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**SAN JOAQUIN  
LOCAL AGENCY FORMATION COMMISSION**

**LAFCo**

44 NORTH SAN JOAQUIN STREET SUITE 374 STOCKTON, CA 95202

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**AGENDA**

Thursday, April 13, 2023 9:00 A. M.

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

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Call to Order  
Announce Date and Time of Meeting for the Record  
Roll Call  
Pledge of Allegiance

Recognition of service for Commissioner Lincoln

**CONSENT ITEMS**

1. MEETING MINUTES OF MARCH 9, 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 1312 Meadow Ave, Stockton

**PUBLIC HEARING**

3. MARIPOSA INDUSTRIAL PARK REORGANIZATION TO THE CITY OF STOCKTON (Lafc 04-23)  
(Action by Regular Members)  
Request to annex approximately 203.5 acres to the City of Stockton.
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.
5. PRELIMINARY 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. APPOINTMENT OF ALTERNATE PUBLIC MEMBER  
(Action by All Members)  
Commission to review applications and appoint an Alternate Public Member.

**PUBLIC COMMENTS**

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

**EXECUTIVE OFFICER COMMENTS**

8. Comments from the Executive Officer

**COMMISSIONER COMMENTS**

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

**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

**ADJOURNMENT**

# **LAFCo**

44 N. SAN JOAQUIN STREET SUITE 374 STOCKTON, CA 95202

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**SUMMARY MINUTES  
March 9, 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 Breitenbucher, Johnson, Lincoln, Villapudua,  
and Chairman Patti

MEMBERS ABSENT: None

ALTERNATE MEMBERS PRESENT: Commissioner Diallo

ALTERNATE MEMBERS ABSENT: Commissioner Ding

OTHERS PRESENT: J.D. Hightower, Executive Officer, Rod Attebery, Legal  
Counsel; Mitzi Stites, Commission Clerk; and Claudia Iboa,  
Administrative Assistant

## **CONSENT ITEMS**

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

Commissioner Patti opened the floor to Commissioner Comments

No Comments were made

Commissioner Patti opened the floor to Public Comments

No one came forward

Commissioner Patti closed the floor to Public Comments

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

Chairman Patti introduced Agenda Item No. 2, Out-Of-Agency from the City of Stockton to 744 Merced Avenue, 2933 Howe Street and 441 N. Anteros Avenue in Stockton, CA.

Commissioner Patti opened the floor to Commissioner Comments

No Comments were made

Commissioner Patti opened the floor to Public Comments

No one came forward

Commissioner Patti closed the floor to Public Comments

A motion was made by Commissioner Breitenbucher and seconded by Commissioner Villapudua to approve Resolution 23-1511, approving the Out-of-Agency from the City of Stockton to 744 Merced Avenue, 2933 Howe Street and 441 N. Anteros Avenue in Stockton, CA. The motion was passed by a unanimous vote of the Commission.

Chairman Patti Introduced Agenda Item No. 3, Approval of a Professional Service Agreement for Mountain House Special Counsel. White Brenner LLP for special counsel services pertaining to Mountain House Community Services District proposals.

Commissioner Patti opened the floor to Commissioner Comments

No Comments were made

Commissioner Patti opened the floor to Public Comments

No one came forward

Commissioner Patti closed the floor to Public Comments

A motion was made by Commissioner Breitenbucher and seconded by Commissioner Villapudua to approve White Brenner LP for special counsel services pertaining to Mountain House Community Services District proposals.

#### **PUBLIC HEARING ITEMS**

4. COLLEGE PARK III MACHADO REORGANIZATION TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT (M.H.C.S.D.) (LAFC 29-22)  
*(Action by Regular Members)*  
Request to annex approximately 135.59 acres to Mountain House Community Services

District with concurrent detachment from Tracy Rural Fire protection District and the San Joaquin Resource Conservation District.

Mr. J.D. Hightower, Executive Officer, presented a PowerPoint presentation, which provided a background on Mountain House Community Services District proposed 135.59 acres project. The northern boundary of the property is formed by Grant Line Road, the eastern boundary by Mountain House Parkway, the southern boundary is formed by the future extension of Von Sosten Road, and the western boundary is formed by Corinthian Way and E. Nasergholi Avenue.

The purpose of the project is the development within the MHCSO of:

- 255 Low-Density Residential lots (5,000 sq. ft. to 7,000 sq. ft.) on 62.7 acres;
- 31 Medium Density Residential Lots (3,500 sq. ft.) on 3.6 acres;
- 2 lots comprising 18.2 acres of Office Commercial future development; and
- 3 lots comprising 21.5 acres of Limited Industrial future development.

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 MHCSO, an independent special district, and authorized the district to provide an array of services.

On July 13, 2022, the MHCSO Board of Directors approved an application submittal to LAFCo to annex three (3) parcels totaling 135.59 acres to the District. The parcels are within the MHCSO SOI. All three (3) parcels are currently vacant. The urban development will include a mix of uses with job creating and residential land uses.

Staff recommends that the Commission approve Resolution No. 23-1512 approving the College Park III Machado Reorganization to Mountain House Community Services District with concurrent detachment from the Tracy Rural Fire Protection District and the San Joaquin Resource Conservation District.

Chairman Patti opened the floor to Commissioner Comments

Chairman Patti opened the floor to Public Comments

Chairman Patti closed the floor to Public Comments

A motion was made by Commissioner Breitenbucher and seconded by Commissioner Villapudua to approve Resolution 23-1512, approving the College Park III Machado to Mountain House Community Services District with concurrent detachments from the Tracy Rural Fire Protection District and the San Joaquin Resource Conservation District.

Chairman Patti asked for a Roll Call Vote:

Ayes: Commissioner Breitenbucher, Johnson, Lincoln, Villapudua and Chairman Patti

Noes: None

5. TRACY HILLS II REORGANIZATION TO THE CITY OF TRACY ( L AFC 03- 23)  
(Action by Regular Members)

Request to annex approximately 35.71 acres to the City of Tracy with concurrent detachment from the San Joaquin Conservation Resource District.

J.D. Hightower, Executive Officer, presented a PowerPoint presentation on this proposed project. The location of this project is approximately 0.35 miles west of Corral Hollow and 0.35 miles east of interstate 580. The requested reorganization is necessary because jurisdictional lines bisect 33 lots within the Tracy Hills Specific Plan Area. The bisecting lines were the results of field conditions due to steep slopes in the area. The annexation area will remove these lines and conserve the hillside area in conformance with the Tracy Hills Specific Plan.

Staff recommends the Commission approve Resolution No. 23-1513 approving the reorganization of Tracy Hills Reorganization II to the City of Tracy with concurrent detachment from the San Joaquin County Resource Conservation District.

Chairman Patti opens the floor to Commissioner Comments

Commissioner Johnson inquired since the slope is too steep for cattle what will hold the vegetation.

Mr. J.D. Hightower, Executive Officer stated that the slopes will be re-shaped to hold vegetation.

Chairman Patti inquired if the proposed development would be in danger due to the sliding slope.

Mr. Hightower, Executive Officer, stated that is not the case. The development is far enough from the back yards of the new development for that to happen and the City will plant vegetation to help prevent any deterioration to the slopes.

Commissioner Patti opened the floor to Public Comments

Commissioner Patti closed the floor to Public Comments

A motion was made by Commissioner Breitenbucher and seconded by Commissioner Villapudua to approve Resolution 23-1513, approving the Tracy Hills II Reorganization to the City of Tracy with concurrent detachment from the San Joaquin Resource Conservation District.

Chairman Patti asked for a Roll Call Vote:

Ayes: Commissioner Breitenbucher, Johnson, Lincoln, Villapudua and Chairman Patti

Noes: None

6. CITY OF ESCALON FINAL MUNICIPAL SERVICE REVIEW (MSR) AND SPHERE OF INFLUENCE (SOI) UPDATE (L AFC 30-22)

*(Action by Regular Members)*

The Commission will review and discuss the MSR Report and SOI Update for the City of Escalon.

J.D. Hightower, Executive Officer, provided a PowerPoint presentation, which gave an overview of the process to update the MSR and the SOI. He stated that LAFCo is required to prepare an MSR for each of its incorporated cities and special districts and update the SOI's at least every five years. LAFCo requires that the SOI delineate where development is expected to occur within 5-10 year and 30-year periods and that future annexations must be consistent with the SOI.

The Sphere of Influence and Municipal Service Review for the City of Escalon was last updated in 2011. Approximately 59 acres is the difference between the existing and proposed Sphere of Influence. The proposed Sphere of Influence does not extend beyond Jones Road to the south. This is in part due to existing Agricultural Easements south of Jones Road, particularly the Dawson Farm Agricultural Easement that was deeded to the American Farmland Trust in 2002. Specifically, the Dawson Family granted a Conservation Easement to the American Farmland Trust on September 17, 2000.

Staff recommended that the Commission approves Resolution 23-1514, The City of Escalon Final Municipal Service Review (MSR) and Resolution 23-1515, approval of the City of Escalon Sphere of Influence (SOI) Update.

Chairman Patti opened the floor to Commissioner Comments.

Mr. John Anderson, Planner, J.B. Anderson, thanked the Staff for their assistance in bringing the MSR – SOI Update to the Commission. Mr. Anderson stated that he was available for any questions that the Commission may have.

Commissioner Johnson thanked The City of Escalon for their controlled, smart growth for the city.

Chairman Patti opened the floor to Public Comments

No one came forward

Chairman Patti closed the floor to Public Comments

The motion was made by Commissioner Johnson seconded by Commissioner Villapudua to approve Resolution 23-1514, approving the City of Escalon Municipal Service Review and Resolution 23-1515, approving the City of Escalon Sphere of Influence Update.

Roll Call Vote:

Ayes: Commissioner Breitenbucher, Johnson, Lincoln, Villapudua, and Chairman Patti

Nos: None

## **PUBLIC COMMENTS**

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

Mr. Bob Bentz commented on the importance of smart growth within all cities.

## **EXECUTIVE OFFICER COMMENTS**

8. Comments from the Executive Officer

Mr. Hightower, Executive Officer, stated that Council of Governments is holding their conference at the Great Wolf Lodge in Manteca at the end of April. If anyone would like to attend, please let staff know and we will make accommodations. There is the CALAFCO Staff Conference at the same time and that will be held in Murphys. Staff is currently working on two reorganizations that will be presented to the Commission next month as well the Preliminary Budget and the Appointment of the Alternate Public Member.

## **COMMISSIONER COMMENTS**

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

Commissioner Breitenbucher hoped everyone would have a Happy St. Patrick's Day.

Chairman Patti introduced LAFCo's new Administrative Assistant, Claudia Iboa and asked her to tell the Commission about herself.

Claudia Iboa introduced herself to the Commission.

Chairman Patti adjourned the meeting at 9:39 a.m. The next LAFCo Meeting will be held on April 13, 2023 at 9 a.m.



