adequate public services and services to the community; providing for pedestrian-friendly character within and between neighborhoods, village centers and the Town Center; and providing an adequate supply of housing for all income groups in the County.
- ❖ In addition, development of the Project within College Park Specific Plan III will utilize existing facilities and infrastructure to enhance efficiencies and cost effectiveness.
- ❖ The range and level of these improvements are described in the Plan for Services, as well as Specific Plan III and the Municipal Service Review for MHCS D that was adopted by San Joaquin LAFCo in September 2022.
- ❖ Overall, existing public facilities, services and utilities, along with improvements proposed by and required of the Project, will be adequate to serve the Project.
- ❖ The design, engineering and construction of these improvements will be financed as described in the Mountain House Master Plan, Specific Plan III, and other documents, which will ensure that sufficient funding will be available, and that services and infrastructure will be in place to serve both the Project and the entire Specific Plan III area in a timely manner.



**SAN JOAQUIN**  
— COUNTY —  
*Greatness grows here.*

**Environmental Health Department**

**Jasjit Kang, REHS, Director**

**Muniappa Naidu, REHS, Assistant Director**

**PROGRAM COORDINATORS**

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Steven Shih, REHS

Michelle Henry, REHS

Elena Manzo, REHS

Natalia Subbotnikova, REHS

May 10, 2023

To: San Joaquin County Local Agency Formation Commission  
Attention: JD Hightower

From: Aldara Salinas (209) 616-3019  
Environmental Health Specialist

RE: **LAFC15-23, Referral, SU0015548**  
**Tract 4040 Reorganization to Mountain House Community Services District**

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The Environmental Health Department has no comments or recommendations for this application at this time.

If you have any questions please contact Aldara Salinas, Environmental Health Specialist, at [asalinas@sjgov.org](mailto:asalinas@sjgov.org) or (209) 616-3019.



**SAN JOAQUIN**  
— COUNTY —  
*Greatness grows here.*



**Department of Public Works**

**Fritz Buchman, Director**

*Alex Chetley, Deputy Director – Development*  
*Kristi Rhea, Deputy Director - Administration*  
*David Tolliver, Deputy Director - Operations*  
*Najee Zarif, Deputy Director - Engineering*

May 18, 2023

MEMORANDUM

**TO:** J.D. Hightower, Executive Officer  
LAFCo

**FROM:** Shayan Rehman, P.E., CFM, Engineering Services Manager *SR*  
Development Services Division

**SUBJECT:** TRACT 4040 REORGANIZATION TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT (LAFC 15-23)  
To annex approximately 34.71 acres to Mountain House Community Services District with concurrent detachment from the Tracy Rural Fire Protection District and the San Joaquin County Resource Conservation District.

**LOCATION:** South of Grant Line Road and immediate north of the Delta College Mountain House campus. This project will connect to Nasergholi Avenue and Pasqua Glen.

**COMMENTS:**

- **No Comments**

**SR:SC**

*X: LAFCO/LAFCo Referrals/Tract 4040 Reorganization to MHCSD (LAFC 15-23) Comments to LAFCo (LAFC 15-23).doc*





Balancing Community and Commerce

44 N. SAN JOAQUIN STREET SUITE 374 STOCKTON, CA 95202 209-468-3198

### EXECUTIVE OFFICER'S REPORT

**PROJECT:** FY 2023/2024 Operating Budget

**PROPOSAL:** Approve a resolution adopting the Final FY 2023/2024 Operating Budget.

**APPLICANT:** San Joaquin Local Agency Formation Commission

**LOCATION:** N/A

**PURPOSE:** Proposed Budget for FY 2023/2024 pursuant to Government Code Section 56381, Annual Budget.

**PROCESS:** This is an administrative matter pursuant to LAFCo policies, all Commissioners to vote on the proposed budget.

### RECOMMENDATION

It is recommended that the Commission approve a resolution approving the final budget with an amendment to the adopted preliminary budget in the salary and wages line item. CKH Section 56381 mandates that a final budget shall annually be approved by June 15.

### BACKGROUND

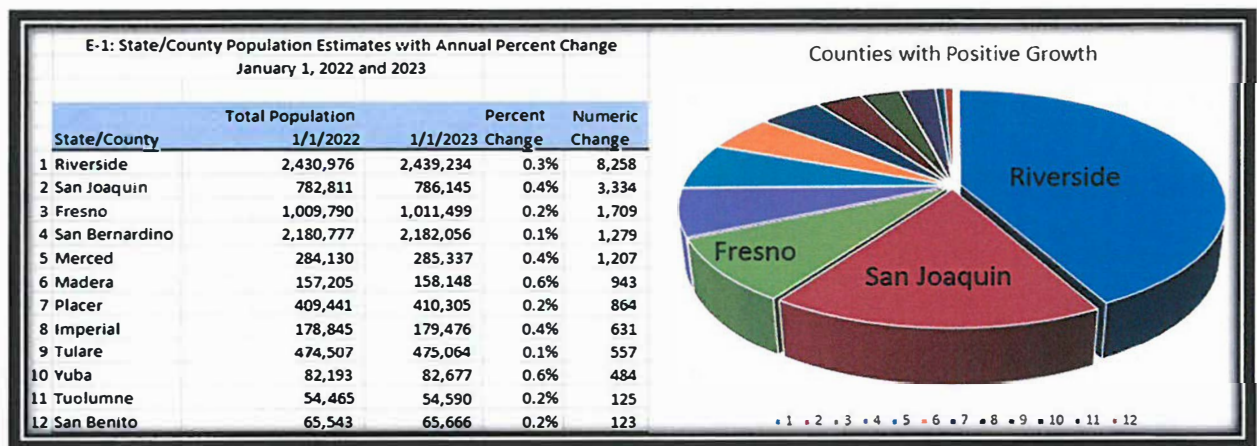
On April 13, 2023, the Commission held a public hearing regarding the preliminary budget for FY 2023/2024. Much of the discussion at that hearing focused on whether or not to apply an increase equal to the Consumer Price Index (CPI) to staff costs. The Commission expressed concern as to the sustainability wages and salaries that meet the CPI for our region. San Joaquin is within the San Francisco-Oakland-Hayward region of the CPI as measured by the US Department of Labor.

The preliminary budget was adopted with direction to bring back salary and wages in the final budget only after a motion to approve the preliminary budget. The Commission gave direction to ensure that San Joaquin LAFCo is competitive with other LAFCo's and local

regional planning agencies. Having a competitive comprehensive compensation package is the cornerstone to succession planning. Accordingly the first step, a salary survey has been completed that takes into account the wages and salaries of LAFCo's of adjacent and nearby counties, Central Valley LAFCo's and local regional planning agencies. The second step is to compare total compensation packages.

### LAFCo COMPARISON

By in large, the population growth of a particular county has a direct correlation to the overall workload demand of that county's LAFCo over the recent past (5 years or less). After a residential annexation is approved, a project must meet city mapping standards and construction of improvements before a dwelling unit can be occupied. Twelve counties added population in 2022 (please see table below). Last year San Joaquin County added 3,334 new residents, second only to Riverside County. San Joaquin County's rate of growth was the 3<sup>rd</sup> fastest in California. Thus, San Joaquin LAFCo has a history of efficiency of analyzing project compliance with state and local laws.



To ensure that San Joaquin County continues to have positive growth, in FY 2022/2023 LAFCo staff teamed with local planning staff to ensure annexations totaling 1,534 dwelling units. These projects were reviewed and conditioned to meet all standards that discourage sprawl, protect agricultural resources and open spaces, efficiently provide government services and encourage the orderly development of local agencies while promoting environmental justice, i.e. balancing community and commerce. With an average household size of 3.21, in FY 2022/2023 LAFCo staff has assisted in the continued positive growth within San Joaquin County of 4,924 new residents within the next 10 years as these projects build-out.

