



Balancing Community and Commerce

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

## MEETING AGENDA

THURSDAY, OCTOBER 10, 2024, 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

### CONSENT ITEMS

1. SUMMARY OF MINUTES OF SEPTEMBER 12, 2024  
*(Possible Discussion and Possible Action by All Members)*  
Approve Summary Minutes of the Regular Meeting.

### PUBLIC HEARING

2. MARIPOSA INDUSTRIAL PARK 1 – PHASE 2 REORGANIZATION TO THE CITY OF STOCKTON  
*(Possible Discussion and Possible Action by Regular Voting Members)*  
Request to annex approximately 6.29 acres to the City of Stockton

### PUBLIC COMMENTS

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

Public Comments on matters within the jurisdiction of the San Joaquin Local Agency Formation Commission that are not listed on the Agenda. Please no personal attacks.

Written public comments will not be read during the Public Comment period. Written public comments submitted prior to the meeting will be routed to the Commission. All written public will be made part of the official record on file.

### EXECUTIVE OFFICER COMMENTS

4. Comments from the Executive Officer

**COMMISSIONER COMMENTS**

- 5. Comments, Reports, or Questions from the LAFCO Commissioners

**ADJOURNMENT**

\* \* \* \*

**DISCLOSURE OF BUSINESS OR CAMPAIGN CONTRIBUTIONS TO COMMISSIONERS**

Government Code Section 84308 requires that a Commissioner (regular or alternate) disqualify herself or himself and not participate in a proceeding involving an "entitlement for use" application if, within the last twelve months, the Commissioner has received **\$250 or more in business or campaign contributions from an applicant, an agent of an applicant, or any financially interested person who actively supports or opposes a decision on the matter.** A LAFCo decision approving a proposal (e.g., for an annexation) will often be an "entitlement for use" within the meaning of Section 84308. Sphere of Influence determinations are exempt under Government Code Section 84308.

If you are an applicant or an agent of an applicant on such a matter to be heard by the Commission and if you have made business or campaign contributions totaling \$250 or more to any Commissioner in the past twelve months, Section 84308(d) requires that you disclose that fact for the official record of the proceeding. The disclosure of any such contribution (including the amount of the contribution and the name of the recipient Commissioner) must be made either: 1) In writing and delivered to the Secretary of the Commission prior to the hearing on the matter, or 2) By oral declaration made at the time the hearing on the matter is opened. Contribution disclosure forms are available at the meeting for anyone who prefers to disclose contributions in writing.

# Agenda Item 1



Balancing Community and Commerce

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## **SUMMARY MINUTES** **September 12, 2024**

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

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

MEMBERS PRESENT: Commissioners Breitenbucher, Diallo, Patti, Villapudua, and Chairman Johnson

MEMBERS ABSENT: None

ALTERNATE MEMBERS PRESENT: Commissioners Dhatt, Ding and Barton

ALTERNATE MEMBERS ABSENT: None

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

### **CONSENT ITEMS**

The Chairman introduced Agenda Item No. 1, Summary of Minutes.

Chairman Johnson opened the floor to Commissioner Comments.

No Comments were made.

Chairman Johnson opened the floor to Public Comments.

No Comments were made.

A motion was made by Commissioner Villapudua and seconded by Commissioner Breitenbucher, to approve the Consent Items.

Chairman Johnson asked for a Roll Call Vote:

Ayes: Commissioners Breitenbucher, Diallo, Dhatt, Ding, Patti Villapudua, and Chairman Johnson

Noes: None

Abstain: None

## **PUBLIC HEARING**

2. SINGH PETROLEUM REORGANIZATION TO THE CITY OF LATHROP  
*(Possible Discussion and Possible Action by Regular Voting Members)*  
 Request to annex approximately 21.7 acres to the City of Lathrop

J.D. Hightower, Executive Officer, presented a PowerPoint presentation on the Singh Petroleum Reorganization to the city of Lathrop project. The proposed project would provide annexation of 21.7 acres to San Joaquin County Community

Staff recommends approval of three (3) separate resolutions, in sequential order with the LAFCo Executive Officer alternative proposal for a Sphere of Influence Adjustment and Alternative Boundary Reorganization being dependent on the Commission's approval of the City proposed Singh Petroleum Reorganization to the City of Lathrop:

1. Approval of the Singh Petroleum reorganization to the City of Lathrop as requested by the City including 169 W. Manila Road (APN 191-250-06) and 11293 S. Manthey Road (APN 191-250-14).
2. Approval of a 9.10-acre Sphere of Influence Amendment to the City of Lathrop including 7.03 acres at 11591 S. Manthey (APN 191-250-07) and associated 2.07 acres of Manila Road and S Manthey Road right-of-way (r-o-w).
3. Approval of a resolution Pre-zoning of the LAFCo Alternative Boundary to City of Lathrop zoning of Highway Commercial (CH), and annexation of three additional properties to the City of Lathrop identified as the LAFCo Alternative Reorganization Boundary 11401 S. Manthey Road (APN 191-250-09), 11471 S. Manthey Road (APN 191-250-07); and 11555 S. Manthey Road (APN 191-250-10).

Chairman Johnson opened the floor to Commissioners Comments

Commissioner Patti asked for more clarification on the third portion of this project, approving the LAFCo alternative boundary to be included with the Singh Petroleum Reorganization to the City of Lathrop including annexation of 13.95 additional acres at 11401 S. Manthey Road (APN 191-250-09), 11491 S. Manthey Road (APN 191-250-07) and 11555 S. Manthey Road (APN 191-250-10) and 2.09 acres of associated S. Manthey Road and Roth road right-of-way; pre-zoning of parcels to highway commercial (CH); and detachment from County Road District 3.

Commissioner Patti stated he wanted to see the completed Fiscal Analysis for these parcels before the Commission approved this portion of the reorganization.

Rick Caguiat, the Director of Community Development for the City of Lathrop, expressed his gratitude to the staff and outlined the reasons for the annexation into the city. He explained that the city will provide essential services such as water, sewer, and storm drainage to support the development of the facility.

Mike Hakeem, Attorney, for Singh Petroleum addressed the Commission.

Doug Rishwain, Attorney, represents Lisa Aquino and Aquino family addressed the Commission.

Chairman Johnson opened Public Comments.

No Comments were made.

Chairman Johnson closed the Public Comments.

Chairman Johnson asked the Commission if they had any further comments.

Commissioner Patti inquired if the third portion of this project be put on hold, would that have any impact on the Singh Reorganization to the City of Lathrop.

J.D. Hightower, Executive Office, stated that waiting to approve the third portion of this project would not effect the rest of the Singh Reorganization. Mr. Hightower suggested that the Commission waive the fees for the Aquino Family when this portion of the project come back before the Commission.

Commissioner Patti made motion and Commissioner Diallo seconded the motion to approve Resolution No. 24-1541 approving the Singh Petroleum Reorganization to the City of Lathrop including approximately 22.42 acres of territory at 169 W. Manila Road (APN 191-250-06) and 11293 S. Manthey Road (APN 191-250-14), pre-zoning of territory to highway commercial (CH) annexation to the City of Lathrop and Detachment from county road district 3 (LAFC 20-24).