**Resolution No. 23-1516**

**BEFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION  
APPROVING AN OUT-OF-AGENCY SANITARY WATER AND SEWER SERVICE  
FROM THE CITY OF STOCKTON TO 1312 MEADOW AVE**

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 13<sup>th</sup> day of April 2023 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

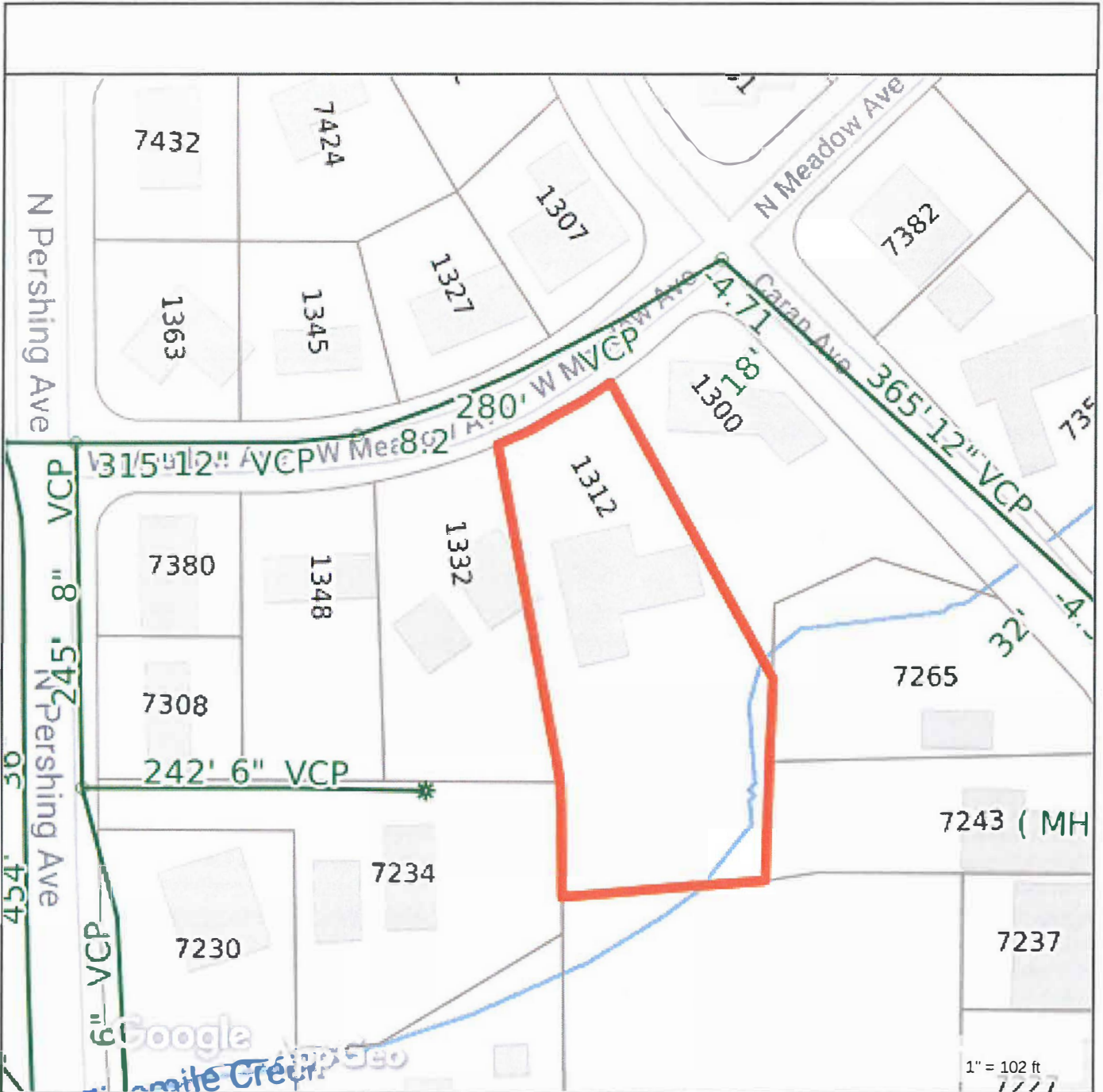
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TOM PATTI, CHAIRPERSON  
SAN JOAQUIN LOCAL AGENCY  
FORMATION COMMISSION

ATTEST:

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MITZI STITES, COMMISSION CLERK  
SAN JOAQUIN LOCAL AGENCY  
FORMATION COMMISSION



1" = 102 ft

Property Information

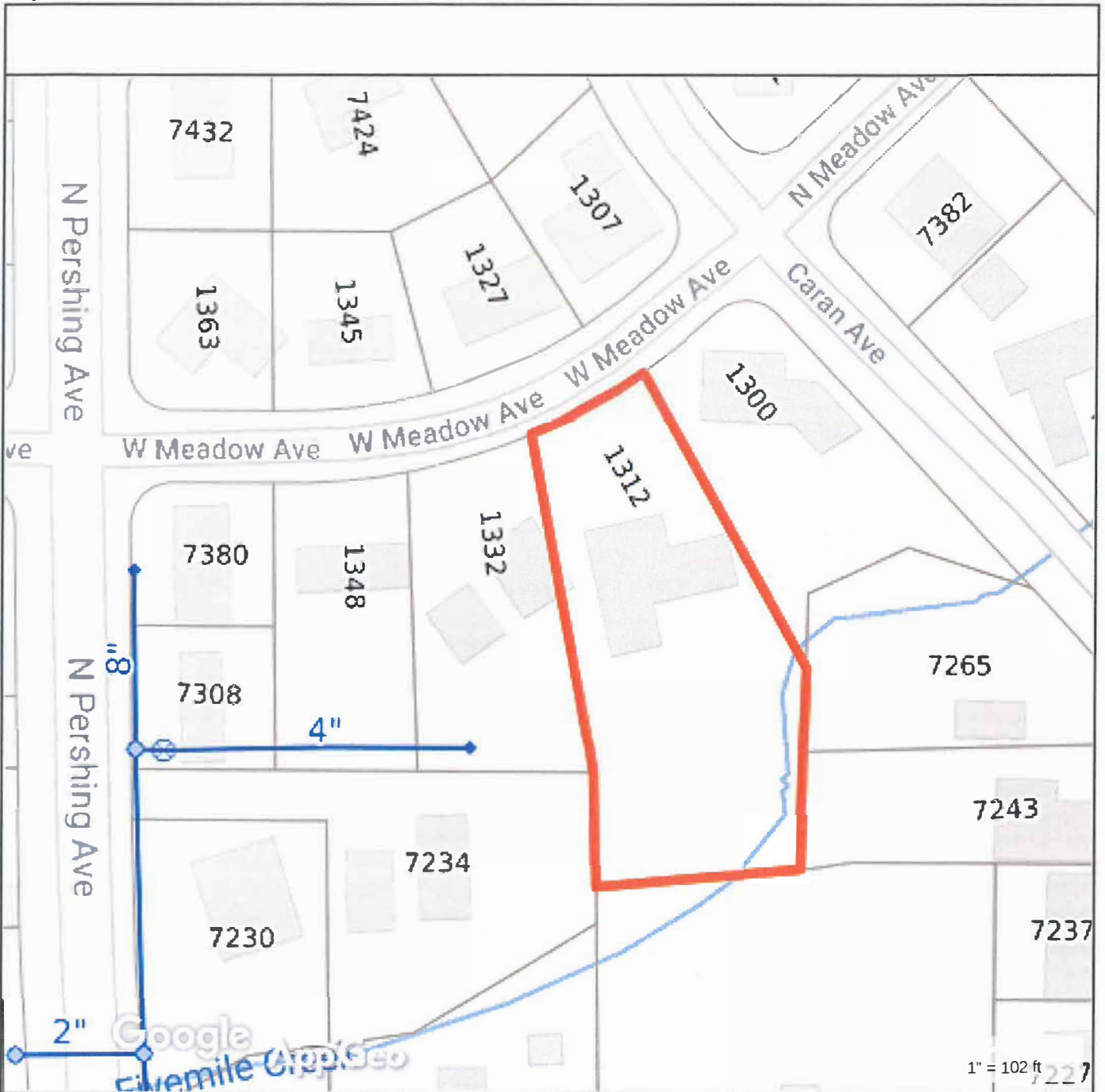
Property ID 07735008-122911  
 Location 1312 MEADOW AV  
 Owner THOMPSON, CARL W III & ALEXIS S



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 02/05/2021  
 Data updated 03/01/2021



Google  
© 2021

Property Information	
Property ID	07735008-122911
Location	1312 MEADOW AV
Owner	THOMPSON, CARL W III & ALEXIS S



**CITY OF STOCKTON**

MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT

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Geometry updated 02/05/2021  
Data updated 03/01/2021

1" = 102 ft

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**SAN JOAQUIN  
LOCAL AGENCY FORMATION COMMISSION**

**Agenda Item 3**

**LAFCo**

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

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**Executive Officer's Brief**

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

April 13, 2023

**VICE CHAIR**  
**KEVIN LINCOLN**  
STOCKTON CITY COUNCIL

TO: LAFCo Commissioners

**DAVID BREITENBUCHER**  
MANTECA CITY COUNCIL

FROM: J. D. Hightower, Executive Officer

**MIGUEL VILLAPUDUA**  
COUNTY BOARD OF  
SUPERVISORS

AGENDA ITEM NO. 5

**PETER JOHNSON**  
PUBLIC MEMBER

SUBJECT: Mariposa Industrial Park Reorganization

**ALTERNATE MEMBERS**

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

**Recommendation:**

Adoption of two (2) resolutions – 1) approving amendments to the City's MSR and SOI that are a prerequisite for the reorganization; and 2) approving the Mariposa Industrial Park Reorganization consisting of annexation of 208.34 acres to the City of Stockton and simultaneous detachment from the Montezuma Fire Protection District and San Joaquin Resource Conservation District.

**VACANT**  
ALTERNATE PUBLIC MEMBER

**Environmental:**

The City of Stockton has adopted a Final Environmental Impact Report (FEIR) for the project.

**MINNIE DIALLO**  
LATHROP CITY COUNCIL

**Brief:**

The requested reorganization is necessary for the construction of a high cube warehouse logistical center between 2 major transportation facilities – the BNSF intermodal facility and SR 99 with the recently completed Mariposa Road interchange. One issue is the proximity to the Mariposa Road DUC, the project site bisects the DUC. A survey was showed 56.9% of the registered voters opposed annexation to the City of Stockton. The applicant made revisions to the original site plan and agreed to operational measures to lessen the impacts to this DUC. Another issue is the detachment from Montezuma Fire Protection District (MFD). MFD originally opposed detachment and has since stated their position of a payment equal to 20 year property tax increment and 25% of the MFD Fire Facility Fee. The terms of the detachment payment is not a LAFCo concern, only that good faith negotiations are taking place and that proof of agreement is submitted prior to Certificate of Completion.

**EXECUTIVE OFFICER**

J.D. HIGHTOWER

**ANALYST / COMMISSION CLERK**

MITZI STITES

**COUNSEL**

ROD ATTEBERY

**Attachments:**

- 1) Staff Report

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SAN JOAQUIN

LOCAL AGENCY FORMATION COMMISSION

AGENDA ITEM NO. 3

**LAFCo**

44 N SAN JOAQUIN STREET SUITE 374 STOCKTON, CA 95202

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**EXECUTIVE OFFICER'S REPORT**

**PROJECT: MARIPOSA INDUSTRIAL PARK REORGANIZATION TO THE CITY OF STOCKTON (LAFCO 04-23)**

**PROPOSAL:** Annexation of nine 9 parcels (APN 179-220-10, 11, 12, 13, 16, 17, 18, 19, and 25) totaling 208.34 acres to the City of Stockton.