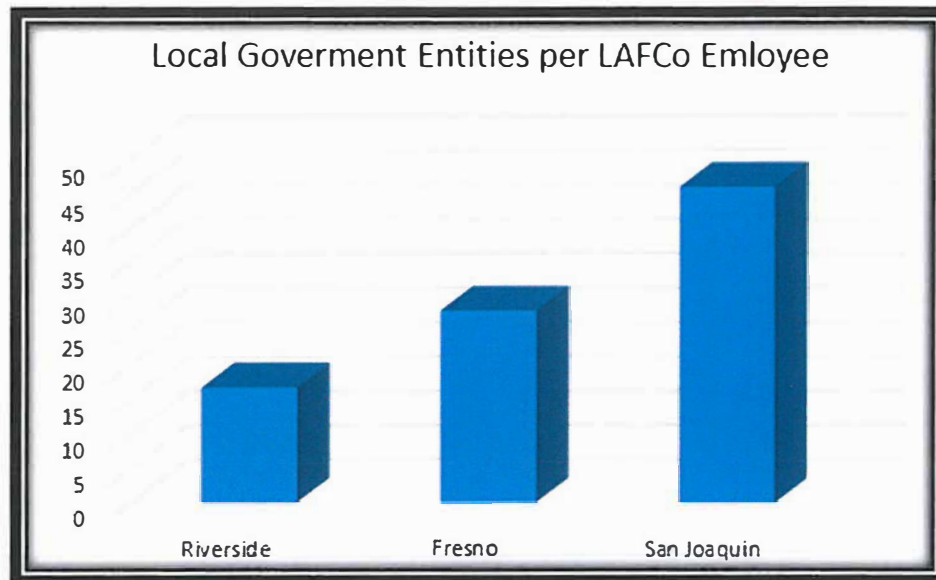
The number of cities and special districts within a county is also an indicator of LAFCo workload. Riverside LAFCo has 84 local government entities that they oversee (56 special districts and 28 cities); Fresno County has 112 (15 cities and 97 special districts) while San Joaquin currently has 113 (7 cities and 105 special districts).

The density of governmental entities is an indicator of potential geographic conflicts that LAFCo's must analyze and make logical service provision decisions. San Joaquin County comprising 1,426 square miles is complex organizationally as there is a higher density of special districts than either Riverside or Fresno counties. San Joaquin has approximately



8 entities per 100 square miles. Fresno County has approximately 2 entities per 100 square miles; and, Riverside has approximately 1 entity per 100 square miles.

Riverside LAFCo has a staff of 5, Fresno LAFCo has 4 staff members, while San Joaquin LAFCo has a staff of 2.45. There are 46 governmental entities per employee in San Joaquin, 28 entities per employee in Fresno; and 16.8 per entity in Riverside.



Thus, San Joaquin LAFCo is effectively and efficiently providing for planned and logical growth of our hometowns in an organizationally complex environment. Last year, San Joaquin LAFCo staff ensured balanced growth hometowns for 1,360.8 new residents annually per employee.

Supporting our mission to balance community and commerce, San Joaquin LAFCo completed the following projects during the past fiscal year, FY 2022/2023:

- Mountain House MSR /SOI
- City of Lathrop MSR / SOI
- City of Lodi MSR / SOI
- City of Escalon MSR / SOI
- City of Stockton MSR/SOI amendment
- Lumina Reorganization to the City of Manteca
- Lumina Reorganization to the City of Manteca Protest Hearing
- Miller Annexation to San Joaquin Irrigation District
- G & E Te Velde Annexation to San Joaquin Irrigation District
- Thornton Road Reorganization to the City of Stockton
- Time Extension for Gudel Annexation to CSA 29 and since been finalized
- Quaresma Reorganization to the City of Manteca
- Tracy Hills II Reorganization to the City of Tracy
- College Park III Reorganization to Mountain House Community Services District
- Dutra Reorganization to the City of Manteca
- Tract 4040 Neighbor A7 Reorganization to the Mountain House Community Services District

- Mariposa Industrial Park Reorganization to the City of Stockton
- Mountain House Comprehensive Financial Analysis Review for incorporation
- 17 Out of Agency Service Requests
- Staff continues to provide technical assistance to the Stockton East Water District and Woodbridge Irrigation District MSR's.
- Continuing working with Mountain House Community Services District regarding incorporation.
- Staff has created a new website
- Completed the draft copy of employee handbook, and
- Worked with a UOP graduate student to create the first San Joaquin LAFCo logo.

All of the above show that San Joaquin LAFCo staff continues to set the bar for efficiently partnering with cities and the county to ensure San Joaquin is and will remain the Gateway County to overall prosperity.

### SALARY SURVEY

With a growing population and diverse array of special districts, San Joaquin LAFCo staff has been efficient and productive. A salary survey was done comparing salary and wages to other area LAFCo's and local planning agencies. The survey suggests that the San Joaquin LAFCo is delivering services in a cost efficient manner that supports the growth of San Joaquin County. Noteworthy is the survey is a snap shot of a dynamic marketplace. As individual LAFCo's approve their respective FY 2023/2024 budgets, the results of the survey are expected to change.

<b>LAFCO Salary Survey - San Joaquin Region</b>									
<b>Monthly Salary Ranges</b>									
	<b>Exec Officer</b>			<b>Clerk/Analyst</b>			<b>Clerk</b>		
									Currently = 0.45 FTE
	(Low)	(High)	Mid-Point Annual Salary	(Low)	(High)	Mid-Point Annual Salary	(Low)	(High)	Mid-Point Annual Salary
Alameda	\$9,537	\$14,539	\$144,456				\$6,165	\$7,573	\$82,428
Contra Costa	\$11,473	\$15,292	\$160,590	\$5,877	\$7,795	\$82,032	\$4,900	\$6,215	\$66,690
El Dorado	\$10,833	\$13,333	\$145,000	\$4,173	\$5,072	\$55,470	\$3,434	\$4,173	\$45,642
Fresno	\$7,917	\$12,500	\$122,502	\$3,861	\$4,740	\$51,606	\$5,091	\$6,250	\$68,046
Kern			\$156,247				\$4,000	\$4,917	\$53,502
Merced	\$8,911.08	\$10,839	\$118,498	\$3,975	\$4,834	\$52,853			
Placer			\$158,389			\$64,982			
Sacramento	\$11,281	\$12,437	\$155,220				\$5,606	\$6,816	\$74,531
San Joaquin COG*	\$13,665	\$19,131	\$196,776	\$5,369	\$7,516	\$77,307	\$4,437	\$6,212	\$63,891
San Joaquin County**	\$10,504	\$12,768	\$139,632	\$5,572	\$6,774	\$74,076	\$5,054	\$6,144	\$67,188
Solano			\$154,000	\$6,243	\$7,589	\$82,992	\$4,401	\$5,350	\$58,506
Stanislaus	\$8,558	\$12,835	\$128,357	\$5,373	\$8,060	\$80,598	\$4,543	\$6,813	\$68,136
Stockton Port Dist.***	\$11,120	\$15,350	\$158,820	\$6,490	\$8,960	\$92,700	\$4,780	\$6,699	\$68,874
Tulare	\$9,566	\$13,966	\$141,192	\$4,953	\$6,037	\$65,940	\$3,665	\$4,467	\$48,789
Yolo	\$11,137	\$13,537	\$148,044	\$5,089	\$6,185	\$67,644	\$4,395	\$5,344	\$58,434
<b>Average</b>	<b>\$10,375</b>	<b>\$13,877</b>	<b>\$148,515</b>	<b>\$5,179</b>	<b>\$6,687</b>	<b>\$70,683</b>	<b>\$4,652</b>	<b>\$5,921</b>	<b>\$63,433</b>
<b>SJ LAFCo</b>	<b>\$10,180</b>	<b>\$12,445</b>	<b>\$135,751</b>	<b>\$5,130</b>	<b>\$6,236</b>	<b>\$68,196</b>	<b>\$4,410</b>	<b>\$5,360</b>	<b>\$58,620</b>
<b>Difference</b>	<b>2%</b>	<b>10%</b>	<b>9%</b>	<b>1%</b>	<b>7%</b>	<b>4%</b>	<b>5%</b>	<b>9%</b>	<b>8%</b>
<b>Range Spread</b>	<b>\$3,502</b>			<b>\$1,508</b>			<b>\$1,269</b>		
<b>Budget Impact</b>			<b>\$12,764</b>			<b>\$2,487</b>			<b>\$2,167</b>

\* = Planning Group B Deputy Director of Planning, Administrative Tech, Assistant Regional Planner  
 \*\* = Assistant Community Development Director, Associate Planner, Administrative Assistant I  
 \*\*\* = Environmental & Regulatory Affairs Manager; Administrative Analyst; and Administrative Assistant II positions

The survey result suggests that current salaries and wages of all staff positions need to be adjusted to bring these positions up to the mid-point of the ranges of the agencies surveyed. The Executive Officer 9%, Clerk 8% and the Clerk/Analyst position by 4%.

The results reinforce how productive San Joaquin LAFCo staff has been supporting the growth of our area. The residents and governmental entities in San Joaquin County have and will continue to receive cost effective services. In reviewing team cost effectiveness, some of the discussion at the April meeting seemed to be focused on the Clerk/Analyst position. That position was recently created and a smaller sample size was used for that evaluating wages for that position. This smaller sample size resulted in a comparatively smaller adjustment needed to bring to average. That position does not change the cost effectiveness of LAFCo staff in balancing community with commerce.