Chairman Johnson asked for a Roll Call Vote:

Ayes: Commissioners Breitenbucher, Diallo, Dhatt, Ding, Patti Villapudua, and Chairman Johnson

Noes: None

Abstain: None

Commissioner Patti made motion and Commissioner Diallo seconded the motion to approve Resolution No. 24-1542 approving a sphere of influence amendment adding 7.03 acres to the City of Lathrop sphere of influence at 11591 S. Manthey Road (APN 191-250-07)

Chairman Johnson asked for a Roll Call Vote:

Ayes: Commissioners Breitenbucher, Diallo, Dhatt, Ding, Patti Villapudua, and Chairman Johnson

Noes: None

Abstain: None

Chairman Johnson instructed staff to waive the annexation fees for the Aquino property upon completion of the financial analysis report.

### **DISCUSSIONS ITEMS**

#### **3. PRESENTATION ON BUDGET APPROPRIATION- MOVING EXPENSES**

Presentation will include expenditure line-item adjust



J.D. Hightower, Executive Officer, presented a PowerPoint presentation on LAFCo relocating their office.

Chairman Johnson opened the floor to Commissioner Comments.

The Commission discussed the reasons on why LAFCo needs to relocate. Safety is the number one reason to move. The Commission directed Mr. Hightower, Executive Officer, to send a letter to both the Board of Supervisors and the Mayor of Stockton stating that a government agency no longer feels safe in Downtown Stockton and are moving to another location.

Chairman Johnson opened the floor to Public Comments.

Bob Benz addressed the Commission.

Chairman closed Public Comments.

#### **PUBLIC COMMENTS**

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

No one came forward.

#### **EXECUTIVE OFFICER COMMENTS**

5. No comments

#### **COMMISSIONER COMMENTS**

6. Comments, Reports, or Questions from the LAFCO Commissioners  
No Comments Made

#### **ADJOURNMENT**

Chairman Johnson adjourned the meeting at 9:47 a.m.

# Agenda Item 2



Balancing Community and Commerce

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## EXECUTIVE OFFICER'S REPORT

DATE: October 10, 2024  
TO: LAFCo Commissioners  
FROM: J.D. Hightower, Executive Officer  
SUBJECT: **MARIPOSA INDUSTRIAL PARK I, PHASE 2  
REORGANIZATION TO THE CITY OF STOCKTON**

### RECOMMENDATION:

Staff recommends approval of a resolution (Attachment 1) to reorganize three (3) parcels totaling 6.29 acres at 5262 E. Mariposa Road (APN 179-220-15, 2.5 acres), 5276 E. Mariposa Road (APN 179-220-14, 2.48 acres) and an unaddressed access easement parcel (APN 179-220-26, 1.31 acres) to the City of Stockton, pre-zone the territory to the City's Light Industrial (IL); and detach from the Montezuma Fire Protection District.

### BACKGROUND:

The reorganization area is on the south side of Mariposa Road, 0.50 miles southeast of Carpenter Road, immediately adjacent to MIP I. The MIP I reorganization was approved by the Commission on April 13, 2023. The boundaries of the previously approved 208.34-acre MIP I reorganization is on three sides, north, west and south of this reorganization area (Please see Annexation Map and Description, Attachment 2). Because of the size, proximity and timing related to MIP I, the reorganized area is a continuation of the larger MIP I project and is a Phase 2 of the LAFCo approval process.

Both 5262 E Mariposa Road and 5276 E Mariposa Road are developed with single family detached homes that will be removed upon development of Mariposa Industrial Park I. Both properties are served by private wells and septic systems. The proposal includes the abandonment of these private systems. The reorganization area is uninhabited pursuant to CKH Section 56079.5 with three (3) registered voters residing within the two (2) homesites.

The reorganization includes the annexation of the properties to the City of Stockton (City) and concurrent detachment from the Montezuma Fire Protection District (MFD) and County Road District 1. The City of Stockton will provide water, wastewater, solid waste, police and fire protection services to the reorganized area. Water and wastewater lines have been extended to serve the Mariposa Industrial Park I (MIP I) area.

Pursuant to State Revenue and Taxation Code (R&TC) Section 99, the City and MFD have agreed upon a property tax sharing agreement (please see Attachment 3).

The 6.29-acre reorganization is a 3% increase in size of MIP I and has a de minimis effect upon the environmental impacts evaluated in the EIR for MIP 1 (SCH# 2020120283). The impacts associated with this 3% increase in size of the Mariposa Industrial Park is expected to be the same as the impacts evaluated by this EIR. CEQA does not require technical perfection in an EIR, but rather adequacy, completeness, and a good-faith effort at full disclosure. In this case, the MIP I EIR is sufficient as an informational document for the de minimis increase in project area and is exempt from further CEQA review pursuant to CEQA Guidelines Section 15162(a)(1).



Location Map

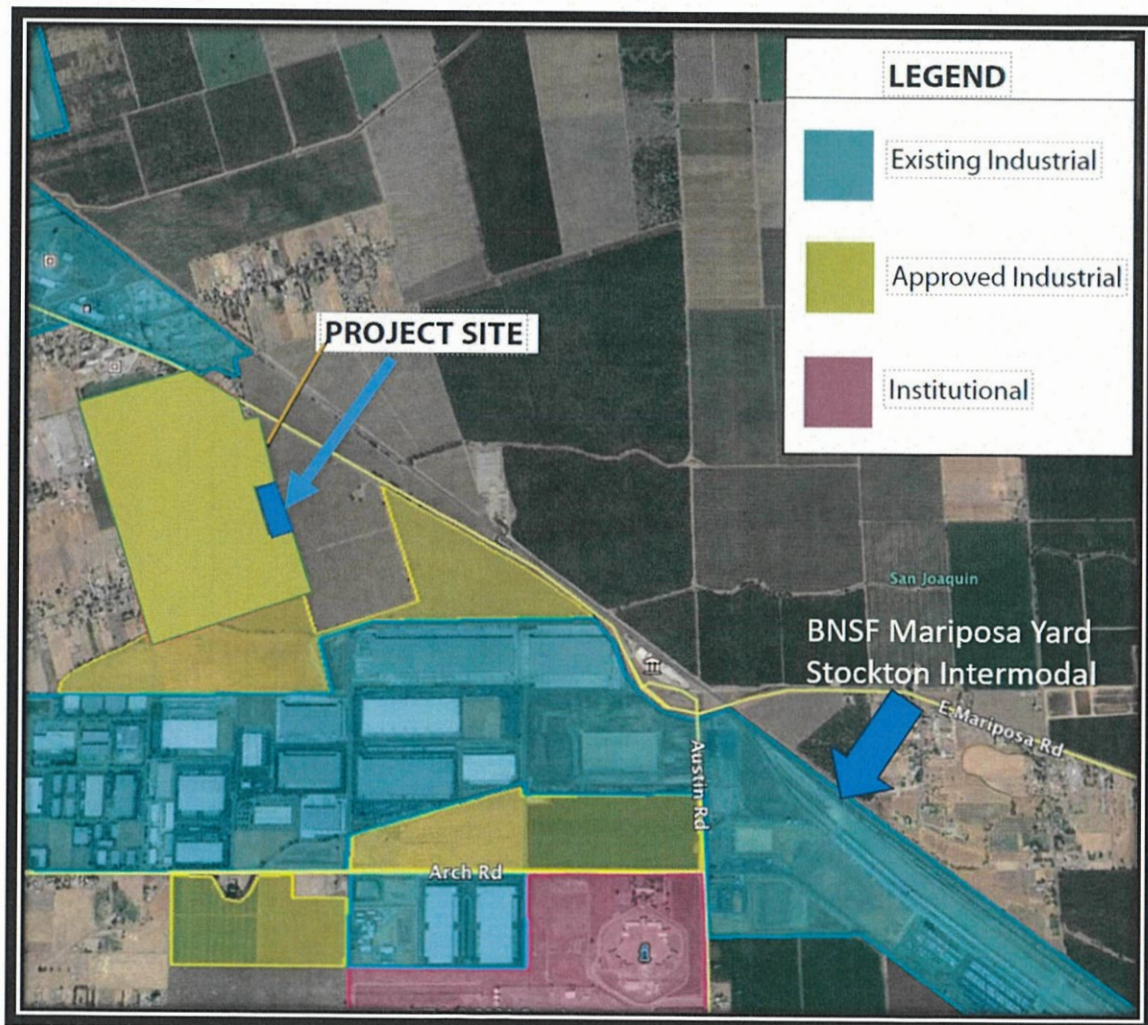


## ANALYSIS:

This proposal is consistent with the applicable provisions of Section 56668 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH):