**APPLICANT:** City of Stockton

**LOCATION:** South side of Mariposa Road, 0.37 miles southeast of the Carpenter Road intersection north of North Littlejohns Creek, please see attached Vicinity Map below.

**PURPOSE:** The proposed reorganization 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.

**PROCESS:** Proposed annexation area is uninhabited and has consent of the landowners.

**RECOMMENDATION**

It is recommended that the Commission approve three (3) resolutions in numeric order:

1. Resolution amending the City of Stockton Municipal Service Review (MSR) and Sphere of Influence (SOI).
2. Resolution approving the annexation of the Mariposa Industrial Park Reorganization to the City of Stockton with concurrent detachment from the Montezuma Fire Protection District and San Joaquin County Resource Conservation District.

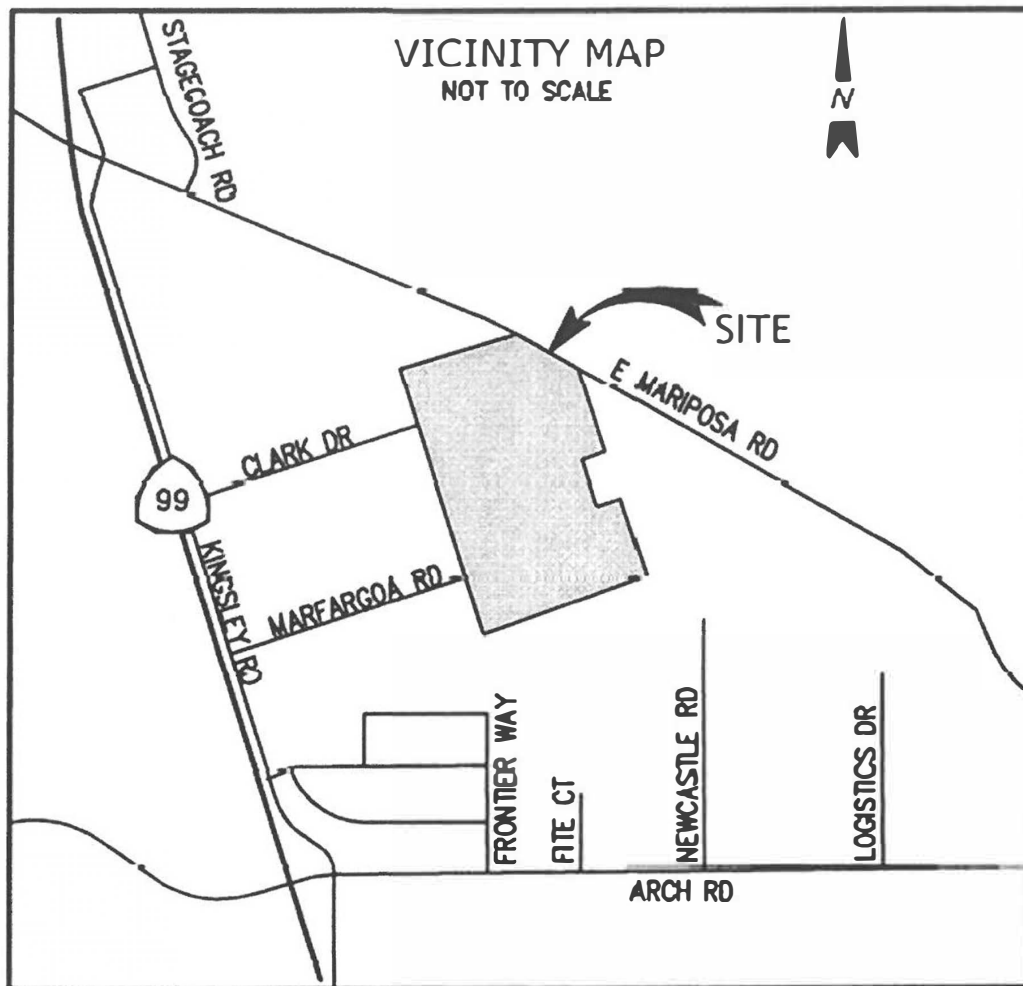


Figure 1.—Vicinity Map

**ENVIRONMENTAL:**

On December 6, 2022, the City of Stockton adopted an Environmental Impact Report (EIR) (SCH# 2020120283) for the project. Pursuant to the California Environmental Quality Act Guidelines, Section 15381, LAFCo is a responsible agency for the requested reorganization. As such, LAFCo staff concurs with the impact analysis and Mitigation Measures contained in the Final EIR.

**BACKGROUND:**

The reorganization is necessary for the development of a logistical warehousing center between two major regional transportation facilities – the BNSF intermodal transfer station (2.9 miles to the south and east); and, State Route 99 (1.5 miles to the west). Freight movement is key to development of the logistical high cube warehouse hub consistent with the City’s General Plan designation of Industrial. Areas south of Littlejohns Creek utilize Arch Road from SR 99 to the BNSF Intermodal Facility as a Surface Transportation Assistance Act (STAA) route. STAA authorized motor carrier operation of 48-foot and longer semi-trailers on National Network highways, along with other roads designated by the State.

The segment of Mariposa Road adjacent to the project site has been designated a truck route for flammable liquid transportation but not a STAA route. The project’s

frontage on Mariposa Road will be the primary freight link that links the high cube warehouse center to both the BNSF intermodal facility and SR 99. It is foreseeable that the larger STAA trucks will utilize Mariposa Road to warehousing center as the roadway has an interchange at State Route 99. This corridor is also identified on the City of Stockton Truck Route Map and on the County's Regional Transportation Plan (RTP)(Figure 2). In accordance with CKH Section 56668(g), an industrial project consistent with the Stockton General Plan along this Mariposa Road segment is consistent with the RTP. To allow for freight movement with STAA trucks, the project developers need to apply to CalTrans for a STAA Terminal. The review and the approval of such is expected to provide a gap closure on the STAA Route Map for the region (Figure 3). Accordingly all improvements on Mariposa Road will be constructed to STAA standards. Staff has conditioned the project such that the applicant needs to submit a letter of intent to file a STAA Terminal application with the City, SJCOG and Caltrans prior to recording a Certificate of Compliance.