The salary survey took a snap shot of salaries as compared to the salaries of similar positions within other LAFCo's and local planning agencies. Fringe benefits play an important role in overall employee quality of life. To ensure the continued efficient use of public resources, staff recommends that a comprehensive compensation survey be performed prior to the mid-year budget review so that total compensation packages can be compared. The difference between the two surveys is to ensure that fringe benefits accounted for in the survey.

The action approving the preliminary budget with direction to bring back the salary and wages component was a prudent. That action allowed time for staff to perform the salary survey and have additional meetings with the budget sub-committee, Chairperson Patti and Commissioner Johnson. The recommendation is to keep salaries static so that a comprehensive compensation study can be completed during mid-fiscal year review.

**FINAL BUDGET**

The final budget shows membership revenues of \$519,276 split 50/50 between the County and the cities pursuant to CKH Section 56381(b)(2). Accordingly, the County share of the proposed budget is \$259,638. As agreed to by the Mayor's Selection Committee, the cities share is apportioned in proportion to each city's population by the County Auditor.

The table below shows the individual city portion of the LAFCo budget according to the State Department of Finance, Demographic Research Unit, Report E-1 for 01/01/2023. This is only for estimating purposes only as the County Auditor's office will apportion to the cities based on latest information available. Below is the revenue forecast for FY 2023/2024 budget.

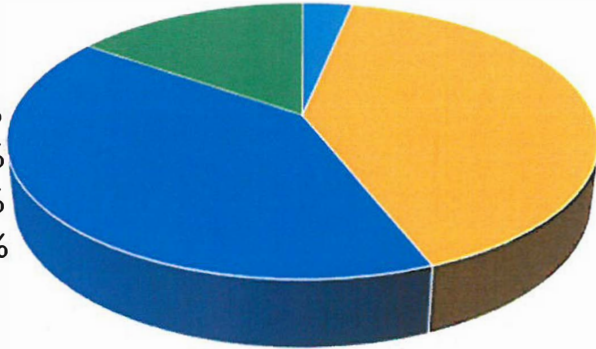
City	Population	%Population	FY23/24 Budget
Escalon	7,264	1.2%	\$ 3,000.55
Lathrop	35,080	5.6%	\$ 14,490.54
Lodi	66,293	10.5%	\$ 27,383.73
Manteca	88,803	14.1%	\$ 36,681.97
Ripon	15,769	2.5%	\$ 6,513.72
Stockton	319,731	50.9%	\$ 132,071.68
Tracy	95,615	15.2%	\$ 39,495.81
<b>Total</b>	<b>628,555</b>	<b>100%</b>	<b>\$ 259,638.00</b>



The final budget projects revenues of \$631,981.64 based on the following sources:

FY 2023/2024 LAFCo Revenue Sources

Interest = \$20,456.33 = 3.2%  
 County = \$259,638.00 = 41.1%  
 Cities = \$259,638.00 = 41.1%  
 Filing Fees = \$92,249.31 = 14.6%



Below is the line item revenue forecast for FY 2023/2024.

	Activities for :		Balance		
	Current Month	Year to Date	30-Apr-23	Projected 6/30	FY 23-24
Fund Balance - Beginning of the Fiscal Year	1,289,237.23				
<b>Revenues</b>					
REVENUES-GENERAL	\$ -	\$ -	\$ -		
TAXES	\$ -	\$ -	\$ -		
LICENSES, PERMITS, FRANCHISES	\$ -	\$ -	\$ -		
FINES, FORFEITURES, PENALTIES	\$ -	\$ -	\$ -		
* INTEREST INCOME	\$ 10,025.00	\$ 23,378.00	\$ 23,378.00	\$ 27,275.11	\$ 20,456.33
USE OF MONEY AND PROPERTY	\$ 10,025.00	\$ 23,378.00	\$ 23,378.00	\$ 27,275.11	\$ 20,456.33
INTERGOVERNMENTAL REVENUES	\$ -	\$ -	\$ -		
CHARGES FOR SERVICES	\$ -	\$ -	\$ -		
* County Contribution	\$ -	\$ 248,220.00	\$ 248,220.00	\$ 248,220.00	\$ 259,638.00
* Cities Contribution	\$ -	\$ 248,220.00	\$ 248,220.00	\$ 248,220.00	\$ 259,638.00
* Application Filing Fees	\$ 4,757.00	\$ 147,439.52	\$ 147,439.52	\$ 147,439.52	\$ 92,249.31
* Total Revenues	\$ 4,757.00	\$ 643,879.52	\$ 643,879.52	\$ 643,879.52	\$ 611,525.31
MISCELLANEOUS REVENUES					
TRANSFERS IN	\$ -	\$ -	\$ -		
OTHER FINANCING SOURCES	\$ -	\$ -	\$ -		
SELF INS FUND SPECIAL REVENUES	\$ -	\$ -	\$ -		
MP-TEL-RADIO ISF REVENUES	\$ -	\$ -	\$ -		
SOLID WASTE SPECIAL REVENUES	\$ -	\$ -	\$ -		
HOSPITAL SPECIAL REVENUES	\$ -	\$ -	\$ -		
AIRPORT SPECIAL REVENUES	\$ -	\$ -	\$ -		
RETIREMENT FUND SPECIAL REV	\$ -	\$ -	\$ -		
AGENCY FUNDS - DEPOSITS	\$ -	\$ -	\$ -		
<b>TOTAL REVENUE</b>	<b>\$ 14,782.00</b>	<b>\$ 583,251.00</b>	<b>\$ 667,257.52</b>	<b>\$ 671,154.63</b>	<b>\$ 631,981.64</b>

Below the proposed LAFCo staff expenditure budget showing staff salaries remaining static during FY 2023/24.

Expenditures					
<b>Salaries</b>					
SALARIES & WAGES-REGULAR	\$ 18,417.36	\$ 257,560.32	\$ 257,560.32	\$ 300,495.63	\$ 300,495.63
SALARIES-CAFETERIA	\$ 2,424.02	\$ 18,990.96	\$ 18,990.96	\$ 22,156.75	\$ 42,425.24
SALARIES-CAR ALLOWANCE	\$ 540.00	\$ 4,320.00	\$ 4,320.00	\$ 5,040.14	\$ 5,040.14
SALARIES-LEAVE TIME PAYOFF	\$ -	\$ 182,346.19	\$ 182,346.19	\$ 182,346.19	\$ -
<b>TOTAL SALARIES</b>	<b>\$ 21,381.38</b>	<b>\$ 463,217.47</b>	<b>\$ 463,217.47</b>	<b>\$ 510,038.71</b>	<b>\$ 347,961.01</b>
<b>Fringe Benefits</b>					
UNEMPLOYMENT COMP INSURANCE	\$ 9.71	\$ 133.46	\$ 133.46	\$ 155.71	\$ 167.42
RETIREMENT-EMPLOYER SHARE	\$ 6,287.44	\$ 38,043.66	\$ 38,043.66	\$ 44,385.54	\$ 57,187.47
RETIREMENT-EMPLOYER ADDTL CONT	\$ 791.86	\$ 4,746.89	\$ 4,746.89	\$ 5,538.20	\$ 5,954.81
SOCIAL SECURITY-OASDI	\$ 1,275.34	\$ 10,975.95	\$ 10,975.95	\$ 12,805.64	\$ 13,768.95
SOCIAL SECURITY-MEDICARE	\$ 298.25	\$ 6,688.14	\$ 6,688.14	\$ 7,803.05	\$ 8,390.04
LIFE INSURANCE	\$ 20.91	\$ 121.02	\$ 121.02	\$ 141.19	\$ 151.82
HEALTH INSURANCE	\$ 2,209.94	\$ 5,524.85	\$ 5,524.85	\$ 6,445.84	\$ 55,621.87
DENTAL INSURANCE	\$ 31.32	\$ 78.30	\$ 78.30	\$ 91.35	\$ 504.40
VISION CARE	\$ 5.18	\$ 12.95	\$ 12.95	\$ 15.11	\$ 134.68
<b>TOTAL FRINGE BENEFITS</b>	<b>\$ 10,929.95</b>	<b>\$ 66,325.22</b>	<b>\$ 66,325.22</b>	<b>\$ 77,381.63</b>	<b>\$ 141,881.45</b>
<b>TOTAL STAFF COST</b>	<b>\$ 32,311.33</b>	<b>\$ 529,542.69</b>	<b>\$ 529,542.69</b>	<b>\$ 587,420.35</b>	<b>\$ 489,842.46</b>

Below is the operating non-personnel expenditure budget for LAFCo.