- (a) ...the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

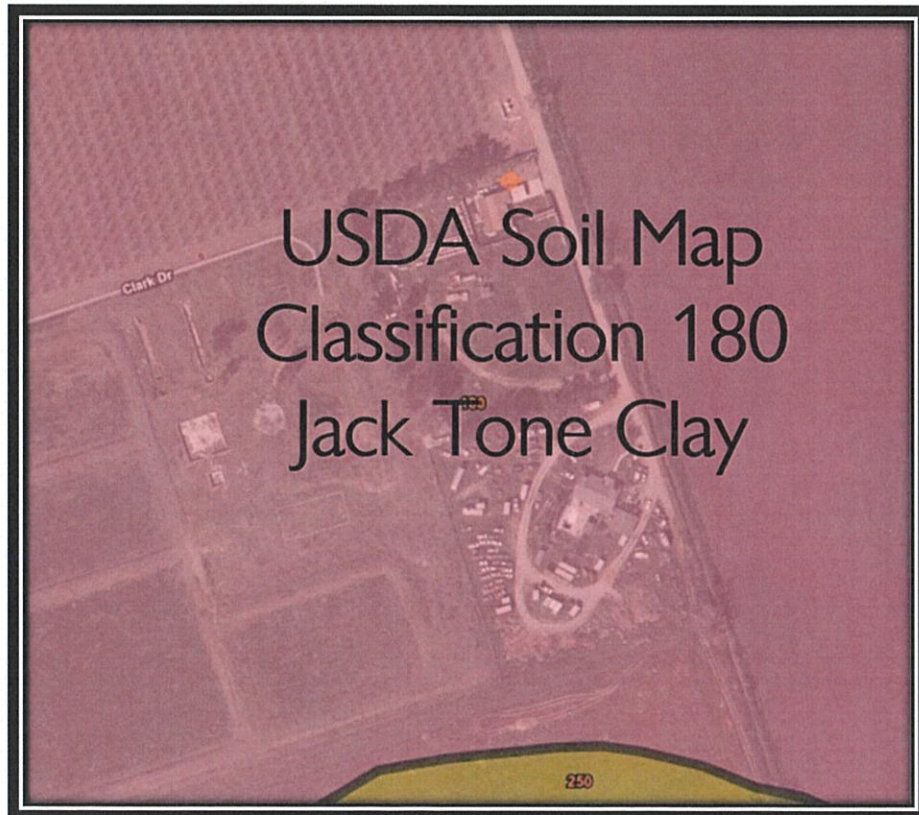
The reorganization area is approximately 2.8 miles from the BNSF Mariposa Yard, Stockton Intermodal freight facility, and 1.5 miles from the State Route 99/Mariposa Road interchange. BNSF started this year to add one production track, two incremental support tracks and 950 parking stalls at the intermodal facility. When completed, the intermodal freight movements is expected to increase significantly. As such, the market demand for nearby high cube warehouses between SR 99 and the Mariposa Yard continues to increase. Below is a map showing constructed and entitled projects in the vicinity of the reorganization area.



The EIR (SCH# 2020120283) for the 208.34-acre MIP I project evaluated the foreseeable impacts associated with development of up to a maximum of approximately 3,616,870 square feet of high cube warehousing and accessory uses. This project is immediately east of the project. The MIP I project is anticipated to be built-out within 10 years.

- (d) **The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377.**

Section 56377 directs that, "Development of existing vacant or nonprime agricultural lands for urban uses within ... the sphere of influence ... should be encouraged."





**Tables – California Revised Storie Index (CA) – Summary By Map Unit****Summary by Map Unit – San Joaquin County****Summary by Map Unit – San Joaquin County, California (CA077)**

Map unit symbol	Map unit name	Rating
180	Jacktone clay, 0 to 2 percent slopes	Grade 5 - Very Poor

**Interpretive groups**

*Land capability classification (irrigated): 3s*

*Land capability classification (nonirrigated): 4s*

*Hydrologic Soil Group: D*

*Ecological site: R017XY902CA - Duripan Vernal Pools*

*Hydric soil rating: Yes*

The land within the boundaries of MIP I, Phase 2 is not agricultural land. All three (3) parcels are mapped "Rural Residential" by the State Department of Conservation. The parcels also do not meet the thresholds to be considered Prime Agricultural land pursuant to CKH Section 56064. The soil type found on the parcels is Jack Tone Clay. Pursuant to CKH Section 56064, this soil type does not the physical characteristics of Prime Agricultural Land. This soil type has a USDA Land Capability rating of 3 when irrigated and 4 non-irrigated and a Modified California Storie Index of Grade 5, Very Poor. The two (2) Rural Residential home sites being 2.5 acres have not been used for the grazing of livestock nor yielded a return of crops of \$400 per acre.

- (f) **The definiteness and certainty of the boundaries of the territory, the non-conformance 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.**