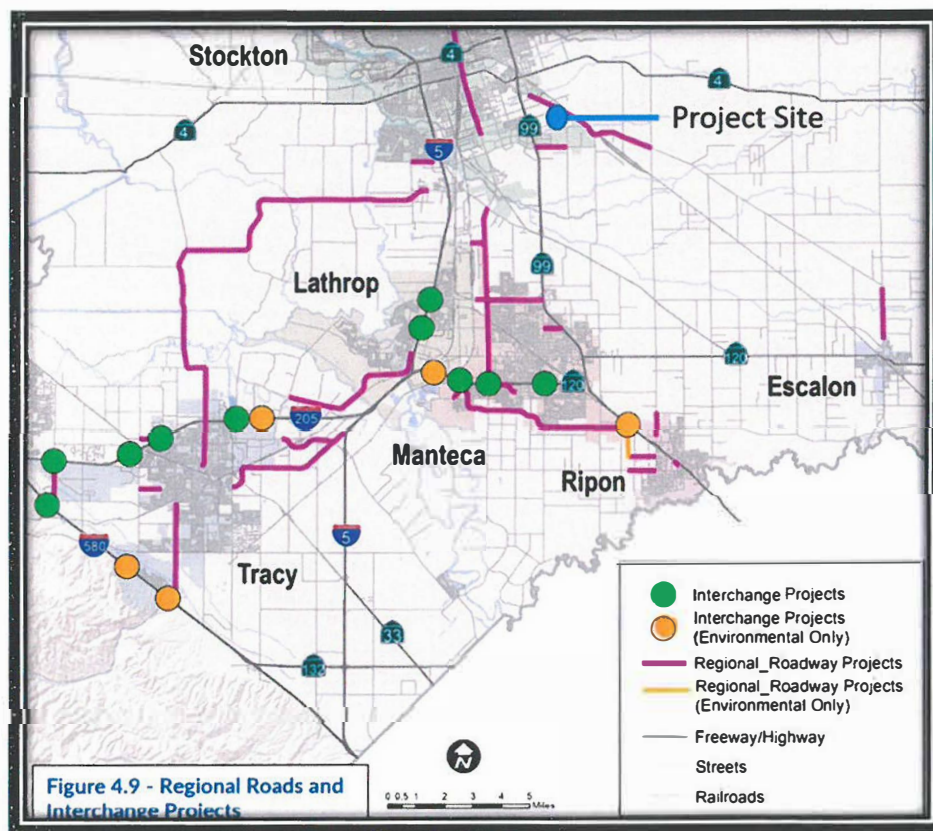


Figure 2 – RTP Improvement Map

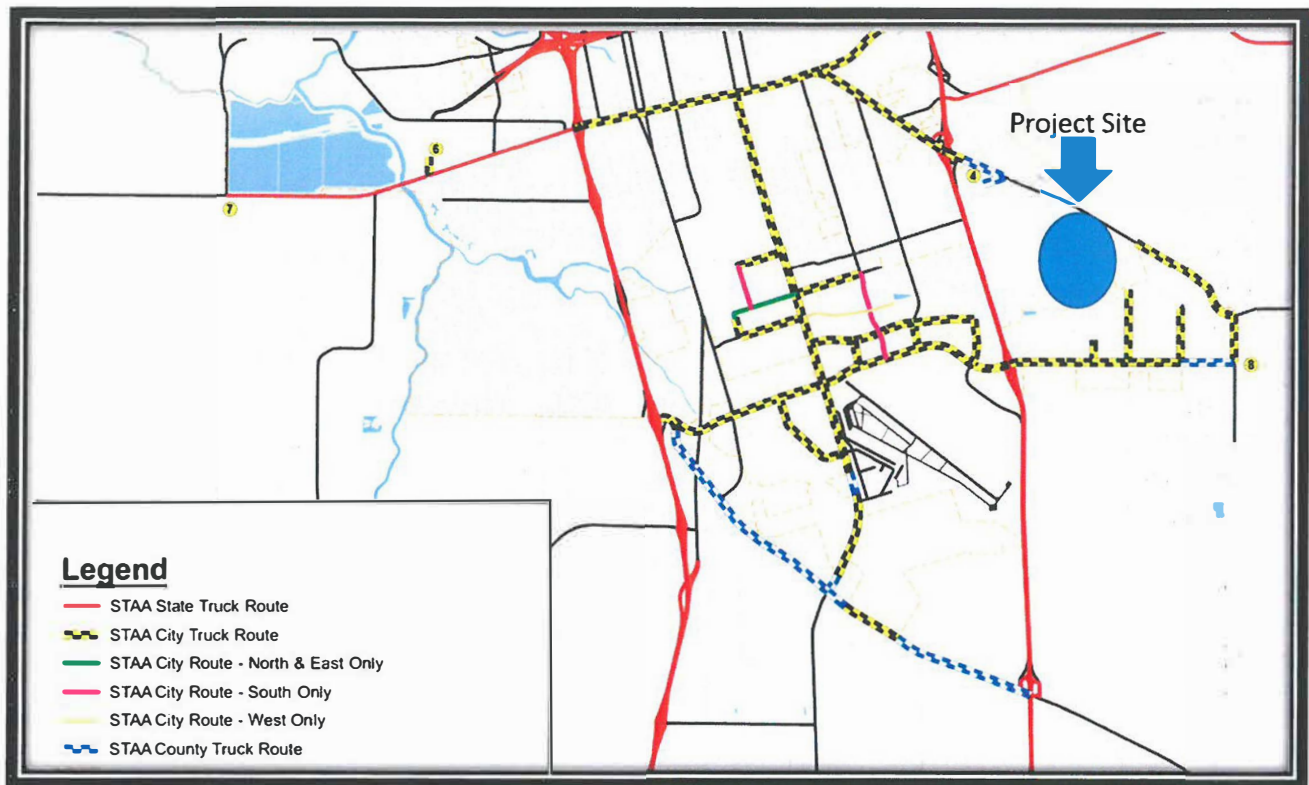


Figure 3 – STAA Route Map

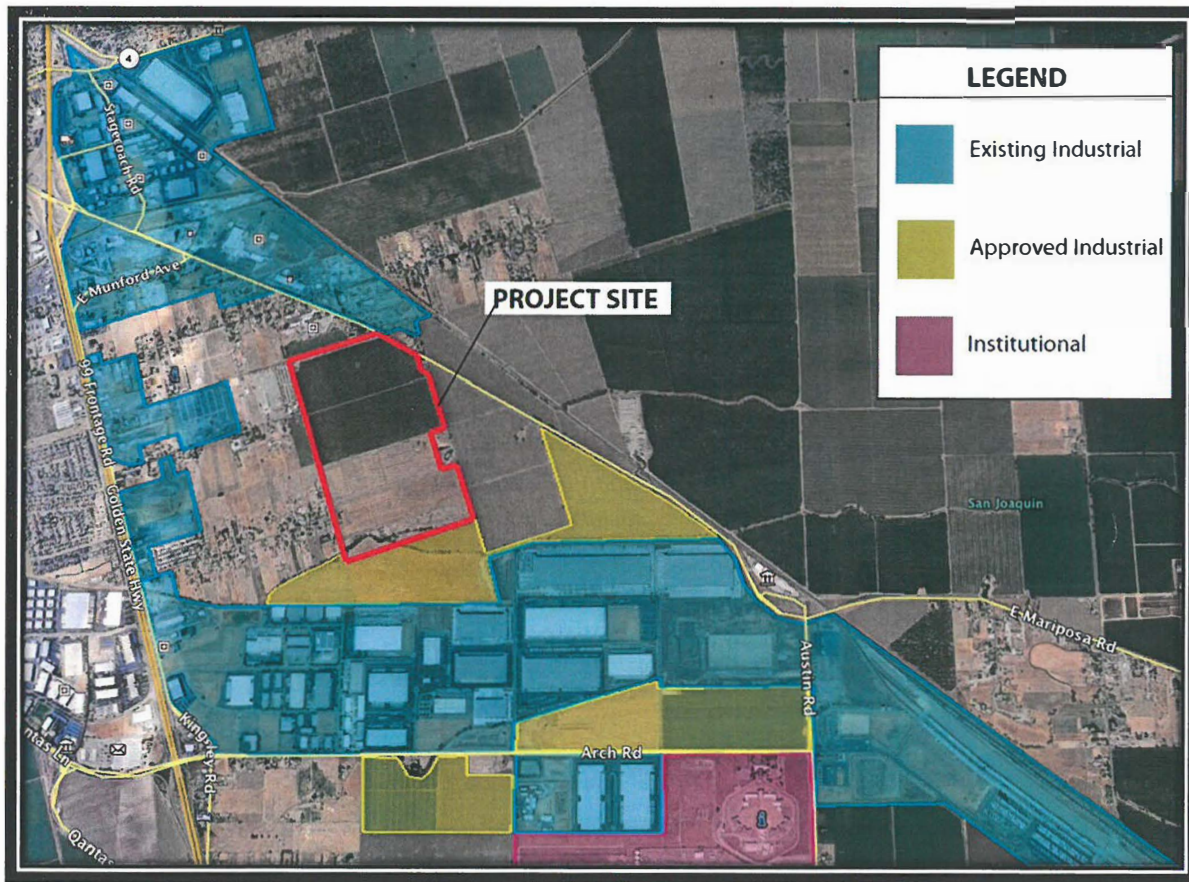


Figure 4 – Existing Land Use Map  
04-13-2023



The area south of Littlejohns Creek is developed with an Amazon fulfillment center and other logistical based businesses and Arch Road to SR 99 is a designated STAA route. The City has approved other industrial projects immediately south to the project site as well as southeast of the project site. Additionally there are existing industrial land uses along the SR 99 Frontage Road within the identified Disadvantaged Unincorporated Community (DUC) area. The project will continue the established industrial land use pattern consistent with the City of Stockton Industrial land use designation along Mariposa Road.

### **Existing Disadvantaged Unincorporated Community (DUC)**

There is a DUC immediately adjacent to the northern and western boundaries of the project site, please see Figure 4 below. Stockton's 2020 MSR identified the DUC as the Mariposa Road Community that is considered island comprised of 223 parcels totaling 1,112 acres.

A survey of Mariposa Road Community was conducted that revealed 56.9% of the respondents opposed annexation to the City of Stockton. The survey conducted by CV Strategies informed people of changes that would result from annexation, including the benefits and costs of connecting to the City's water and sewer system, coverage for police and fire service and a utility tax, as well as land use regulations.

The survey consisted of phone interviews (five questions) and followed up with a direct mail survey card and in-person contact made via door to door canvassing. In all, survey attempted to reach 288 registered voters in the identified subject area. Completed responses totaled 172 – a 69.7% response rate. Responses were compiled in February 2021 and overwhelmingly opposed annexation at 56.9% opposed –164 people against, 8 people for the project. (Attachment 1 – Annexation Interest Survey).

SB 244 prohibits LAFCo from approving an annexation adjacent to a DUC unless LAFCo finds that a majority of the residents within the adjacent community are opposed to annexation, based upon written evidence. In March 2021, a survey of registered voters residing within the Mariposa Road Community regarding annexation to the City of Stockton was conducted by CV Strategies on behalf of the project applicants. The results of the survey indicate that a majority of the registered voters within the DUC (at least 56.9%) are opposed to annexation. The survey results provide written evidence for a finding by LAFCo that a majority of the residents within the adjacent Mariposa Road Community would be opposed to annexation.

The survey of the Mariposa Road Community results showed that 56.9% of registered voters opposed. SB 244 complements CKH Section 57091, that provides an annexation is terminated if more than 50% of the registered voters residing within the annexation area opposes annexation. Because the majority of registered voters opposed annexation, the boundaries for the proposed annexation excluded the other areas of the Mariposa Road Community.

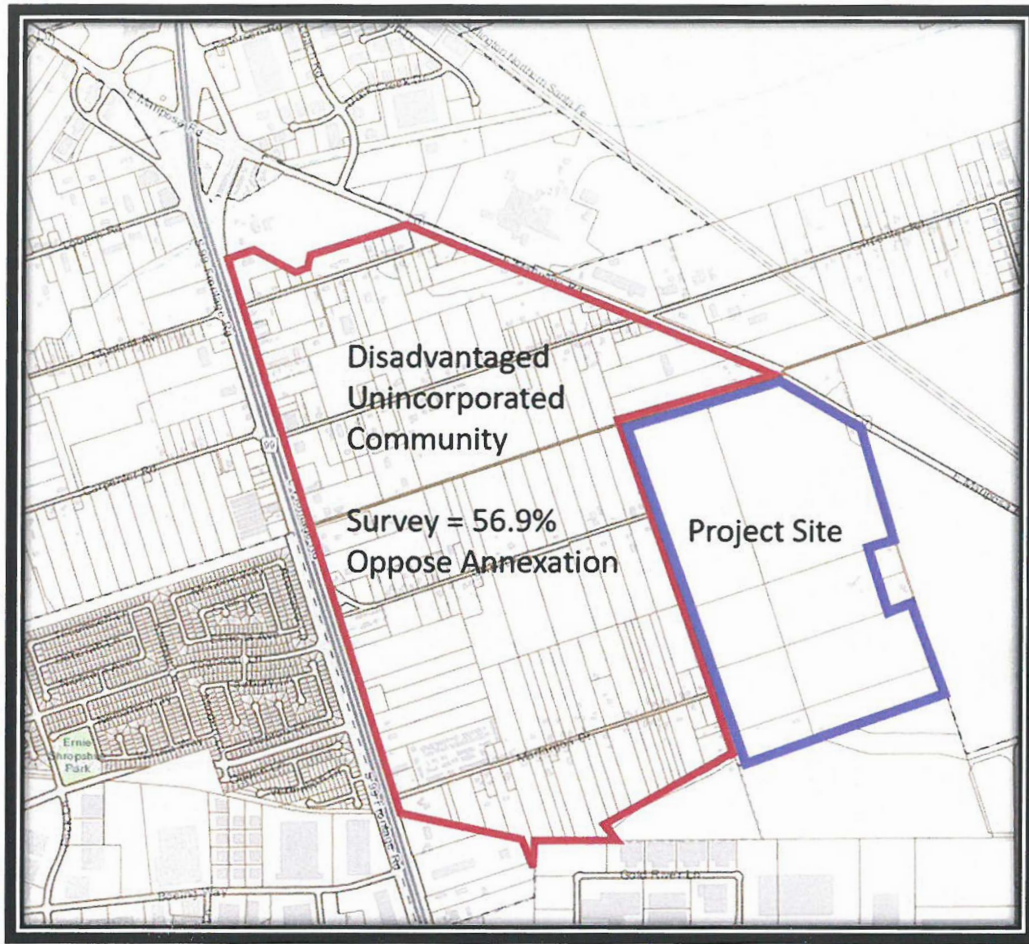


Figure 4 – Disadvantaged Unincorporated Community Survey

Because of the potential of freight and warehousing activities to have unintended consequence of impacting residents adjacent to the project, the City of Stockton and applicant voluntarily entered into a Development Agreement (DA). The intent of the DA is to provide long term mitigation of health risk factors to the neighboring residents. The provisions of the DA were reviewed and approved by both the State Attorney General’s Office and Sierra Club. A key clause in the DA is the establishment of a \$200,000 fund to make improvements to the homes on Clark Drive and Marfargoa Street that help mitigate air quality impacts from the project, such as higher air filtration systems (MERV 13 or better), insulated windows, etc. The fund will be administered by a local private non-profit organization. This is intended to complement the mitigation measures within the Final EIR that incorporates both site design measures and long term operational measures.

The site design measures include features that mitigate air quality and noise impacts from freight truck traffic. Such as the construction of an Emergency Vehicle Access (EVA) only to the site from both Clark Drive and Marfargoa Street, masonry block wall, a 10’ landscaped berm, no freight truck zone and building setback from the western property line (please see figure 5 on following page). The EVA access will be controlled via a gate with knox box that only emergency responders can open, preventing freight truck traffic from utilizing either roadway.