Services and Supplies					
PROFESSIONAL SERV-PROGRAMS	\$ 3,402.00	\$ 24,807.50	\$ 24,807.50	\$ 28,942.91	\$ 31,398.64
OFFICE EXPENSE-GENERAL	\$ 4,447.92	\$ 21,913.84	\$ 21,913.84	\$ 25,566.88	\$ 26,819.65
OFFICE SUPPLIES-PURCHASING-ISF	\$ 213.79	\$ 986.44	\$ 986.44	\$ 1,150.88	\$ 1,207.27
GENERAL OFFICE SUPPLIES	\$ 18.00	\$ 115.10	\$ 115.10	\$ 134.29	\$ 140.87
OFFICE EXPENSE-POSTAGE	\$ 221.35	\$ 1,102.02	\$ 1,102.02	\$ 1,285.73	\$ 1,348.73
COMMUNICATIONS	\$ 242.48	\$ 2,424.80	\$ 2,424.80	\$ 2,829.01	\$ 3,108.06
MEMBERSHIPS	\$ -	\$ 11,287.00	\$ 11,287.00	\$ 13,168.54	\$ 13,813.80
TRANS AND TRAVEL-GENERAL	\$ -	\$ 6,309.89	\$ 6,309.89	\$ 7,361.75	\$ 8,760.00
TRANS/TRAVEL-STAFF	\$ -	\$ 1,331.00	\$ 1,331.00	\$ 1,552.88	\$ 2,666.50
AUDITOR SERVICES	\$ -	\$ 1,168.00	\$ 1,168.00	\$ 1,362.71	\$ 1,429.48
BOB MURRAY AND ASSOCIATES	\$ -	\$ 15,074.49	\$ 15,074.49	\$ 17,587.41	\$ -
PUBLICATIONS & LEGAL NOTICES	\$ 75.00	\$ 1,797.89	\$ 1,797.89	\$ 2,097.60	\$ 2,200.38
RENTS-STRUCTURES & GROUNDS	\$ 1,848.75	\$ 16,638.75	\$ 16,638.75	\$ 19,412.43	\$ 19,412.43
RENTS/LEASES-AUTO EQUIP-ISF	\$ 157.13	\$ 1,571.30	\$ 1,571.30	\$ 1,833.24	\$ 1,923.06
DATA PROCESSING CHARGES	\$ 847.96	\$ 5,655.09	\$ 5,655.09	\$ 6,597.79	\$ 11,914.94
INSURANCE-WORKER'S COMP	\$ -	\$ 378.00	\$ 378.00	\$ 441.01	\$ 593.08
INSURANCE-CASUALTY	\$ -	\$ 8,499.00	\$ 8,499.00	\$ 9,915.78	\$ 15,402.28
<b>TOTAL SERVICES AND SUPPLIES</b>	<b>\$ 11,474.38</b>	<b>\$ 121,060.11</b>	<b>\$ 121,060.11</b>	<b>\$ 141,240.83</b>	<b>\$ 142,139.18</b>
<b>Total Operating Cost</b>	<b>\$ 29,088.35</b>	<b>\$ 522,098.75</b>	<b>\$ 529,542.69</b>	<b>\$ 728,661.18</b>	<b>\$ 631,981.64</b>
<b>Revenues - Operating Costs</b>	<b>\$ (13,251.35)</b>	<b>\$ 61,152.25</b>	<b>\$ 16,654.72</b>	<b>\$ (57,506.54)</b>	<b>\$ 0.00</b>
<b>Fund Balance</b>	<b>\$ (13,251.35)</b>	<b>\$ 61,152.25</b>	<b>\$ 1,350,389.48</b>	<b>\$ 1,292,882.93</b>	<b>\$ 1,292,882.93</b>

**Proposed FY 2023/2024 Balanced Budget**

Attachments: Resolution 23-1523  
Exhibit A Schedule of Fees



**RESOLUTION NO. 23-1523**

**BEFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION  
APPROVING THE FISCAL YEAR 2023 – 2024 FINAL OPERATING BUDGET**

WHEREAS, State Government Code Section 56381 states that, “The commission shall adopt annually, following noticed public hearings, a proposed budget by May 1 and final budget by June 15”; and,

WHEREAS, State Government Code Section 56381 also directs that, “At a minimum, the proposed and final budget shall be equal to the budget adopted for the previous fiscal year unless the commission finds that reduced staffing or program costs will nevertheless allow the commission to fulfill the purposes and programs...”; and,

WHEREAS, State Government Code Section 56381 also directs that, “The commission shall transmit its proposed and final budgets to the board of supervisors, to each city, and to each independent special district.”; and,

WHEREAS, State Government Code Section 56381 also directs that, “After public hearings, consideration of comments, and adoption of a final budget by the commission pursuant to subdivision (a), the auditor shall apportion the net operating expenses of a commission... In counties in which there is no independent special district representation on the commission, the county and its cities shall each provide a one-half share of the commission's operational costs”; and,

WHEREAS, it is San Joaquin LAFCo policy that, “the cities share is apportioned in proportion to each city’s population.”; and

WHEREAS, special districts are not participating in San Joaquin LAFCo pursuant to Section 56381 and do not contribute to the operating budget of San Joaquin LAFCo; and,

WHEREAS, on March 22, 2023, the LAFCo ad-hoc Budget Committee met and agreed that the proposed budget would be presented to the full Commission at the regularly scheduled April 13, 2023 meeting; and,

WHEREAS, on April 13, 2023, LAFCo held a public hearing on the preliminary budget and approved the preliminary budget with direction to bring back salaries and wages component of the budget.

WHEREAS, State Code of Regulations, CEQA Guidelines Section 15061(b)(3) provides that, “If it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” and,

NOW, THEREFORE, the San Joaquin Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

Section 1. There is no possibility that the Final FY 2023 – 2024 LAFCo Operating Budget will have a significant effect on the environment.

Section 2. The Final FY 2023 – 2024 Operating Budget as shown on Attachment 1 of this resolution, as amended, reflecting fund balance information as such information becomes available, is approved.

Section 3. Staff is directed to include a comprehensive salary study as part of the mid-year FY 2023/2024 budget review.

Section 4. There were unique staffing costs incurred during FY 2022 – 2023 that are not anticipated during FY 2023 – 2024 and that the Final 2023 – 2024 LAFCo Operating budget will allow the Commission to fulfill its purpose and work programs.

Section 5. The FY 2023/2024 Fee Schedule is hereby incorporated as Attachment 2 of this resolution.

PASSED AND ADOPTED this 8<sup>th</sup> day of June 2023 by the following roll call vote:

AYES:

NOES:

ABSENT:

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TOM PATTI, CHAIRMAN  
San Joaquin Local Agency  
Formation Commission

ATTEST:

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MITZI STITES, COMMISSION CLERK  
San Joaquin Local Agency Formation Commission

San Joaquin Local Agency Formation Commission  
 SCHEDULE OF FEES  
 FEES FOR PROCESSING APPLICATIONS AND CHARGES FOR SERVICES  
 (Effective Date 07/01/ 2023)

	City and County Fee	Special District Fee
<b>ANNEXATIONS AND DETACHMENTS</b>		
<b>Existing and New Development:</b>		
Under 3 Acres	\$ 2,405.80	\$ 4,811.60
3 to 10 Acres	\$ 3,849.28	\$ 7,698.56
10.1 to 20 Acres	\$ 4,019.78	\$ 8,039.56
20.1 to 40 Acres	\$ 4,818.92	\$ 9,637.84
40.1 to 80 Acres	\$ 5,625.39	\$ 11,250.78
80.1 to 120 Acres	\$ 6,429.76	\$ 12,859.52
120.1 to 240 Acres	\$ 7,242.50	\$ 14,485.01
240.1 to 500 Acres	\$ 8,054.20	\$ 16,108.40
500.1 to 1,000 Acres	\$ 8,852.30	\$ 17,704.60
Over 1,000.1 acres \$8,852.30 + per acre	\$ 8.42	\$ 16.84
<b>LEGAL SERVICES</b>		
<b>Required for all services.</b>	\$ 1,046.00	\$ 2,092.00
Principle	\$ 392.25	\$ 784.50
Associate	\$ 313.80	\$ 627.60
Paralegal	\$ 183.05	\$ 366.10
<b>OTHER ACTIONS</b>		
Proposals requiring Protest Proceedings	\$ 1,673.60	\$ 3,347.20
(Actual cost if Voter Election)		\$ -
Special District Formation	\$ 8,891.00	\$ 17,782.00
Consolidation, Merger, Subsidiary District	\$ 1,046.00	\$ 2,092.00
Addition of Services	\$ 2,615.00	\$ 5,230.00
Dissolution	No Charge	No Charge
Request for Reconsideration	\$ 1,569.00	\$ 3,138.00
Time Extension Request	\$ 418.40	\$ 836.80
Out-of-Agency Service for Designated Areas	\$ 2,615.00	\$ 5,230.00
Out-of-Agency Service per EDU	\$ 313.80	\$ 627.60
Sphere of Influence		\$ -
Amendment to a Municipal Service Review	\$ 2,615.00	\$ 5,230.00
New or Update for Cities	\$ 4,184.00	\$ 8,368.00
New or Update for Special Districts	\$ 1,673.60	\$ 3,347.20
Removal of Territory	\$ 2,615.00	\$ 5,230.00
Incorporation actual costs + filing fee	\$ 5,230.00	\$ 10,460.00
Comprehensive Fiscal Analysis actual + filing fee	\$ 5,230.00	\$ 10,460.00