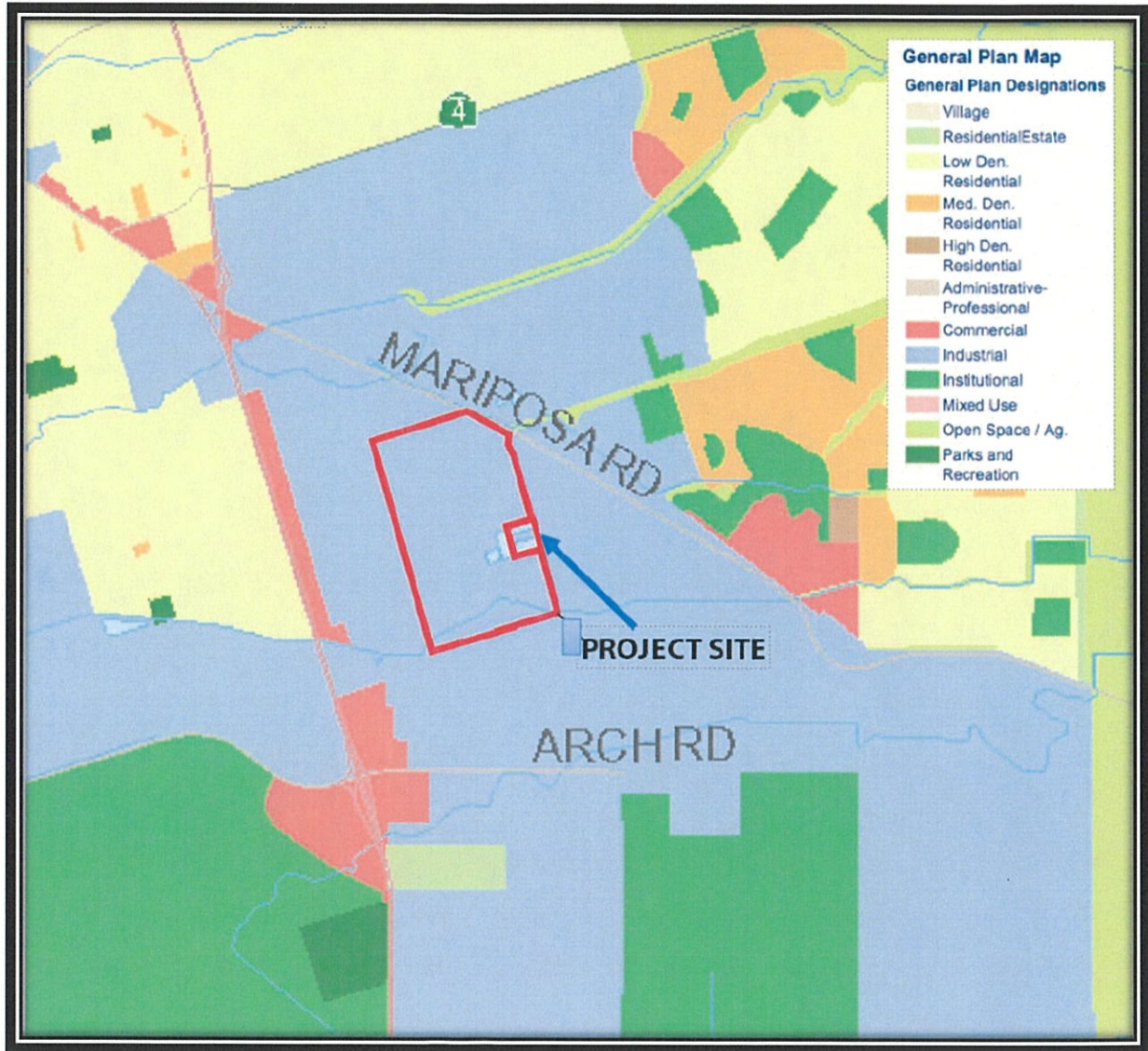
The inclusion of the three parcels comprising the request annexation follow lines of assessment that will provide a definite and certainty of boundary to the MIP I. The requested annexation act as preventative action to ensure that these properties will not form an unincorporated county island.

- (h) **The proposal's consistency with city ... general and specific plans.**

The inclusion of the 6.29 acres to the MIP I project will facilitate the build-out of the area to industrial as envisioned by the City of Stockton General Plan Land Use Element. The reorganization by and eliminating potential land use conflicts between industrial and residential land uses is consistent with the policies of the City's Safety and Community Health Elements. The proposed pre-zoning of the site will be the City of Stockton's Light Industrial (IL) consistent with MIP I.

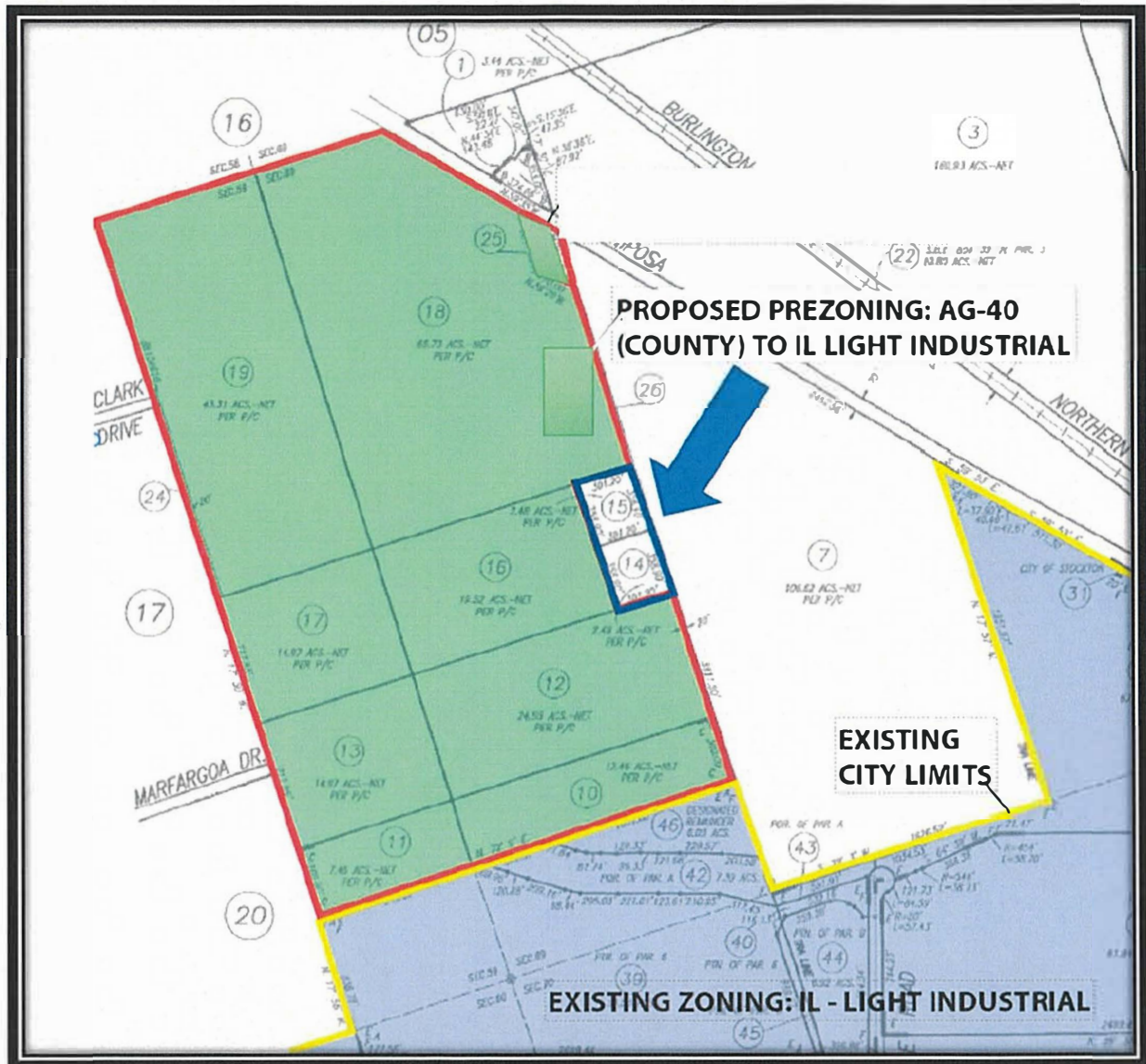


The inclusion will also maximize job creating land uses by creating a larger rectangular building site within MIP I. A City General Plan policy is to, "Encourage large-scale development proposals in appropriate locations that include significant numbers of higher-wage jobs and local revenue generation."