The long term operational measures include, but not limited to, the preclusion of cold storage warehouses (unless further reviewed), posting of signs prohibiting the idling of freight trucks, the use of electric freight trucks, electric warehouse vehicles and forklifts, and other items that the air district and applicant may agree to within a Voluntary Emission Reduction Agreement (VERA). Staff has reviewed the mitigation measures and reporting program and concurs with the CEQA findings for the project by the City.

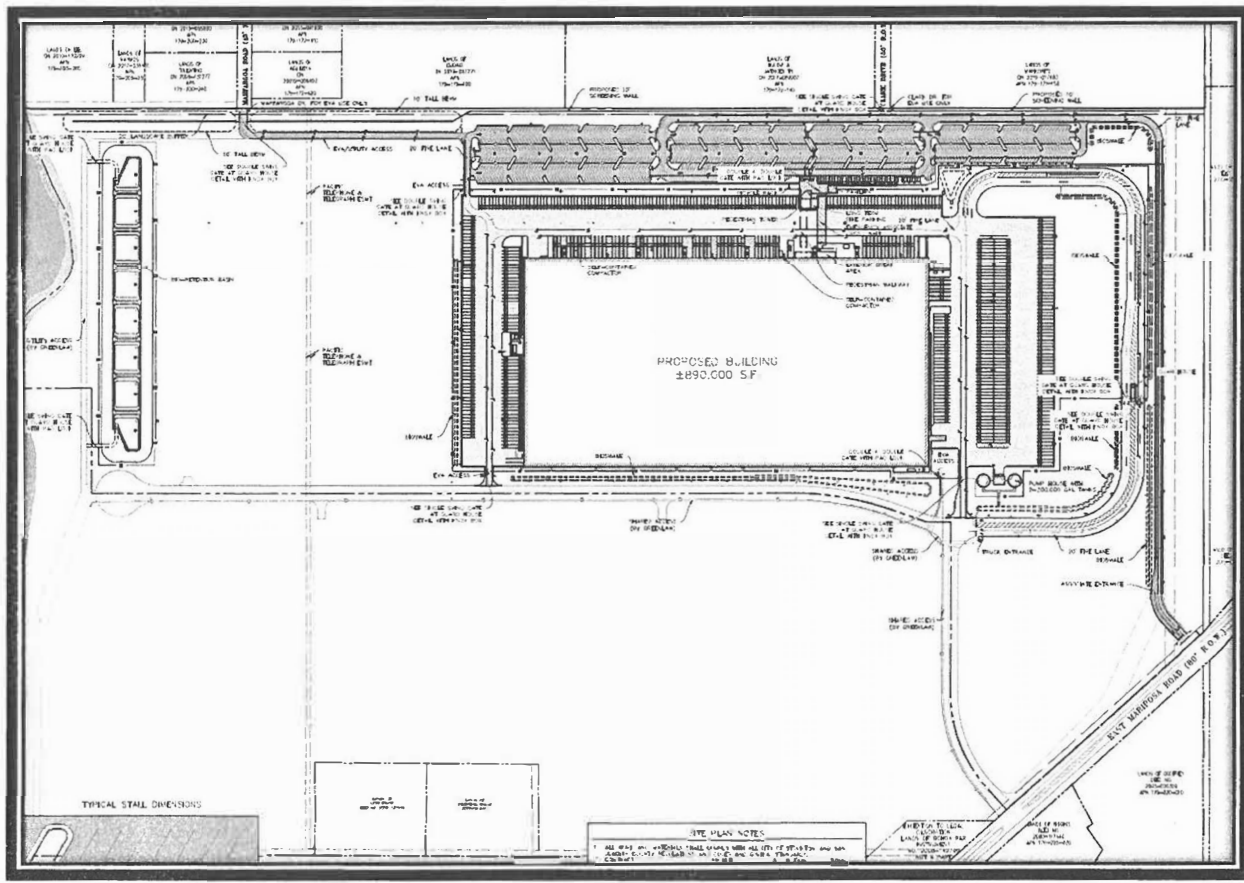


Figure 5 – Proposed Site Plan

**FACTORS:**

Pursuant to CKH Section 56375(a)(7), the decision of the commission with regard to a proposal to annex territory to a city shall be based upon the general plan and pre-zoning of the city. The City of Stockton’s General Plan designates the annexation area as Industrial, please see map below. The City has pre-zoned the site consistent with the General Plan as IL – Industrial, Limited. The EIR evaluated this land use designation and foreseeable impacts associated with development of up to a maximum of approximately 3,616,870 square feet of high cube warehousing and accessory uses.

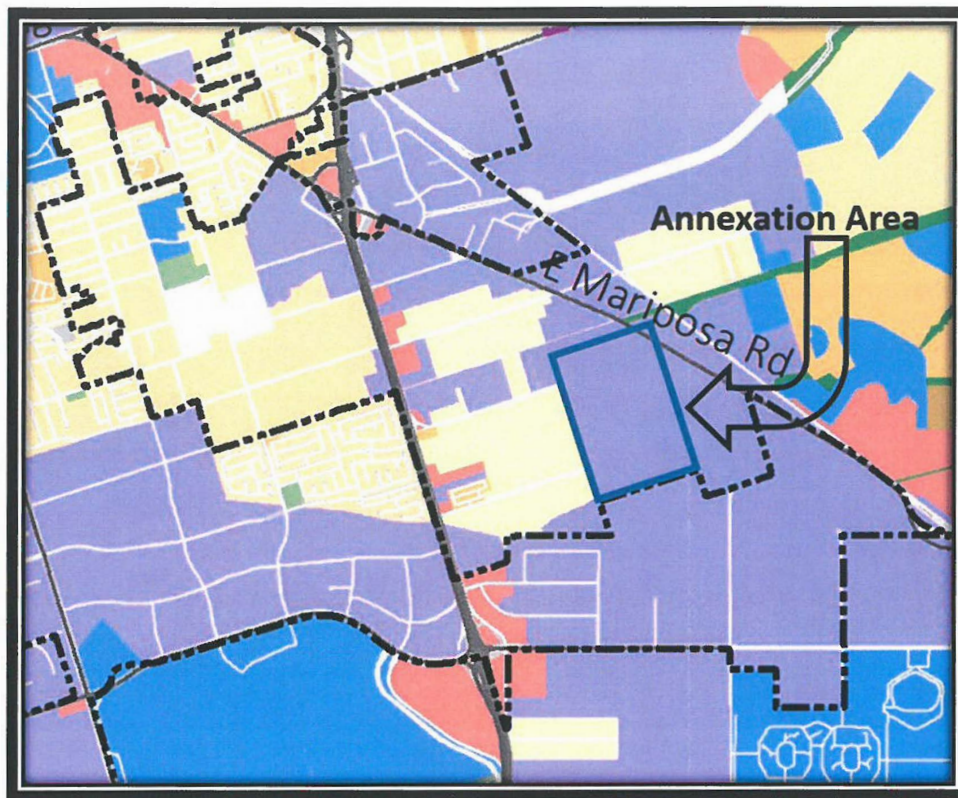


Figure 5 – City of Stockton General Plan Map  
*Purple = Industrial*

**Municipal Service Review (MSR) and Sphere of Influence (SOI) Amendment:**

The need for a MSR and SOI amendment is based on the Commission’s Service Review Policy, General Standards #2. This standard states that, “The service review must present information on future projections and plans tied to the 5-10, and 30-year sphere horizons of the Sphere of Influence Plan, so that service information can be clearly tied to the plan. In the case of cities, a shorter timeframe may be appropriate if the applicable General Plan has a shorter planning period remaining when the service review is prepared.” The City of Stockton’s 2020 General Plan has a 20 year planning period, thus the Stockton MSR and SOI have planning horizons of 10 year planning horizon (10 YPH) and 10 to 20 year planning horizons (20 YPH).

Currently the site is within the 20 YTH of the City of Stockton’s SOI as identified in the City’s 2020 MSR. Market demand for high cube warehouse space in close proximity to both the BNSF intermodal transfer facility and SR 99 is much higher than anticipated in the 2020 MSR. As such the City’s SOI needs to be amended so that the site is within the 10 year planning horizon (10YPH), please see map below. The amended SOI necessitates an amendment to the adopted Municipal Service Review (MSR).

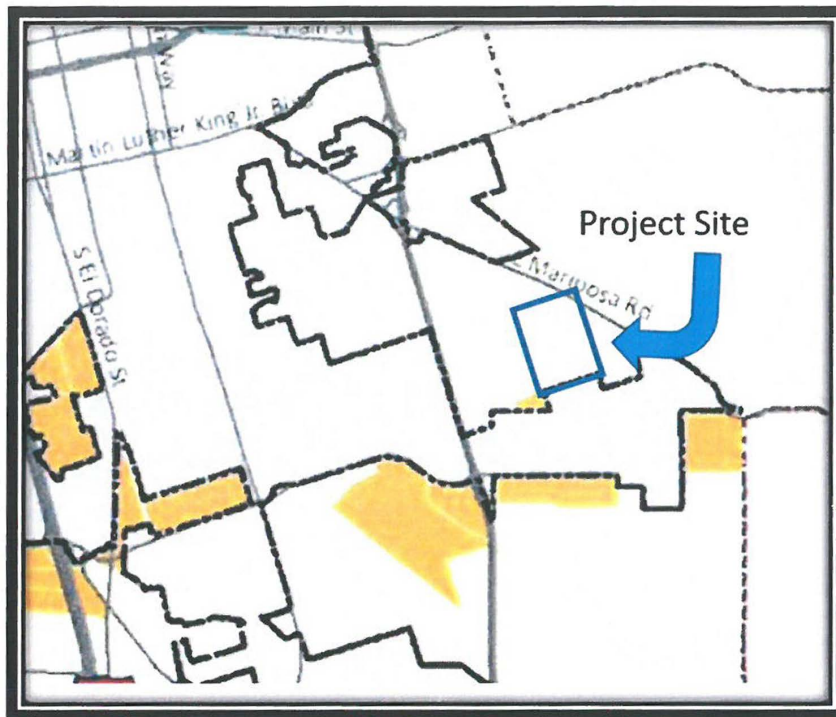


Figure 6 – City of Stockton SOI 10 Year Horizon  
*Yellow = 10 year planning horizon*

The amendment to include the area within the SOI 10YPH amends the discussion contained in Chapter 2 of the City’s MSR. Specifically, the inclusion of the site into the 10YPH would exhaust the square footage of industrial land for both the 10YPH and 20YPH evaluated within the MSR Table 2-7 (Please see table on next page). The amendment discusses other City of Stockton projects and accompanying square footage to bring the MSR up to date with current development expectations.

The current demand for industrial/logistical warehousing space is showing an 80% increase in projected demand from the 2020 MSR, from 6.2M square feet to 32M square feet by 2040. The 2040 development projection for the General Plan, as shown in Table 2-7, shows the full buildout potential of the General Plan (i.e., the development of every parcel with the maximum amount of development allowed under the General Plan). The project would also include a SOI Map Amendment that is shown on the next page. Please refer to the attached MSR Chapter 2 Amendment for a full description of the proposed MSR amendment. A comprehensive update of the City of Stockton MSR is expected to be completed in 2025.