	City and County Fee	Special District Fee
<b>Environmental Review</b>		
Lead Agency other than LAFCo:		
Review Environmental Impact Report	\$ 523.00	\$ 1,046.00
Review Negative Declaration	\$ 261.50	\$ 523.00
Review Exemption	\$ 156.90	\$ 313.80
LAFCo as Lead Agency		
Initial Study (Including Negative Declaration)	Actual Cost	Actual Cost
Preparation and processing of EIR	Actual Cost	Actual Cost
CEQA Exemption	\$ 313.80	\$ 627.60
State Department of Fish and Wildlife Fee (LAFCo lead Agency) includes County Clerk Processing Fee)		
Notice of Exemption	As Required by F&W	As Required by F&W
Negative Declaration	As Required by F&W	As Required by F&W
Environmental Impact Report	As Required by F&W	As Required by F&W
County Clerk Processing Fee	\$ 50.00	\$ 50.00
<b>Miscellaneous Fees and Charges</b>		
Boundary Map & Legal Description Checking (Make Check out to San Joaquin County Department of Public Works )		
	\$732.20 or 20% of LAFCo Fee	\$732.20 or 20% of LAFCo Fee
Special Commission Meeting	\$ 2,092.00	\$ 4,184.00
Staff Costs for Research, Technical Assistance, Mailing, Attendance at Meetings and unique/complex projects as determined by Commission		
Executive Officer per hour	\$ 198.74	\$ 397.48
LAFCo Clerk/Analyst per hour	\$ 167.36	\$ 334.72
Commission Clerk per hour	\$ 83.68	\$ 167.36
Meeting CD per CD	\$ 20.92	\$ 41.84
Document Copying per page	\$ 0.21	\$ 0.42
	Fee set by Registrar of Voters	Fee set by Registrar of Voters
Checking Sufficiency of Petition (per signature)	Actual Cost + 20%	Actual Cost + 20%
Outside Consultants hired by LAFCo	Actual Cost + 20%	Actual Cost + 20%
Meeting Transcript	Actual Cost + 20%	Actual Cost + 20%

1. Actual costs shall be determined by multiplying the documented actual hours by the hourly rate of salary plus benefits.

2. The Commission may waive or adjust processing fees upon a determination that the proposal would further the purposes of the Local Government Reorganization Act of 2000. Requests for fee waivers or adjustments must be submitted in writing to the Commission prior to the submittal of any application.
3. Processing and filing fees are due and payable upon filing of an application with LAFCo. No action shall be taken on any proposal or petition until appropriate fees have been paid.
4. Upon Commission approval, the Executive Officer may require fees based on actual cost for unique/complex projects.





Balancing Community and Commerce

44 N. SAN JOAQUIN STREET SUITE 374 STOCKTON, CA 95202 209-468-3198

**EXECUTIVE OFFICER’S REPORT**

June 8, 2023

TO: LAFCo Commissioners  
 FROM: J.D. Hightower, Executive Officer  
 SUBJECT: **ELECTION OF VICE-CHAIR**

At the beginning of each year, the Commission selects its Chair and Vice-Chair. Rotation of the Chair has traditionally been City-County-City-County-Public Member. Although this has been the usual order for selection, the Rules of the Commission policy does not specify the order of the rotation. If the Commission chooses to follow past practice, a County Member would serve as Chairperson and a City Member would serve as Vice Chairperson in 2023. At the January 12, 2023 Commission Meeting, Commissioner Lincoln, City Member, was chosen as Vice-Chair. Commissioner Lincoln’s term ended in May 2023. The Commission will need to elect a new Vice-Chair.

	<u>Chair</u>		<u>Vice-Chair</u>	
2015	Mike Maciel	City	Chuck Winn	County
2016	Chuck Winn	County	Doug Kuehne	City
2017	Doug Kuehne	City	Tom Patti	County
2018	Tom Patti	County	Peter Johnson	Public
2019	Peter Johnson	Public	Jesus Andrade	City
2020	Jesus Andrade	City	Miguel Villapudua	County
2021	Miguel Villapudua	County	David Breitenbucher	City
2022	David Breitenbucher	City	Tom Patti	County
2023	Tom Patti	City	Kevin Lincoln	City



Balancing Community and Commerce

44 N. SAN JOAQUIN STREET SUITE 374 STOCKTON, CA 95202 209-468-3198

## EXECUTIVE OFFICER'S REPORT

June 8, 2023

TO: LAFCo Commissioners

FROM: J.D. Hightower, Executive Officer

SUBJECT: **SELECTION OF ALTERNATE PUBLIC MEMBER**

As directed by the Commission at the February 2023 Commission Meeting, the Executive Officer issued a press release and posted announcements that applications were being accepted for the Alternate Public Member seat. The application deadline was set for March 20, 2023.

On March 23, 2023, the Sub-Committee met to evaluate the applications and the three most qualified applicants were selected to be presented to the Commission. The Commission is expected to interview the three (3) applicants and make an appointment to fill the Alternate Public Member seat.

The applicants have been sent the attached questions. The six (6) interview questions are anticipated to take approximately ten (10) minutes to complete interview. At the conclusion of the third interview, the Commission will appoint an applicant for the Alternate Public Member position.

The three (3) applicants for Alternate Public Member are:

- 1) Gary Cooper
- 2) Ravdeep (aka Rex) Dhatt
- 3) Alexander Levy

Attachments: Alternate Public Member Interview Questions  
Alternate Public Member Applications

## ALTERNATIVE PUBLIC MEMBER INTERVIEW QUESTIONS

NAME OF APPLICANT: \_\_\_\_\_

1. What is your understanding of LAFCo's function and responsibility in San Joaquin County?
2. Briefly describe your background and experience that would make you a good candidate for the LAFCo Alternate Public Member.
3. What motivates you to consider public service as a member of LAFCo?
4. Do you have time constraints that would prevent you from attending LAFCo on a regular basis, or from spending the time necessary before meetings to review, at time extensive, materials provided as a part of the agenda packets?
5. If appointed as the Alternate Public Member of the Commission, are you aware of any current activities, interest, or associations of yours that might conflict with your unbiased service on LAFCo? Please explain how you would resolve any apparent conflicts.
6. What would you identify as the most significant issues facing San Joaquin LAFCo in the next several years?

**APPLICATION FOR ALTERNATE PUBLIC MEMBER  
ON THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION**

Name: Gary Cooper

Telephone: \_\_\_\_\_

Residence  
Address: \_\_\_\_\_

Business  
Address: \_\_\_\_\_

Occupation: \_\_\_\_\_

Please state briefly your reason for wanting to serve on this Commission:

As a resident of the county for over twenty years, I have seen a significant amount of growth. I understand how important it is to properly manage growth, jurisdictional boundaries, and how special districts – both dependent and independent – play an important role in providing services to county residents.

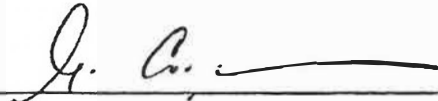
Please state briefly your experience which you feel will be helpful when you serve on this Commission:

As a former member of the county civil grand jury (three terms), I had the privilege of looking into several LAFCo reports, including those reports detailing MSRs and SOI. While I am sure there is much more I would learn as a LAFCo Commissioner, the experience I have will enable me to quickly grasp the methods and procedures of this Commission.