City of Stockton General Plan





**Mariposa Industrial Park I, Phase 2 Pre-zoning Map**

(k) The ability of the ... receiving entity to provide the services that are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

The proposed MIP I, Phase 2 reorganization proposes to add 6.29 acres to a 208.34 acre previously approved MIP I project. This is a 3% increase in size of the original project and is de minimis to the findings to the 2020 City of Stockton Municipal Services Review (MSR) as well as the Environmental Impact Report (SCH# 2020120283) adopted as part of MIP I. There aren't any factors that would change the conclusions and findings made within the City's MSR. Likewise, there are no new environmental impacts associated with the proposed reorganization that would change the findings that the Commission made in approving the MIP I reorganization.

Development of the parcels in this reorganization will be in conjunction with the development of the MIP I. The requested reorganization as all mitigation measures and conditions of approval of MIP I will be included in the development of this reorganization area.

**(I) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.**

The City conducted a Water Supply Assessment (WSA) for the proposed development in January 2021. Under SB 610, a WSA is required for a proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area. The purpose of the WSA is to demonstrate the sufficiency of the purveyor's water supplies to satisfy the water demands of the proposed project, while still meeting the water purveyor's existing and planned future uses. The City will be the purveyor for this project. The WSA concluded that water supply would be greater than the projected water demand described in the City's Urban Water Master Plan and could be served from its existing and future water supplies. The incremental 3% increase in project acreage will not change this conclusion.

**FINDINGS:**

It is recommended that the Commission make the following findings for the Mariposa Industrial Park, Phase 2 Reorganization the City of Stockton. Specifically, that the proposal has adequately documented and demonstrated:

- (1) The Commission finds that the inclusion of 6.29 acres of the MIP I, Phase 2 is a 3% expansion of the territory encompassed by the MIP I reorganization and is de minimis and there are no new environmental impacts that have not been evaluated by the Mariposa Industrial Park Environmental Impact Report and Mitigation Monitoring Program (SCH# 2020120283). Pursuant to CEQA Guidelines 15062(a)(1), there are no substantial changes in the MIP I which will require major revisions of this EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- (2) The Mariposa Industrial Park I, Phase 2, reorganization complies with all applicable provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).
- (3) The present and planned land uses in the area and inclusion of the three (3) parcels into the MIP I, Phase 2, is consistent with the applicable factors of CKH section 56668.
- (4) There will be the need for public water and sewer needed to support the businesses that are foreseeable within the Mariposa Industrial Park and the existing private wells and septic systems will be abandoned.
- (5) The present capacity of public facilities and adequacy of public services that the City of Stockton provides have been found adequate within the adopted 2020 City of Stockton Municipal Services Review, as amended.





- (6) There are a total of three (3) active voters residing at 5262 E. Mariposa Road (APN 179-220-15) and 5276 E. Mariposa Road (APN 179-220-14) within the boundary of Mariposa Industrial Park I, Phase 2, making the territory uninhabited pursuant to State Government Code Section 56079.5 and waive protest proceedings pursuant to Government Code Section 56663.

**ATTACHMENTS:**

1. Resolution approving the Mariposa Industrial Park I, Phase 2 reorganization
2. Map and Legal Description for the Mariposa Industrial Park, Phase 2 Reorganization
3. Executed Detachment Agreement between the Montezuma Fire Protection District and Party of Interest



**RESOLUTION NO. 24-1544**

**BEFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION  
APPROVING THE MARIPOSA INDUSTRIAL PARK I, PHASE 2  
REORGNANIZATION TO THE CITY OF STOCKTON INCLUDING  
APPROXIMATELY 6.29 ACRES OF TERRITORY, PREZONING OF TERRITORY  
TO LIGHT INDUSTRIAL (IL), ANNEXATION TO THE CITY OF STOCKTON;  
AND, DETACHMENT FROM MONTEZUMA FIRE PROTECTION DISTRICT,  
SAN JOAQUIN NATURAL RESOURCE CONSERVATION DISTRICT AND  
COUNTY ROAD DISTRICT 1 (LAFC 19-24)**

WHEREAS, the above entitled proposal was recommended by the City of Stockton Planning Commission and authorized by the City of Stockton City Council; and

WHEREAS, the Mariposa Industrial Park I, Phase 2 Reorganization boundary filed by the City of Stockton is co-terminus with the boundaries of three (3) parcels of land, 5262 E. Mariposa Road (APN 179-220-15), 5276 E. Mariposa Road (PN 179-220-14) and an unaddressed access easement parcel (APN 179-220-26); and

WHEREAS, the parcels included within the Mariposa Industrial Park I, Phase 2 are currently within the Montezuma Fire Protection District and County Road District 1; and

WHEREAS, the Montezuma Fire Protection District is an independent special district that provides fire protection services; and

WHEREAS, pursuant to State Revenue and Taxation Code, Section 99, Montezuma Fire Protection District has agreed to an agreement for the detachment of the territory proposed by the Mariposa Industrial Park I, Phase 2; and

WHEREAS, the City of Stockton provides fire protection services; and

WHEREAS, the primary mission of the San Joaquin Natural Resource Conservation District is to assist farmers in reducing erosion and protecting soils and is empowered to manage soil, water and related resources for the purpose of conservation; and

WHEREAS, the Mariposa Industrial Park, Phase 2 reorganization area is mapped as Rural Residential by the State Department of Conservation and 100% of the soils within the reorganization area are Jack Tone Clay that lacks the characteristics to be considered prime agricultural land; and

WHEREAS, County Road District 1 is defined as, “shall include all that portion of the County embraced within the unincorporated territory within the First Supervisorial District”; and

WHEREAS, the City of Stockton provides road and street maintenance services and capital improvements to roads and streets within the jurisdictional boundaries of the City; and

WHEREAS, within the territory of the boundaries of the City proposed Mariposa Industrial Park I, Phase 2 Reorganization, there are three (3) registered voters; and



WHEREAS, the City of Stockton Municipal Services Review (MSR) was approved by the Commission on April 23, 2020 that evaluated and amended the City's Sphere of Influence consistent with the provisions of Government Code 56430; and

WHEREAS, all three (3) parcels were included in the adopted MSR and included within the City's Sphere of Influence (SOI); and

WHEREAS, State Government Code Section 56375(l) states that the Commission shall review the boundaries of the territory involved in any proposal with respect to the definiteness and certainty of those boundaries and conformance of proposed boundaries with lines of assessment or ownership; and

WHEREAS, the proposal by the City of Stockton includes the entirety of 5262 E. Mariposa Road (APN 179-220-15), 5276 E. Mariposa Road (APN 179-220-14) and an unaddressed access easement parcel (APN 179-220-26); and

WHEREAS, the development plan for Mariposa Industrial Park I evaluated by a certified Environmental Impact Report (SCH# 2020120283) and certified by the City of Stockton allows development of approximately 3,616,870 square feet of high cube warehousing and accessory uses; and

WHEREAS, the three (3) properties are mapped as Rural Residential by the State Department of Conservation, Farmland Mapping Unit that are defined as, "areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities"; and

WHEREAS, all territory within the 6.29 acre reorganization area have Jack Tone Clay soils type that does not have the physical characteristics to be considered Prime Agricultural Land; and

WHEREAS, on February 28, 2022, the City of Stockton, as the lead agency for the Project, has certified a Final Environmental Impact Report (EIR)(SCH# 2020120283) for the project pursuant to and in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, the Draft EIR was made available for the statutory 45-day public review period and public comments received were posted and responded to by the City of Stockton within the Final EIR; and