The annexation area bisects the Mariposa Road Community DUC. There are three (3) properties east of the annexation area totaling 111.6 acres within this DUC. These include the two residential properties that the annexation area wraps around on three sides, 5262 and 5276 E. Mariposa Road (APN 179-220-14 & 15) as well as 5700 E. Mariposa Road (PN 179-220-07). The residential properties are approximately 2.5 acres apiece while 5700 E. Mariposa is 106.62 acres. These eastern properties, properties have always been separated from the properties on Carpenter Road, Clark Drive, Marfargoa Drive and Munford Avenue. The industrial park makes a logical boundary for the DUC. Staff has conditioned the project such the applicant prior to recordation of a Notice of Completion will submit amended MSR text and map

showing an amended boundary that eliminates these 3 parcels from the Mariposa Road Community DUC.

	2020-2030	2030-2040	Total
<b>Low Growth</b>			
Housing Units	9,876	9,876	19,752
Retail Square Feet (Non-Automotive)	1,650,000	1,650,000	3,300,000
Office Square Feet	3,550,000	3,550,000	7,100,000
Industrial Square Feet	3,100,000	3,100,000	6,200,000
<b>High Growth</b>			
Housing Units	20,515	20,515	41,030
Retail Square Feet (Non-Automotive)	2,450,000	2,450,000	4,900,000
Office Square Feet	3,550,000	3,550,000	7,100,000
Industrial Square Feet	3,100,000	3,100,000	6,200,000

*Source: 2040 General Plan, Market Analysis Technical Memorandum, July 20, 2016.*

	2020 -- 2030	2030 -- 2040	Total
<b>Low growth</b>			
Housing Units	9,876	9,876	19,752
Retail Square Feet (Non-automotive)	1,650,000	1,650,000	3,300,000
Office Square Feet	3,550,000	3,550,000	7,100,000
Industrial Square Feet	8,900,000	23,100,000	32,000,000
<b>High Growth</b>			
Housing Units	20,515	20,385	40,900
Retail Square Feet (Non-automotive)	2,817,500	2,817,500	5,635,000
Office Square Feet	4,082,500	4,082,500	8,165,000
Industrial Square Feet	8,900,000	23,100,000	32,000,000

Figure 7 – City of Stockton MSR Amended Table 2-7

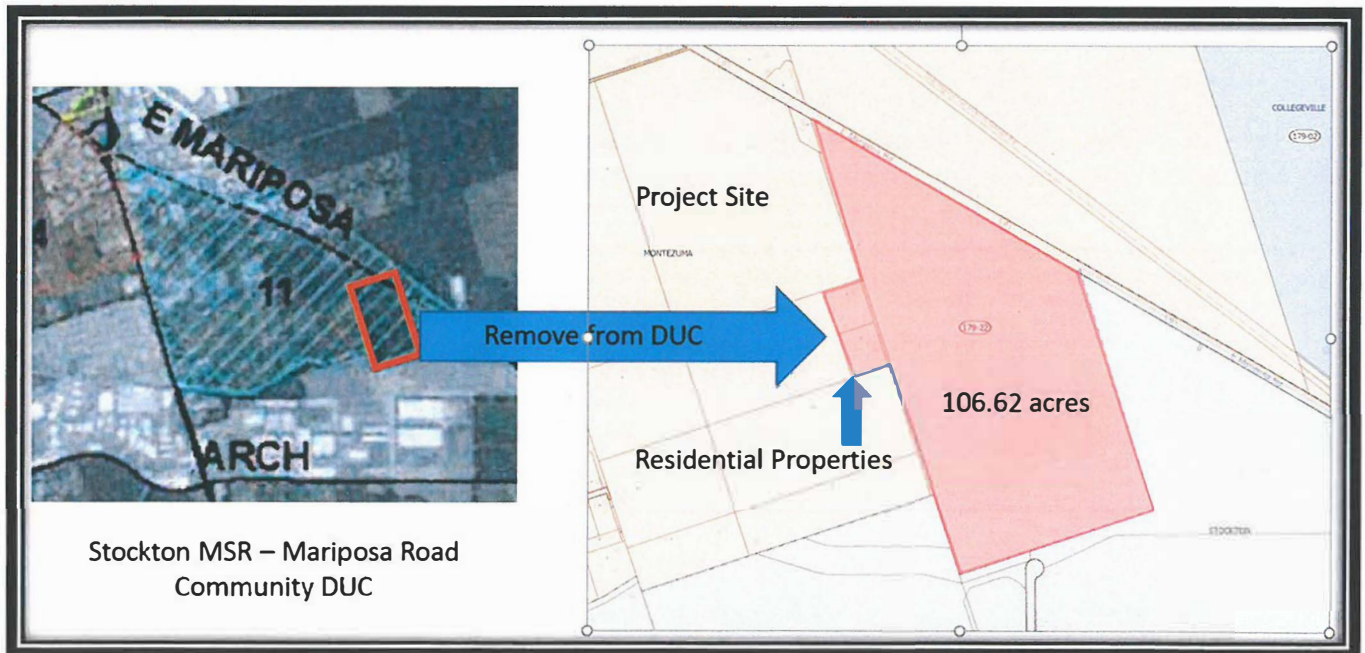


Figure 8 – Area to be Removed from Mariposa Road DUC

**MSR and SOI Findings:**

The MSR provides detailed discussion and empirical data that supports the necessary findings needed to approve the requested amendment to the SOI. The necessary findings are:

**(1) The present and planned land uses in the area, including agricultural and open-space lands.**

There are industrial and warehouse land uses in the area consistent with the City of Stockton Industrial General Plan designation. The development of existing vacant or non-prime agricultural lands consistent with the City’s General Plan is unavoidable due to the lack of available land inventory and proximity to major transportation investments. The City has prepared an inventory of vacant and developable land within the existing City limits. The largest identified vacant parcel is 76 acres in size and, even at that size, that parcel is unsuitable to accommodate the proposed project. Directing the proposed warehouse project to another site that is not between the BNSF intermodal facility and SR 99 would not promote the planned orderly, efficient development of the City.

The project area within the Mariposa Road traffic shed, a roadway designated as a truck route with an interchange on SR 99, is logically planned for larger industrial and warehouse development. The only other major industrial area is the Port of Stockton, which is substantially developed.



Figure 9 – Vacant Land Inventory  
(Red Parcels = Vacant)

According to the 2018 Important Farmland Map of San Joaquin County (Figure 9), the northern portion of the project site consists of Farmland of Statewide Importance (FSI), which encompasses 106 acres. The southern portion consists of Farmland of Local Importance, which encompasses 60 acres. These portions are divided by a strip of land in the center, approximately 37 acres, designated as Vacant or Disturbed Land. The 106 acres of FSI consists of Stockton clay). Stockton clay is a Class II soil when irrigated. Therefore, the northern portions of the project site that have this soil are considered to have prime agricultural land as defined by CKH Section 56064(a).

The loss of a non-renewable resource, Prime Agricultural Land, is significant and unavoidable impact. Stockton has determined that the project will take the feasible actions of participating in both the City’s Agricultural Lands Mitigation Program. The project applicant is voluntarily participating in the San Joaquin Multi Species Habitat Conservation Plan (SJMSHCP). The habitat plan classifies the majority of the site as agricultural as well as a strip of Natural along Littlejohns creek. The combined effect of both programs reduces to the extent feasible the impacts of converting the land to planned urban uses. As a responsible agency LAFCo concurs that the City has taken feasible steps to carefully plan and mitigate the loss of non-renewable Prime Agricultural and open space lands.

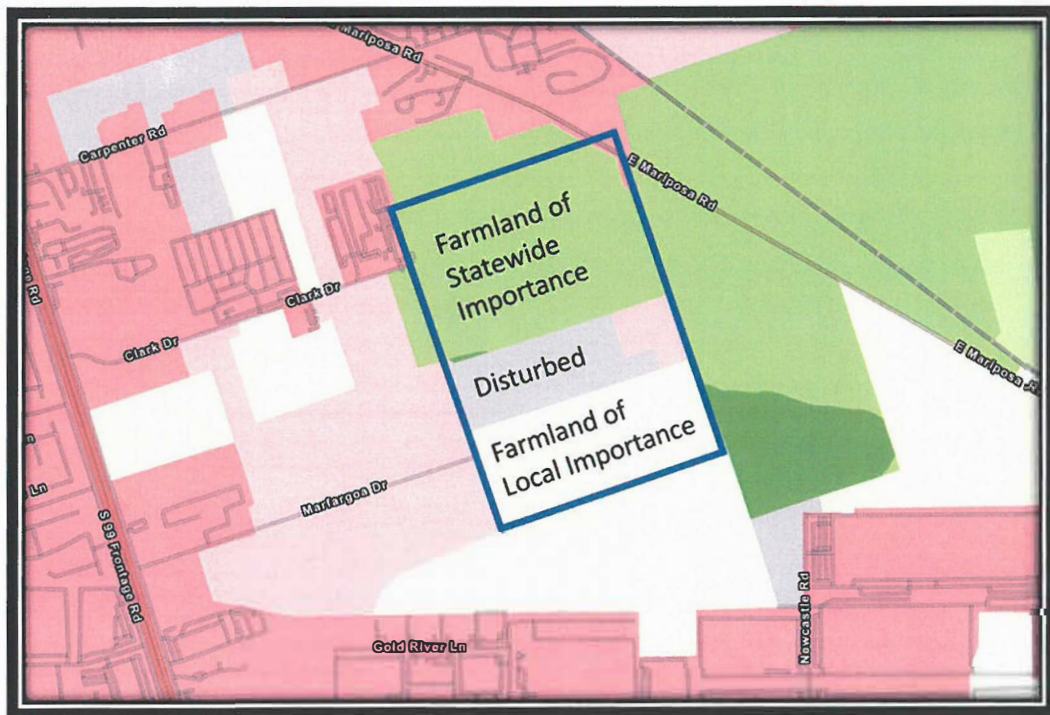


Figure 10 – Farmland Mapping



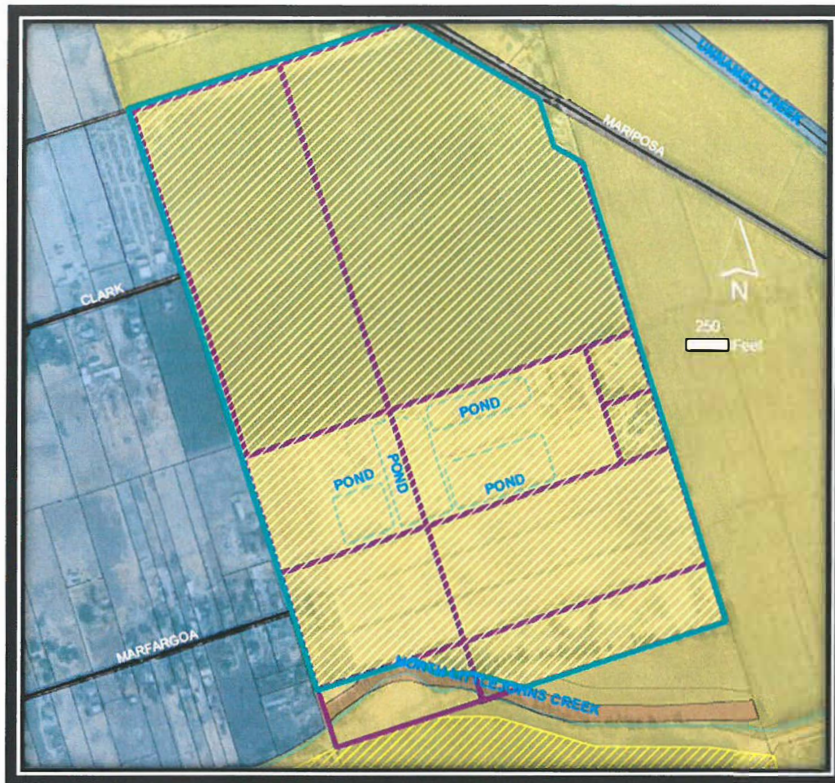


Figure 11 – Habitat Map

**(2) The present and probable need for public facilities and services in the area.**

The proposed industrial logistical center will need urban services that the City of Stockton has adequate capacity to provide.