Other information you would like to submit (A resume may be attached if you wish):

I currently serve as Chair of the Transportation Advisory Commission for the City of Tracy (I understand I would be required to resign this position if I am appointed to the LAFCo Commission). Please see attached.

Applicants must be a County resident. No person as an Alternate Public Member shall be an officer or employee of the County or any City or special district at the time of appointment. Return application by March 20, 2023 to San Joaquin LAFCo.



SIGNATURE

March 17, 2023

DATE

# GARY COOPER

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## EXPERIENCE

**JANUARY 1978 – MARCH 2018**

OPERATIONS MANAGEMENT, UPS

Transportation Supervisor/Manager. Responsible for commercial operators training and regulatory compliance.

**MARCH 2022 – CURRENT**

BOARD OF DIRECTORS, HOSPICE OF SAN JOAQUIN COUNTY

**APRIL 2019 – CURRENT**

TRANSPORTATION COMMISSIONER – CITY OF TRACY (CHAIR)

**JUNE 2022 – CURRENT**

SAN JOAQUIN COUNTY CHAPTER OF THE CALIFORNIA GRAND JUROR'S ASSOCIATION (PRESIDENT)

## EDUCATION

**JULY 2005**

MA, ORGANIZATIONAL MANAGEMENT UNIVERSITY OF PHOENIX

Sacramento Campus



APPLICATION FOR ALTERNATE PUBLIC MEMBER  
ON THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION

Name: RAUDEEP S DHATT (REX)

Telephone: \_\_\_\_\_  
(Residence) \_\_\_\_\_ (Business)

Residence Address: \_\_\_\_\_

Business Address: \_\_\_\_\_

Occupation: FARMER / BUSINESS

Please state briefly your reason for wanting to serve on this Commission:

MY INTEREST IN JOINING LAFCO IS MY APPRECIATION FOR THE CRITICAL ROLE LAFCO PLAYS IN APPROVING PROPOSED JURISDICTION BOUNDARY CHANGES, INCLUDING ANNEXATIONS AND DETACHMENTS OF TERRITORY TO AND/OR FROM CITIES; INCORPORATION OF NEW CITIES & SPECIAL DISTRICTS.  
Please state briefly your experience which you feel will be helpful when you serve on this Commission:

I HAVE LIVED IN SAN JOAQUIN COUNTY FOR 40 YEARS. HAVE OWNED NUMEROUS BUSINESS AND AM A LANDOWNER AND FARMER IN THE COUNTY SO KNOW ABOUT BOTH THE DEVELOPMENT ASPECT & CONSERVATION SIDE.

Other information you would like to submit (A resume may be attached if you wish):

HAVE 3 CHILDREN AND AM HOPING THAT SAN JOAQUIN COUNTY IS WHERE THEY SETTLE AND DONT MOVE TO OTHER COUNTIES. WOULD LIKE THE COUNTY TO THRIVE WITH A BALANCE AND NOT BE OVER DEVELOPED.

Applicants must be a County resident. No person appointed as an Alternate Public Member shall be an officer or employee of the County or any City or special district at the time of appointment. Return application by March 20, 2023 to San Joaquin LAFCo.

Raudeep Singh Dhatt  
SIGNATURE

8/10/2023  
Date



## LAFCo Application Questions

**Please state briefly your reason for wanting to serve on this Commission:**

I am interested in serving on LAFCo because I believe that my unique skills and extensive experience directly aligns with the Commission's objectives. As a real estate professional with a commercial and residential background, I have experience in various feasibility studies and project management. I also understand the importance of conducting market research and proper due diligence that results in sound, calculated decision-making.

Also, my experience on the project management side regarding regulatory issues has given me a strong understanding of the legal and policy frameworks that underscore these responsible decisions. I believe that this knowledge will be particularly valuable when working at LAFCo to perform its regulatory duties.

Additionally, as someone who is well-connected within the local community and with local community leaders, I am committed to ensuring that the Central Valley's local and small businesses are supported and empowered. I believe that growth is inevitable, but it must be managed in a way that aligns with the public good and maintains the Central Valley's core principles.

Overall, I am passionate about using my skills and experience to serve the community and make a positive impact on the Central Valley's economic development. I believe that serving on LAFCo would allow me to do so in a meaningful way.

**Please state briefly your experience which you feel will be helpful when you serve on this Commission:**

I believe my experience growing up in Ripon and being a resident of the Central Valley for over 25 years gives me a strong understanding of the local community and its needs. Additionally, my degree in political science and economics from UCLA provides me with a strong foundation in policy analysis and decision-making.

My commercial and residential real estate experience, coupled with prior work with local investors, gives me a practical understanding of the real estate market and the challenges that come with it. This local access will be extremely valuable in evaluating proposals and making recommendations on land use and zoning issues.

My diverse background and experience, provide me with a unique perspective that I believe will be beneficial to the local community and its residents, while serving on LAFCo.



Superior Court of California  
San Joaquin County  
Civil Grand Jury

180 E. Weber Avenue, Suite 1114  
Stockton, CA 95202

April 3, 2023

Supervisor Tom Patti  
District 3  
44 North San Joaquin Street  
Sixth Floor, Ste. 627  
Stockton, CA 95202

Supervisor Tom Patti,

The 2022 -2023 SJC Grand Jury is requesting your assistance. We are in the process of completing the follow up to the 2020 -2021 Grand Jury report Independent Special Districts: Transparency "Not Found" Case #0220 (which is included in this correspondence). The 2021 - 2022 follow up report to the original listed the following recommendations and agency responses:

**2020-2021 Grand Jury Recommendation R2.1:** By March 31, 2022, LAFCO work with the San Joaquin County Information Systems Division (SJ-IS) to create a webpage on the LAFCO website that lists within the boundaries of the county and provide a link to a standard summary page for each district.

**Agency Response: Agree.** *By March 31, 2022, LAFCO will work with the San Joaquin Information Systems Division to create a web page on the LAFCO website that list all the independent special districts within the boundaries of the county and provide a link to a standard summary page for each district.*

**2020-2021 Grand Jury Recommendation R2.2:** By March 31, 2022, on the summary webpage for each district, LAFCO provide at least the following information:

- A link to the independent special district's website;
- A link to a map of the district's boundaries;
- A link to all past Municipal Service Reviews that are available online;
- A link to the most recent Sphere of the Influence study; and
- Formation date and description of the district.

**Agency Response: Agree.** *By March 31, 2022, LAFCO will create a summary webpage for each district consisting of all information recommended above for independent and dependent districts.*

**2020-2021 Grand Jury Recommendation R2.3:** By March 31, 2022, LAFCO work with the county on this summary page to also include summary information from any county department which has information on the referenced independent special district. This would include such as recent audits from the Auditor-Controller's Office, current elections from the Registrar of Voters, and the board of Supervisors' special district board member appointments from the Clerk of the Board.

**Agency Response: Agree.** *By March 31, 2022, in collaboration with county departments that have information on the special districts, LAFCO will include in its standard summary page for each independent special districts, LAFCO will include in its standard summary page for each independent special district, the recent audits, current election information, and board member appointments when provided by those county departments.*

Unfortunately, two years have passed since the original report was released, and one year has lapsed since LAFCO agreed to the recommendations and promised their implementation. We understand that you Chair the LAFCO Board and are looking for your assistance in working with Mr. J.D. Hightower in implementing these recommendations. We highly recommend that Mr. J.D. Hightower contact Mr. Mark Thomas, ISD Director of San Joaquin County, who has offered to assist in updating all Independent Special District's websites. We understand that LAFCO has suffered from employee turnovers and short staffing and that, at least partially, explains the delays in compliance.

We have every confidence that you, working alongside Mr. J.D. Hightower, will bring the website into compliance with SB 929 and SB272, thereby ensuring public access to dependable, complete and transparent information.

Please let us know if the Grand Jury can assist you with this issue.

Respectfully,

  
Louis Meyer, Foreperson  
2022-2023 San Joaquin County Civil Grand Jury





May 5, 2023



**To:** Local Agency Formation Commission  
Members and Alternate Members

**From:** Wendy Root Askew, Committee Chair  
CALAFCO Board Election Committee  
CALAFCO Board of Directors

**RE: Nomination Period Now Open for 2023/2024 CALAFCO Board of Directors**

Nominations are now open for the fall elections of the CALAFCO Board of Directors for the following seats:

CENTRAL REGION	COASTAL REGION	NORTHERN REGION	SOUTHERN REGION
City Member Public Member	City Member Public Member	County Member District Member	County Member District Member

Please inform your Commission that the CALAFCO Election Committee will be accepting nominations for the above-cited seats until:

**MONDAY, SEPTEMBER 18, 2023 at 5:00 PM**

Serving on the CALAFCO Board is a unique opportunity to work with other commissioners throughout the state on legislative, fiscal, and operational issues that affect us all. The Board meets four to five times each year, with half of the meetings currently held virtually and the rest being held at alternate sites around the state.