WHEREAS, the City of Stockton a Mitigation Monitoring and Reporting Program (MMRP) with the certification of the Final EIR (SCH#2020120283); and

WHEREAS, pursuant to State Code of Regulations, Section 15096, the Commission is a responsible agency that considered the Final EIR prepared by the City of Stockton and the Commission has evaluated it's own conclusions as to whether and how to approve the proposed annexation; and

WHEREAS, the Commission took into consideration all factors of Government Code Section 56668 and has conditioned the reorganization in accordance with these factors; and,

WHEREAS, the Commission specifically considered the factors described in Government Code Section 56668(a), ...the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years; and

WHEREAS, the Commission specifically considered the factor described in Government Code Section 56668(d), the reorganization providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377; and

WHEREAS, the Commission specifically considered the factor described in Government Code Section 56668(k), the ability of the City of Stockton to provide the services that are the subject of the application to the annexation area; and

WHEREAS, the Commission held a public hearing on the proposed reorganization on October 10, 2024 in the Board of Supervisors Chambers, 44 North San Joaquin Street, 6<sup>th</sup> Floor, Stockton, CA, 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 be heard; and

WHEREAS, the Commission has, in evaluating the proposal considered the report submitted by the Executive Officer, the factors set forth in Section 56668 of the California Government Code and testimony and evidence presented at the public hearing held before and on October 10, 2024.

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

Section 1. The Mariposa Industrial Park I, Phase 2 Reorganization is as shown on Attachment 1 of this resolution.

Section 2. Certifies that, as a Responsible Agency, the Commission has independently reviewed and considered the Final Environmental Impact Report (SCH# 2020120283) and concurs with the findings of the CEQA FEIR and adequacy of the MMRP as certified by the City of Stockton.

Section 3. The Reorganized Property is a three percent (3%) increase in project acreage of the scope of the FEIR for the Mariposa Industrial Park I Project (SCH# 2020120283) and the increase in acreage is de minimis. Pursuant to CEQA Guidelines 15062(a)(1), there are no substantial changes associated with MIP I, Phase 2 which will require major revisions of the MIP I FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Section 4. Finds that the proposal is uninhabited pursuant to State Government Code Section 56079.5.

Section 5. Finds that no written protests were received by any landowner or registered voter within the project area.

Section 6. Pursuant to California Government Code Section 56663, the commission waives protest proceedings pursuant to State Government Code Part 4 (commencing with Section 57000).

Section 7. Pursuant to California Government Code Section 56668.3, the Commission considered all pertinent factors associated with the Mariposa Industrial Park I, Phase 2 reorganization to the City of Stockton and the reorganization is hereby conditionally approved subject to the conditions of the San Joaquin Department of Environmental Health.

Section 8. The services provided by the Montezuma Fire Protection District is duplicative of the fire protection services provided by the City of Stockton and the territory encompassed by the Mariposa Industrial Park I, Phase 2 is hereby detached from the Montezuma Fire Protection District.

Section 9. The services provided by the San Joaquin Natural Resource Conservation District (SJNRCD) is no longer needed within the reorganization area due to the expected industrial development in accordance with the City of Stockton policies, standards and specifications. The territory encompassed by the Mariposa Industrial Park I, Phase 2 is hereby detached from SJNRCD.

Section 10. The services provided by County Road District 1 is duplicative of the streets and road maintenance services provided by the City of Stockton and the territory encompassed by the Mariposa Industrial Park I, Phase 2 is hereby detached from County Road District 1.

Section 11. The City of Stockton, shall defend, indemnify, and hold harmless SJLAFCo, its agents, officers, and employees, from any claim, action, or proceeding against SJLAFCo, its agents, officers, and employees, to attack, set aside, void or annul SJLAFCo's approval of the Annexation, adoption of this Resolution, or any of the terms and conditions set forth herein.

Section 12. As allowed under Government Code Section 56107 and Government Code Section 56883, the Commission authorizes the Executive Officer to make non-substantive corrections to this Resolution to address any technical defects, clerical errors, mistakes, irregularities, or omissions.

Section 13. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable.

Section 14. The Commission finds that the proposed reorganization, as amended, to the City of Stockton will be for the interest of landowners within the Mariposa Industrial Park I, Phase 2 reorganization area.

PASSED AND ADOPTED this 10<sup>th</sup> day of October 2024 by the following roll call vote:

AYES:

NOES:

ABSENT:

---

PETER M. JOHNSON, CHAIRMAN  
San Joaquin Local Agency  
Formation Commission

ATTEST:

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MITZI STITES, COMMISSION CLERK  
San Joaquin Local Agency Formation Commission



L AFC 19-24

**MARIPOSA INDUSTRIAL PARK I PHASE 2 REORGANIZATION  
TO THE CITY OF STOCKTON**

**EXHIBIT "A" - Annexation Legal & Rezoning Description**

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE UNINCORPORATED AREA OF SAN JOAQUIN COUNTY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF SECTION 69 OF THE C. M. WEBER GRANT, AS DESCRIBED AS PARCEL ONE IN THAT CERTAIN TRUST TRANSFER DEED RECORDED AUGUST 11, 2008, AS DOCUMENT NO. 2008-130946, AND PARCEL ONE AS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED FEBRUARY 25, 2019, AS DOCUMENT NO. 2019-019341, AND TOGETHER WITH PARCEL TWO AS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED AUGUST 9, 2023, AS DOCUMENT NO. 2023-062875, ALL OF SAN JOAQUIN COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE SOUTHEAST CORNER OF PARCEL ONE AS DESCRIBED IN SAID TRUST TRANSFER DEED AND AS SHOWN ON THAT CERTAIN RECORD OF SURVEY FILED FOR RECORD ON MARCH 8, 2024, IN BOOK 41 OF SURVEYS AT PAGE 012 OF OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, SAID POINT ALSO BEING ALONG THE EXISTING BOUNDARY OF THE STOCKTON CITY LIMIT LINE;

- (1) THENCE ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL ONE (DOCUMENT NO. 2008-130946), ALSO BEING THE STOCKTON CITY LIMIT LINE, SOUTH 72° 09' 06" WEST, 301.20 FEET, TO THE SOUTHWEST CORNER OF SAID PARCEL ONE;
- (2) THENCE LEAVING SAID SOUTHERLY LINE, ALONG THE WESTERLY LINES OF SAID PARCEL ONE (DOCUMENT NO. 2008-130946) AND SAID PARCEL ONE (DOCUMENT NO. 2019-019341), ALSO BEING THE STOCKTON CITY LIMIT LINE, NORTH 17° 50' 54" WEST, 717.85 FEET TO THE NORTHWEST CORNER OF SAID PARCEL ONE (DOCUMENT NO. 2019-019341);
- (3) THENCE LEAVING SAID WESTERLY LINE, ALONG THE NORTHERLY BOUNDARY LINE OF SAID PARCEL ONE (DOCUMENT NO. 2019-019341), ALSO BEING THE STOCKTON CITY LIMIT LINE, NORTH 72° 09' 06" EAST, 301.20 FEET, TO A POINT ON THE WESTERLY LINE OF SAID PARCEL TWO (DOCUMENT NUMBER 2023-062875);
- (4) THENCE LEAVING SAID NORTHERLY LINE, ALONG SAID WESTERLY LINE, ALSO BEING THE STOCKTON CITY LIMIT LINE, NORTH 17° 50' 54" WEST, 1065.25 FEET, TO THE NORTHWEST CORNER OF SAID PARCEL TWO (DOCUMENT NUMBER 2023-062875);
- (5) THENCE LEAVING SAID WESTERLY LINE AND THE STOCKTON CITY LIMIT LINE, ALONG THE NORTHERLY LINE OF SAID PARCEL TWO, SOUTH 59° 48' 18" EAST, 29.91 FEET, TO THE NORTHEAST CORNER OF SAID PARCEL TWO (DOCUMENT NUMBER 2023-062875);
- (6) THENCE LEAVING SAID NORTHERLY LINE ALONG THE EASTERLY LINE OF SAID PARCEL TWO, SOUTH 17° 50' 54" EAST, 2838.70 FEET, TO THE SOUTHEAST CORNER OF SAID