**Wastewater:**

The proposed development on the project site would require wastewater service which would be provided by connection to the City’s wastewater system. Wastewater service would include the installation of new on-site sewer lines and connection to existing City mains in the area. These improvements are not expected to have a significant environmental impact beyond the project footprint, as connections to the City’s wastewater system would be made at the site boundary near Marfargoa Road. Existing sewer lines in the vicinity are adequately sized to collect wastewater from proposed development.

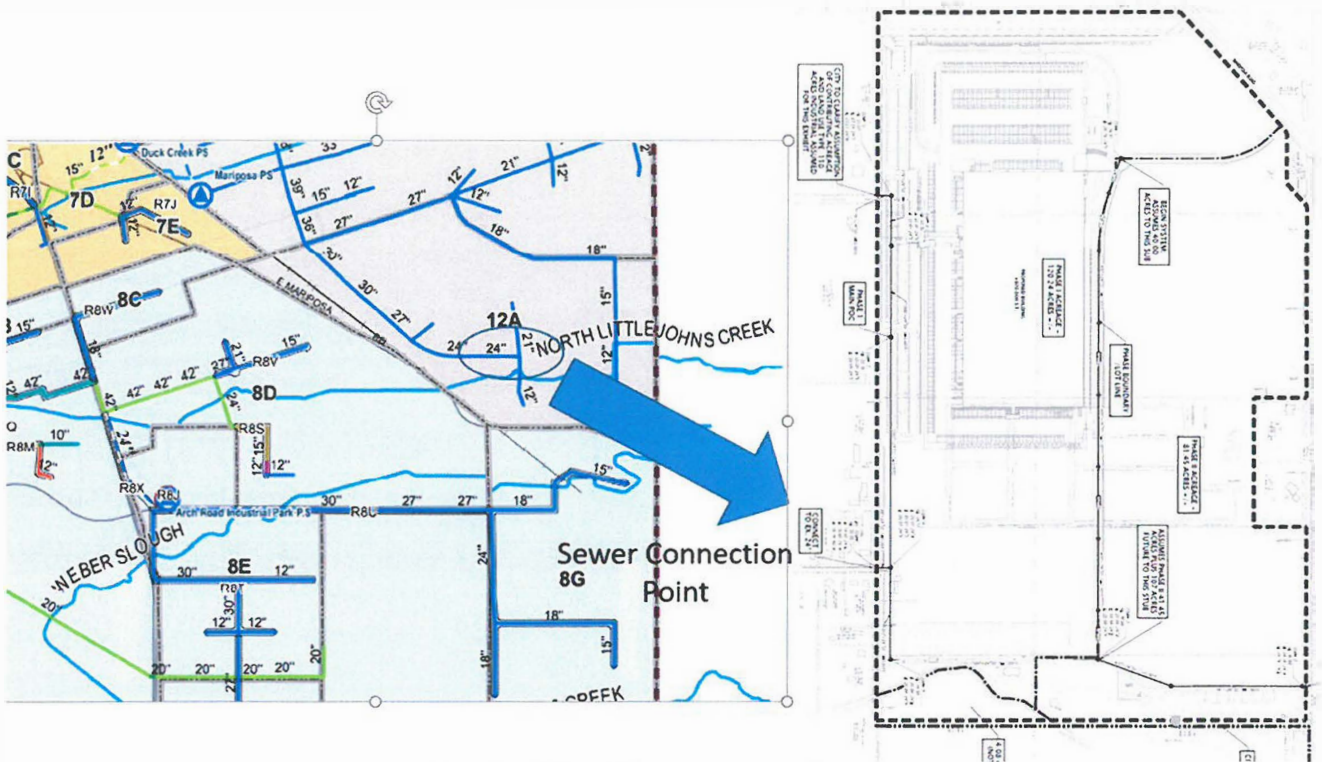


Figure 12 – Wastewater Plan

**Water:**

The proposed project will require water service, which can be provided through connection to the City’s water system. An on-site system will involve the installation of new on-site water lines, and the on-site system connected at two points to an existing 24-inch diameter City water main along Mariposa Road.

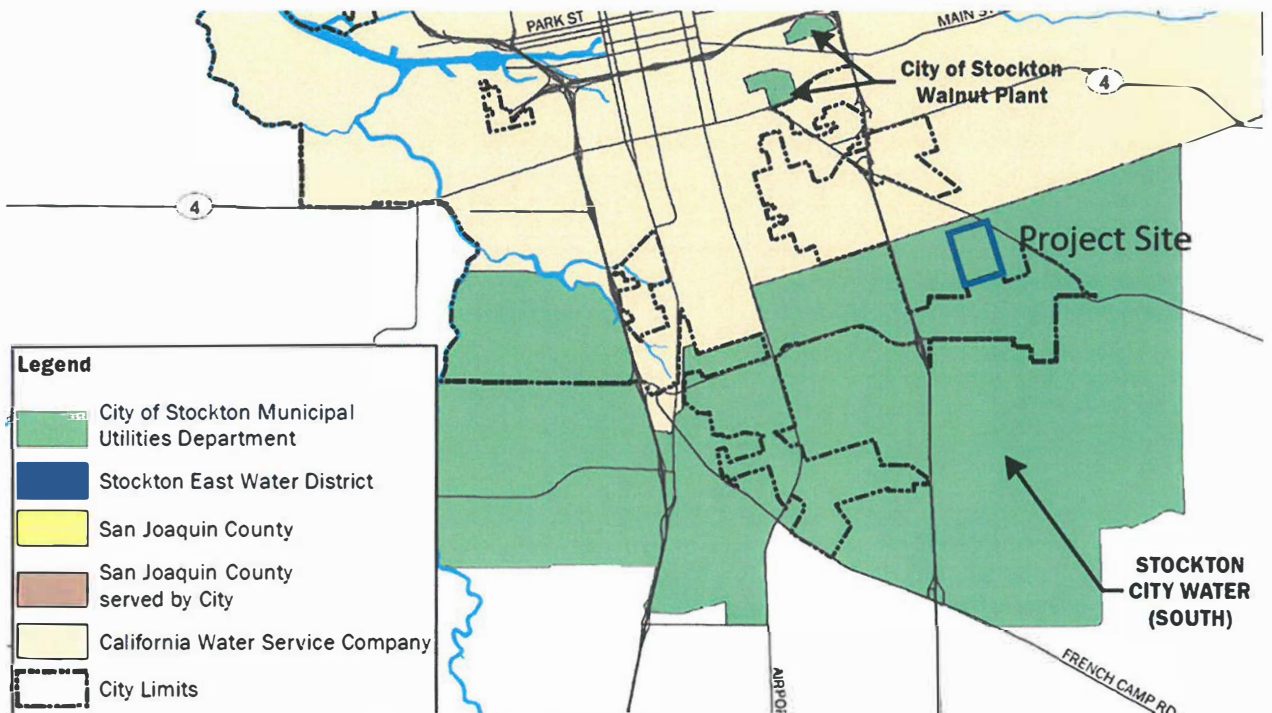


Figure 13 – Potable Water Plan

**Storm Water Management:**

The adding of impervious surfaces to the site creates the need for storm water management facilities and services. The storm water management plan for the project is consistent with the City’s master plan. By adding more than 2,500 square feet of impervious surface to the site, the project is required to incorporate best management practices as identified in the City’s Municipal Separate Storm Sewer System (MS4) permit. The MS4 permit requires storm water to be scrubbed by vegetation before entering the City’s system. This scrubbing process also allows some natural soil absorption of storm water. Upon initial scrubbing, drainage from the project site will be collected and sent to a detention basin at the southern end of the site. The basin identified as basin N4 in the master plan is across Littlejohn creek from basin N3. The basin within the project is designed for a telemetry system to control the pumps into Littlejohn Creek so that storm water can be detained and released as to ensure that flows comply with the intended que of the creek.