Board seats span a two-year term, with no term limits, and any LAFCo commissioner or alternate commissioner is eligible to run for a Board seat. Elections are conducted during Regional Caucuses at the CALAFCO Annual Conference prior to the Annual Membership Meeting on Thursday, October 19, 2023 at the Hyatt Regency Hotel in Monterey, California.

*Should your Commission nominate a candidate, please return a completed Nomination Form and Candidate's Résumé Form by the deadline.*



**Please note that completed nomination forms and all materials must be RECEIVED by the CALAFCO Executive Director no later than **Monday, September 18, 2023 at 5:00 p.m.****

Returning the completed nomination and resume forms prior to the deadline ensures your nominee is placed on the ballot. Names will be listed in the order nominations were received.

Electronic filing of nomination forms is **highly encouraged** to facilitate the recruitment process (please email to [info@calafco.org](mailto:info@calafco.org)). However, hard copy forms and materials may also be mailed to:

CALAFCO Election Committee c/o Executive Director  
California Association of Local Agency Formation Commissions  
1129 Firehouse Alley  
Sacramento, CA 9581

Nominations received by the September 18th deadline will be included in the Election Committee's Report and will be on the ballot. The Report will be distributed to LAFCo members no later than October 5, 2023, with ballots made available to Voting Delegates at the Annual Conference.

Nominations received after the deadline will be returned; however, nominations may be made from the floor during the Regional Caucuses or during at-large elections, if required, at the Annual Membership Meeting.

For those member LAFCos who cannot send a representative to the Annual Meeting, an electronic ballot will be made available *if requested in advance*. **Ballot requests must also be received no later than 5:00 pm on Monday, September 18, 2023, with completed absentee ballots returned by 5:00 p.m. on Thursday, October 12, 2023.**

#### NOMINATION/ELECTION PROCESS DEADLINES AND TIMELINES

- **May 5** – Nomination Announcement and packet sent to LAFCo membership and posted on the CALAFCO website.
- **September 18** – Completed Nomination packet due
- **September 18** – Request for an absentee/electronic ballot due
- **September 18** – Voting delegate name due to CALAFCO
- **October 5** – Distribution of the Election Committee Report (includes all completed/submitted nomination papers)
- **October 5** – Distribution of requested absentee/electronic ballots.
- **October 12** – Absentee ballots due to CALAFCO
- **October 19** - Elections

If you have any questions about the election process, please contact CALAFCO Executive Director René LaRoche at rlaroche@calafco.org or by calling 916-442-6536.

Members of the 2023/2024 CALAFCO Election Committee are:

Wendy Root Askew, Chair  
district4@co.monterey.ca.us

Monterey LAFCo (Coastal Region)  
831-883-7570

Rodrigo Espinosa  
Rodrigo.Espinosa@countyofmerced.com

Merced LAFCo (Central Region)  
209-398-4340

Derek McGregor  
dmcgregor@dmceng.com

Orange Co. LAFCo (Southern Region)  
530-538-6834

Josh Susman  
jsusman@calafco.org

Nevada LAFCo (Northern Region)  
530-559-1725

Additionally, you will also find attached for your reference a copy of the CALAFCO Board of Directors Nomination and Election Procedures, as well as the current listing of Board Members and corresponding terms of office.

*I sincerely hope that you will consider joining us!*

Enclosures

## Board of Directors Nomination and Election Procedures and Forms

The procedures for nominations and election of the CALAFCO Board of Directors [Board] are designed to assure full, fair and open consideration of all candidates, provide confidential balloting for contested positions and avoid excessive demands on the time of those participating in the CALAFCO Annual Conference.

The Board nomination and election procedures shall be:

### 1. APPOINTMENT OF AN ELECTION COMMITTEE:

- a. Following the Annual Membership Meeting the Board shall appoint an Election Committee of four members of the Board. The Election Committee shall consist of one member from each region whose term is not ending.
- b. The Board Chair shall appoint one of the members of the Election Committee to serve as Committee Chair. The CALAFCO Executive Director shall either serve as staff to the Election Committee or appoint a CALAFCO regional officer to serve as staff in cooperation with the Executive Director.
- c. Each regional officer shall serve as staff liaison to the Election Committee specifically to assist in conducting the election as directed by the Executive Director and Committee.
- d. Goals of the Committee are to encourage and solicit candidates by region who represent member LAFcos across the spectrum of geography, size, and urban-suburban-rural population, and to provide oversight of the elections process.

### 2. ANNOUNCEMENT TO ALL MEMBER LAFcos:

- a. No later than four months prior to the Annual Membership Meeting, the Election Committee Chair shall send an announcement to each LAFco for distribution to each commissioner and alternate. The announcement shall include the following:
  - i. A statement clearly indicating which offices are subject to the election.
  - ii. A regional map including LAFcos listed by region.
  - iii. The specific date by which all nominations must be received by the Election Committee. The deadline shall be no later than 30 days prior to the opening of the Annual Conference. Nominations received after the closing date shall be returned to the proposing LAFco marked "Received too late for Election Committee action."
  - iv. The names of the Election Committee members and the name of their LAFco, regional representation, email address and phone number. The name, email address and phone number of the Executive Director shall also be included.
  - v. The email address and physical address to send the nominations forms.
  - vi. A form for a Commission to use to nominate a candidate and a candidate resume form of no more than one page each to be completed for each nominee.
  - vii. The specific date by which all voting delegate names are due.
  - viii. The specific date by which absentee ballots must be requested, the date CALAFCO will

#### Key Timeframes for Nominations Process

Days*	
120	Nomination announcement
30	Nomination deadline
14	Committee report released

\*Days prior to annual membership meeting

distribute the absentee ballots, and the date by which they must be received by the Executive Director.

- b. A copy of these procedures shall be posted on the web site.

### 3. THE ELECTION COMMITTEE:

- a. The Election Committee and the Executive Director have the responsibility to monitor nominations and help assure that there are adequate nominations from each region for each seat up for election. No later than two weeks prior to the Annual Conference, the Election Committee Chair shall distribute to the members the Committee Report organized by regions, including copies of all nominations and resumes, which are received prior to the end of the nomination period.
- b. At the close of the nomination period, the Election Committee shall prepare regional ballots. Each region will receive a ballot specific to that region. Each region shall conduct a caucus at the Annual Conference for the purpose of electing their designated representatives. Caucus elections must be held prior to the annual membership meeting at the Conference. The assigned regional officers along with a member of the Election Committee shall tally ballots at each caucus and provide the Election Committee the names of the elected Board members and any open seats. In the event of a tie, the regional officer and Election Committee member shall immediately conduct a run-off ballot of the tied candidates.
- c. Make available sufficient copies of the Committee Report for each Voting Delegate by the beginning of the Annual Conference. Only the designated Voting Delegate, or the designated Alternate Voting Delegate shall be allowed to pick up the ballot packet at the Annual Conference.
- d. Make available blank copies of the nomination forms and resume forms to accommodate nominations from the floor at either the caucuses or the annual meeting (if an at-large election is required).
- e. Advise the Executive Director to provide "CANDIDATE" ribbons to all candidates attending the Annual Conference.
- f. Advise the Executive Director to provide "VOTING DELEGATE" ribbons to all voting delegates attending the Annual Conference.
- g. Post the candidate statements/resumes organized by region on a bulletin board or other easily accessible location near the registration desk.
- h. Regional elections shall be conducted as described in Section 4 below. The representative from the Election Committee shall serve as the Presiding Officer for the purpose of the caucus election and shall be assisted by a regional officer from a region other than their own, as assigned by the Executive Director
- i. Following the regional elections, in the event that there are open seats for any offices subject to the election, the Election Committee Chair shall notify the Chair of the Board of Directors that an at-large election will be required at the annual membership meeting and to provide a list of the number and category of seats requiring an at-large election.

### 4. ELECTRONIC BALLOT FOR LAFCO IN GOOD STANDING NOT ATTENDING ANNUAL MEETING

Limited to the elections of the Board of Directors

- a. Any LAFCo in good standing shall have the option to request an electronic ballot if there will be no representative attending the annual meeting.
- b. LAFCos requesting an electronic ballot shall do so in writing to the Executive Director no later than 30 days prior to the annual meeting.