PARCEL TWO (DOCUMENT NUMBER 2023-062875), SAID POINT ALSO BEING ALONG THE STOCKTON CITY LIMIT LINE;

- (7) THENCE LEAVING SAID EASTERLY LINE, ALONG THE SOUTHERLY LINE OF SAID PARCEL TWO, ALSO BEING THE STOCKTON CITY LIMIT LINE, SOUTH 72° 09' 06" WEST, 20.00 FEET, TO THE SOUTHWEST CORNER OF SAID PARCEL TWO (DOCUMENT NUMBER 2023-062875);
- (8) THENCE LEAVING SAID SOUTHERLY LINE, ALONG THE WESTERLY LINE OF SAID PARCEL TWO, ALSO BEING THE STOCKTON CITY LIMIT LINE, NORTH 17° 50' 54" WEST, 1077.85 FEET, TO THE **POINT OF BEGINNING**.

CONTAINING 6.27 ACRES, MORE OR LESS.

FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT (GOVERNMENT CODE SECTION 66410) AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.

**EXHIBIT "B"** A PLAT IS ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS, INC.

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION.

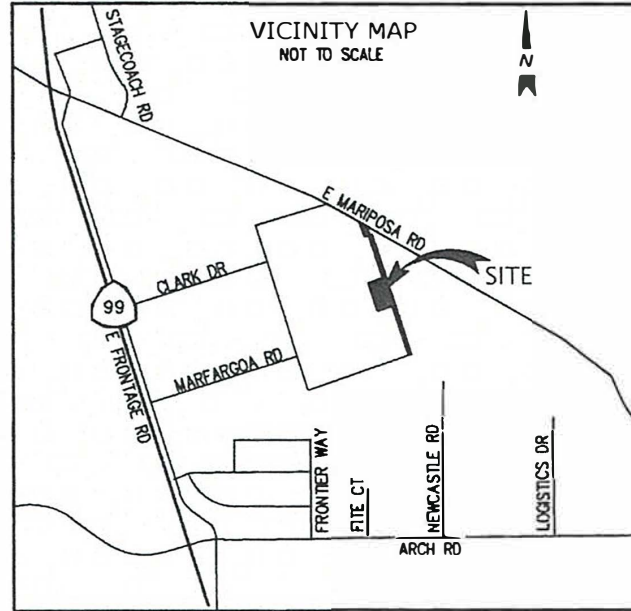
  
\_\_\_\_\_

RICHARD JAMES HICKENBOTTOM, P.L.S. 8654

9-6-24

DATE

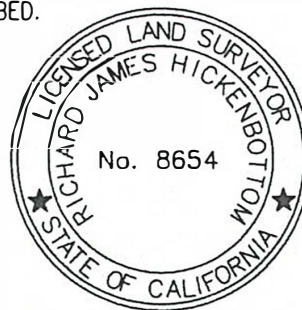




THIS PLAT WAS PREPARED BY ME OR UNDER MY DIRECTION.  
 FOR ASSESSMENT PURPOSES ONLY, THIS DESCRIPTION IS NOT A LEGAL PROPERTY  
 DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED  
 AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.

DATED THIS 6<sup>th</sup> DAY OF SEPTEMBER, 2024.

  
 RICHARD J. HICKENBOTTOM, NO. 8654



**BASIS OF BEARINGS**

THE BEARING OF NORTH 17° 50' 54" WEST TAKEN  
 ON THE WESTERLY LINE OF THE IRIS GALGANI  
 PARCEL AS SHOWN ON THAT CERTAIN RECORD OF  
 SURVEY FILED FOR RECORD ON DECEMBER 30,  
 2008, IN BOOK 37 OF SURVEYS AT PAGE 18,  
 SAN JOAQUIN COUNTY RECORDS, WAS TAKEN AS  
 THE BASIS FOR ALL BEARINGS SHOWN HEREON.



**KIER+WRIGHT**

250 Cherry Lane, Suite 107, 208 Phone: (209) 328-1123  
 Manteca, CA 95337 www.kierwright.com

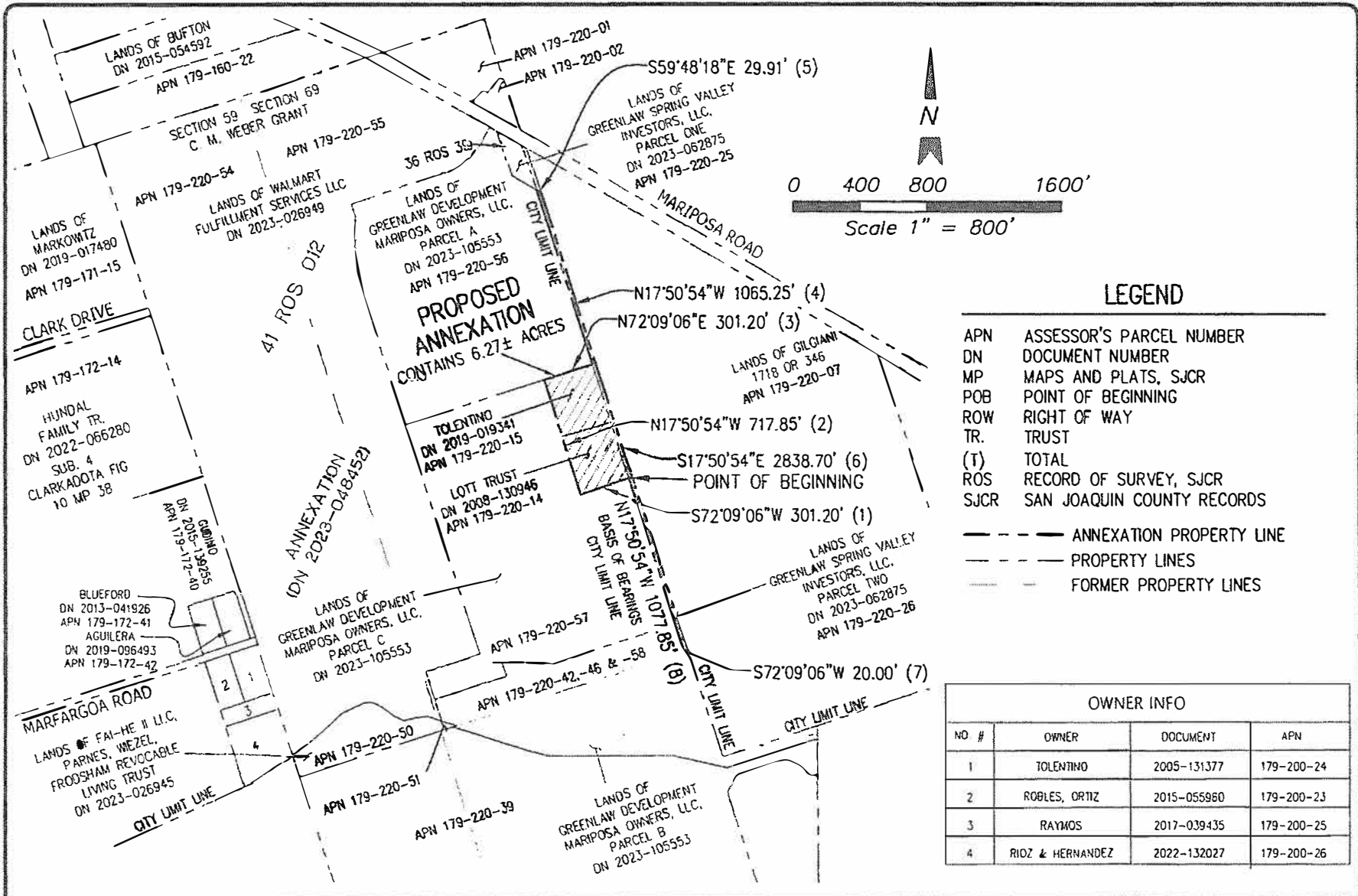
**EXHIBIT "B" - ANNEXATION PLAT  
 L AFC 19-24**