- c. The Executive Director shall distribute the electronic ballot no later than two weeks prior to the annual meeting.
- d. LAFCo must return the ballot electronically to the Executive Director no later than three working days prior to the annual meeting.
- e. LAFCos voting by electronic ballot may discard their electronic ballot if a representative is able to attend the annual meeting.
- f. LAFCos voting under this provision may only vote for the candidates nominated by the Election Committee as noted on the ballot and may not vote in any run-off elections.

**5. AT THE TIME FOR ELECTIONS DURING THE REGIONAL CAUCUSES OR ANNUAL MEMBERSHIP MEETING:**

- a. The Presiding Officer shall:
  - i. Review the election procedure with the membership of their region.
  - ii. Present the Election Committee Report (previously distributed).
  - iii. Call for nominations from the floor by category for those seats subject to this election:
    - 1. For city member.
    - 2. For county member.
    - 3. For public member.
    - 4. For special district member.
- b. To make a nomination from the floor, a LAFCo, which is in good standing, shall identify itself and then name the category of vacancy and individual being nominated. The nominator may make a presentation not to exceed two minutes in support of the nomination.
- c. When there are no further nominations for a category, the Presiding Officer shall close the nominations for that category.
- d. The Presiding Officer shall conduct a "Candidates Forum". Each candidate shall be given time to make a brief statement for their candidacy. If a candidate is absent from the regional caucus, they may ask someone in their region to make a brief statement on their behalf.
- e. The Presiding Officer shall then conduct the election:
  - i. For categories where there are the same number of candidates as vacancies, the Presiding Officer shall:
    - 1. Name the nominees and offices for which they are nominated.
    - 2. Call for a voice vote on all nominees and thereafter declare those unopposed candidates duly elected.
  - ii. For categories where there are more candidates than vacancies, the Presiding Officer shall:
    - 1. Poll the LAFCos in good standing by written ballot.
    - 2. Each LAFCo in good standing may cast its vote for as many nominees as there are vacancies to be filled. The vote shall be recorded on a tally sheet.



3. Any ballots submitted electronically for candidates included in the Election Committee Report shall be added to the tally.
  4. With assistance from the regional officer, tally the votes cast and announce the results.
- iii. Election to the Board shall occur as follows:
1. A majority of the total number of LAFCoS in a given region are required for a quorum. Returned absentee ballots shall count towards the total required for a quorum.
  2. The nominee receiving the majority of votes cast is elected.
  3. In the case of no majority, the two nominees receiving the two highest number of votes cast shall face each other in a run-off election. Electronic ballots are not included in the tally for any run-off election(s).
  4. In case of tie votes:
    - a. A second run-off election shall be held with the same two nominees.
    - b. If there remains a tie after the second run-off, the winner shall be determined by a draw of lots.

## 6. ADDITIONAL PROCEDURES

- a. For categories where there are more candidates than vacancies, names shall be listed on the ballot in the order the nomination was received and deemed complete.
- b. The Election Committee Chair shall announce and introduce all Board Members elected during the Regional Caucuses at the annual business meeting.
- c. In the event that Board seats remain unfilled after a Regional Caucus, an election will be held immediately at the annual business meeting to fill the position at-large. Nominations will be taken from the floor and the election process will follow the procedures described in Section 4 above. Any commissioner or alternate from a member LAFCo may be nominated for at-large seats.
- d. Seats elected at-large become subject to regional election at the expiration of the term. Only representatives from the region may be nominated for the seat.
- e. As required by the Bylaws, the members of the Board shall meet as soon as possible after election of new Board members for the purpose of electing officers, determining meeting places and times for the coming year, and conducting any other necessary business.

## 7. LOSS OF ELECTION IN HOME LAFCO

Board Members and candidates who lose elections in their home office shall notify the Executive Director within 15 days of the certification of the election.

## 8. FILLING BOARD VACANCIES

Vacancies on the Board of Directors may be filled by appointment by the Board for the balance of the unexpired term. Appointees must be from the same category as the vacancy, and should be from the same region.

# CALAFCO's Four Regions



The counties in each of the four regions consist of the following:

**Northern Region**

Butte  
Colusa  
Del Norte  
Glenn  
Humboldt  
Lake  
Lassen  
Mendocino  
Modoc  
Nevada  
Plumas  
Shasta  
Sierra  
Siskiyou  
Sutter  
Tehama  
Trinity  
Yuba

**CONTACT:** Steve Lucas  
Butte LAFCo  
slucas@buttecounty.net

**Southern Region**

Orange  
Los Angeles  
Imperial  
Riverside  
San Bernardino  
San Diego

**CONTACT:** Gary Thompson  
Riverside LAFCo  
gthompson@lafco.org

**Coastal Region**

Alameda  
Contra Costa  
Marin  
Monterey  
Napa  
San Benito  
San Francisco  
San Luis Obispo  
San Mateo  
Santa Barbara  
Santa Clara  
Santa Cruz  
Solano  
Sonoma  
Ventura

**CONTACT:** Dawn Longoria  
Napa LAFCo  
dlongori@napa.lafco.ca.gov

**Central Region**

Alpine  
Amador  
Calaveras  
El Dorado  
Fresno  
Inyo  
Kings  
Madera  
Mariposa  
Merced  
Mono  
Placer  
Sacramento  
San Joaquin  
Stanislaus  
Tulare  
Tuolumne  
Yolo

**CONTACT:** José Henriquez  
Sacramento LAFCo  
henriquezj@saccounty.net

## CURRENT BOARD MEMBERS AND TERMS

NAME	REGION	TYPE & TERM
Bill Connelly, <b>Chair</b>	Butte <i>Northern</i>	County (2023)
Rodrigo Espinosa	Merced <i>Central</i>	County (2024)
Blake Inscore	Del Norte <i>North</i>	City (2024)
Gay Jones	Sacramento <i>Central</i>	District (2024)
Michael Kelley	Imperial <i>Southern</i>	County (2023)
Debra Lake	Humboldt <i>Northern</i>	District (2023)
Jo MacKenzie	San Diego <i>Southern</i>	District (2023)
Michael McGill	Contra Costa <i>Coastal</i>	District (2024)
Derek McGregor	Orange <i>Southern</i>	Public (2024)
Margie Mohler, <b>Vice Chair</b>	Napa <i>Coastal</i>	City (2023)
Anita Paque	Calaveras <i>Central</i>	Public (2023)
Daniel Parra	Fresno <i>Central</i>	City (2023)
Wendy Root Askew	Monterey <i>Coastal</i>	County (2024)
Shane Stark	Santa Barbara <i>Coastal</i>	Public (2023)
Josh Susman	Nevada <i>Northern</i>	Public (2024)
Acquanetta Warren, <b>Treasurer</b>	San Bernardino <i>Southern</i>	City (2024)

Date Received

CALIFORNIA ASSOCIATION OF  
LOCAL AGENCY FORMATION  
COMMISSIONS



## Board of Directors

### **2023/2024 Nomination Form**

*(Must accompany the Candidate Résumé Form)*

### ***Nomination to the CALAFCO Board of Directors***

In accordance with the Nominations and Election Procedures of CALAFCO,

\_\_\_\_\_ LAFCo of the \_\_\_\_\_ Region

Nominates \_\_\_\_\_

for the (check one)     City     County     Special District     Public

Position on the CALAFCO Board of Directors to be filled by election at the next Annual Membership Meeting of the Association.

\_\_\_\_\_  
LAFCo Chair

\_\_\_\_\_  
Date

#### **NOTICE OF DEADLINE**

Nomination Packets must be received by **September 18, 2023 at 5:00 p.m.** to be considered by the Election Committee.

Send completed nominations to  
[info@calafco.org](mailto:info@calafco.org)

Or, mail to:

CALAFCO Election Committee  
CALAFCO  
1129 Firehouse Alley  
Sacramento, CA 95814



Date Received  
\_\_\_\_\_

CALIFORNIA ASSOCIATION OF  
LOCAL AGENCY FORMATION  
COMMISSIONS



**Board of Directors**  
**2023/2024 Candidate Résumé Form**  
**(Complete both pages)**

Nominated By: \_\_\_\_\_ LAFCo Date: \_\_\_\_\_

Region (please check one):  Northern  Coastal  Central  Southern

Category (please check one):  City  County  Special District  Public

Candidate Name \_\_\_\_\_

Address \_\_\_\_\_

Phone Office \_\_\_\_\_ Mobile \_\_\_\_\_

e-mail \_\_\_\_\_

Personal and Professional Background:

LAFCo Experience:

CALAFCO or State-level Experience:

Availability:

Other Related Activities and Comments:

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