MARIPOSA INDUSTRIAL PARK I, PHASE 2 REORGANIZATION  
 TO THE CITY OF STOCKTON

SAN JOAQUIN COUNTY

CALIFORNIA

DATE	MAY, 2024
SCALE	NTS
BY	SA
JOB NO.	A20631-3
SHEET	1 OF 2



**LEGEND**

- APN ASSESSOR'S PARCEL NUMBER
- DN DOCUMENT NUMBER
- MP MAPS AND PLATS, SJCR
- POB POINT OF BEGINNING
- ROW RIGHT OF WAY
- TR TRUST
- (T) TOTAL
- ROS RECORD OF SURVEY, SJCR
- SJCR SAN JOAQUIN COUNTY RECORDS
- ANNEXATION PROPERTY LINE
- - - PROPERTY LINES
- FORMER PROPERTY LINES

**OWNER INFO**

NO #	OWNER	DOCUMENT	APN
1	TOLETIMO	2005-131377	179-200-24
2	ROBLES, ORTIZ	2015-055980	179-200-23
3	RAYMOS	2017-039435	179-200-25
4	RIOZ & HERNANDEZ	2022-132027	179-200-26



**KIER+WRIGHT**

250 Cherry Lane, Suite 107, 208 Phone: (209) 328-1123  
Manteca, CA 95337 www.kierwright.com

**EXHIBIT "B" - ANNEXATION PLAT  
L AFC 19 - 24**

MARIPOSA INDUSTRIAL PARK I, PHASE 2 REORGANIZATION  
TO THE CITY OF STOCKTON

SAN JOAQUIN COUNTY

CALIFORNIA

DATE	MAY, 2024
SCALE	1" = 800'
BY	SA
JOB NO.	A20631-3
SHEET	2 OF 2

AGREEMENT BETWEEN THE CITY OF STOCKTON AND GREENLAW  
DEVELOPMENT, LLC, AND MONTEZUMA FIRE PROTECTION  
DISTRICT, SAN JOAQUIN COUNTY REGARDING ANNEXATION OF  
PROPERTY FROM THE DISTRICT TO THE CITY OF STOCKTON.

This Agreement is made and entered into this \_\_\_ day of \_\_\_\_\_, 2024, by and between the City of Stockton, a municipal corporation ("City"), and Greenlaw Development, LLC, a California limited liability company ("Applicant") and the Montezuma Fire District in San Joaquin County ("District").

WITNESSETH

WHEREAS, Applicant and City desire to annex the property known as the Mariposa House Parcels bearing assessor's parcel numbers 179-220-140, 179-220-150 and 179-220-260 (the "Property") into the City. The legal descriptions for the Property and a location map are attached hereto as Exhibits "A-1" and "A-2" incorporated herein by this reference; and

WHEREAS, upon annexation, a detachment of that Property from the District that currently serves the Property occurs because the City will provide fire services once the Property is annexed; and

WHEREAS, upon annexation, the District will lose its share of the property tax previously allocated to it; and

WHEREAS, the Applicant and the District desire to ease the transition of lost revenue to the District and comply with the existing policies of the Local Agency Formation Commission.

NOW THEREFORE, it is mutually agreed by and between the City, the Applicant and the District as follows:

1. Upon annexation of the Property to the City and the detachment of the Property from the District, Applicant shall pay to the District a sum equal to the current tax revenue received by the District at the time of annexation, multiplied by seventeen and a half (17.5) years with a 3.44% annual increase. The lump sum payment shall be paid by the Applicant prior to the recordation of the certificate of annexation.
2. The amount of property tax revenue to the District shall be based upon what is received for the year immediately preceding the annexation and detachment of the Property.
3. The lump sum payment shall be the amount of seventeen thousand three hundred seventy-one dollars and ninety-five cents \$17,371.95 as detailed in the attached Exhibit "B" incorporated herein by this reference.
4. The provisions of the Agreement shall inure to the benefit of and bind the heirs, successors and assigns of the respective parties to this Agreement.
5. It is understood and agreed by and between the parties hereto that this Agreement shall be deemed and construed to be entered into and to be performed in the County of San Joaquin, State of California, and it is further understood and agreed by and between the parties hereto that the laws of the State of California shall govern the rights, obligations, duties and liabilities of the parties to the Agreement and also govern the interpretation of this Agreement. The District shall be afforded all rights and remedies provided



by California law to enforce this Agreement and the covenants created herein.

- 6. Should any legal action be brought by a party for breach of this Agreement or to enforce any provision herein, the prevailing party of such action shall be entitled to reasonable attorneys' fees, court costs and such other costs as may be fixed by the Court in addition to any other remedies.
- 7. Any notice required by this Agreement shall be in writing and delivered postage prepaid as follows:

<b>TO APPLICANT:</b> Robert Mitchell Greenlaw Development, LLC 2211 Michelson, Suite 200 Irvine, CA 92612	<b>TO DISTRICT:</b> Chief Ed Martel Montezuma Fire District, San Joaquin County 2405 South B Street Stockton, CA 95206	<b>TO CITY:</b> City Manager City of Stockton 425 North El Dorado Street Stockton, CA 95202
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- 8. This Agreement may be amended in writing by the mutual agreement of all of the parties.
- 9. In consideration of the covenants, conditions and promises of Applicant to be performed as set forth in this Agreement, District shall not contest or otherwise oppose the annexation of the Property sought by Applicant.

IN WITNESS WHEREOF, the parties have executed the Agreement by their authorized representatives the day and year first above written.

**GREENLAW DEVELOPMENT, LLC:**

By: <sup>DocuSigned by:</sup> Rob Mitchell  
12BA239B2C8541C...  
 Its: Partner

**MONTEZUMA FIRE DISTRICT, SAN JOAQUIN COUNTY**

By: *Jeffery West*  
 Its: Chairman

**CITY OF STOCKTON:**

By: \_\_\_\_\_  
 Its: \_\_\_\_\_