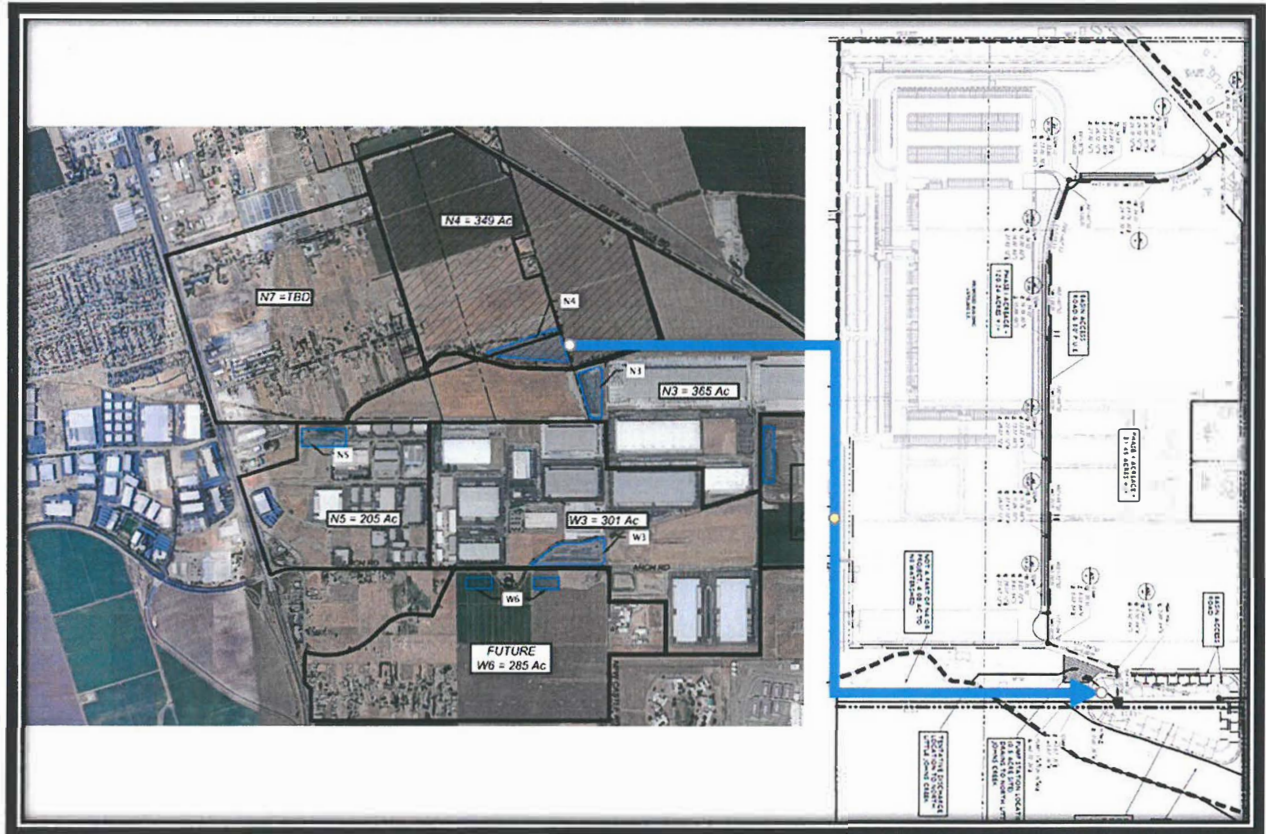


Figure 14 – Storm Water Management Plan

**Solid Waste:**

Development of the project site would generate a substantial new demand for solid waste disposal services. The estimated annual solid waste generated by a warehouse would amount to 1.42 pounds per 100 square feet per day (CalRecycle 2019c). Using this factor, the project would generate an estimated 51,360 pounds per day, or approximately 9,373 tons per year. While the content of a ton of solid waste varies, it has been approximated that a cubic yard of solid waste weighs 300 pounds, so the project would generate approximately 62,487 cubic yards of solid waste per year.

**Police:**

Law enforcement services to the subject site currently are provided by the San Joaquin County Sheriff's Department. Should the subject site be annexed, law enforcement would be the responsibility of the Stockton Police Department. The Police Department serves the area within City limits, covering more than 65 square miles. As of January 2021, the State Department of Finance estimated Stockton's population as 323,884. As of February 2021, the Police Department consists of 486 sworn officers, 47 police tele-communicators, and 179 civilian staff. The Department has 1.5 sworn officers per 1,000 residents and 2.2 Police Department employees per 1,000 residents. The project will annex 208.34 acres into the City's Park Police District. The response goal for SPD is average law enforcement response time of 5 minutes or less for priority one calls (where a threat to persons may exist).

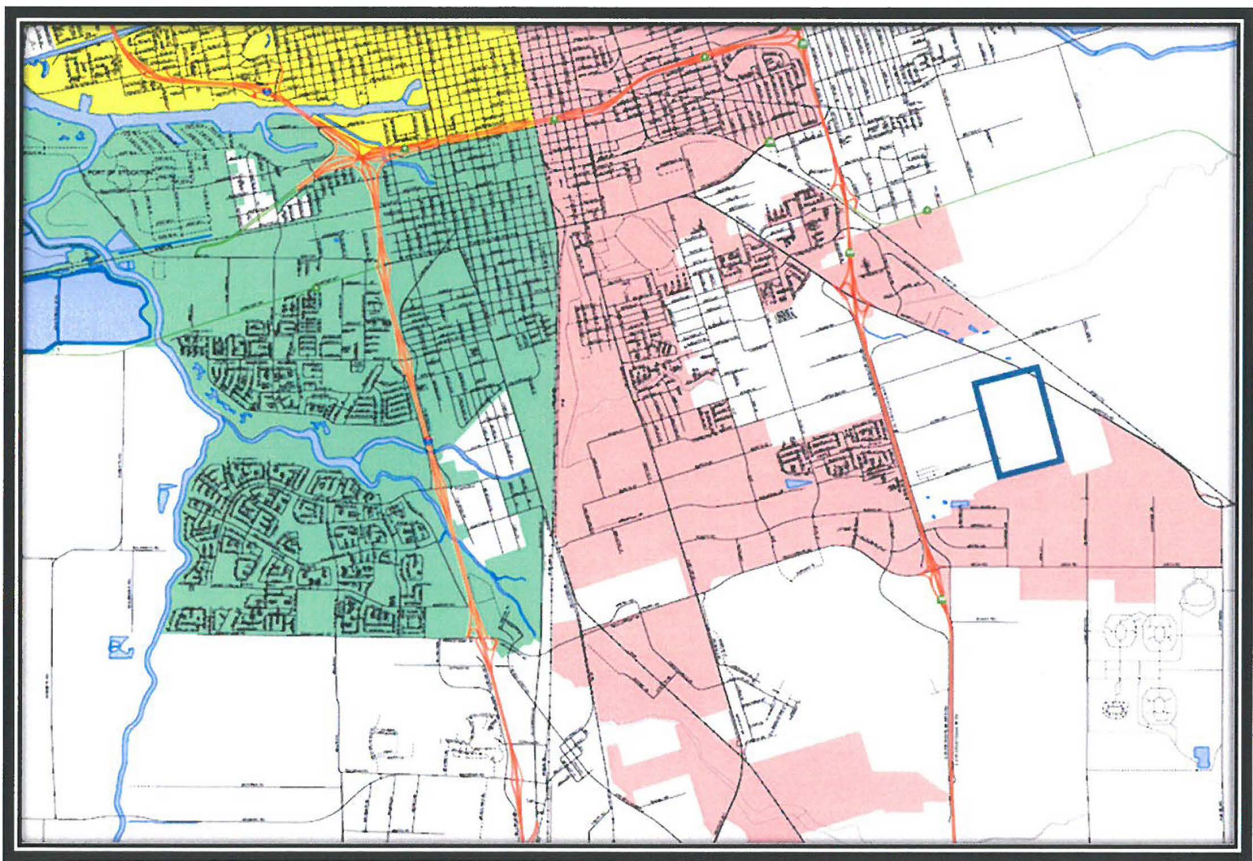


Figure 15 – Police District Map  
Pink = Park, Yellow = Civic Center, Green = Seaport

**Fire Protection:**

The subject site is currently within the Montezuma Fire Protection District (MFD), which serves approximately 10 square miles within unincorporated San Joaquin County located adjacent to the southeast portion of Stockton. The Stockton Metropolitan Airport is also within the MFD service area. MFD provides 3 firemen per truck and provides Basic Life Support (BLS) services. Currently the site is serviced from the MFD station at 2405 S. "B" Street in Stockton, approximately 3.1 miles from the project site within a 5 minute travel time. MFD responds to 90% of calls within their district within five minutes forty-seven seconds (5:47).

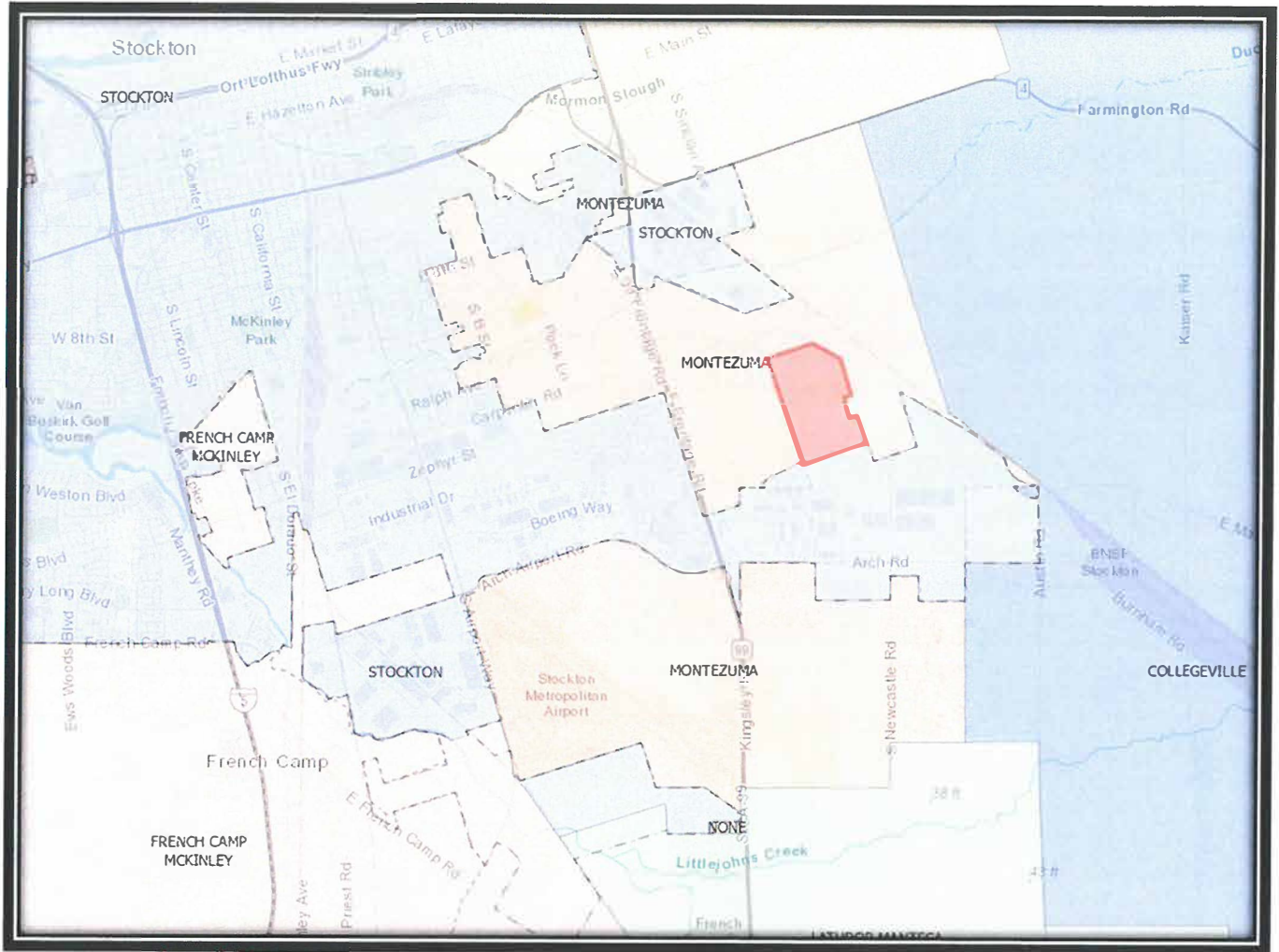


Figure 16 - Fire District Map

Fire EMS Reponse Times					
	Primary Response Area			All Responses	
	Count	Turn-Out	Response Time	Turn-Out	Response Time
Clements Fire	510	0:02:12	0:09:56	0:03:20	0:13:46
Collegeville Fire	255	0:03:09	0:05:30	0:05:50	0:08:45
Escalon Fire	1658	0:02:27	0:06:58	0:04:06	0:11:34
Farmington Fire	359	0:03:10	0:10:20	0:05:33	0:13:52
French Camp Fire	1662	0:02:10	0:05:55	0:03:45	0:10:58
Liberty Fire	520	0:02:15	0:06:43	0:03:29	0:09:14
Linden Peters Fire	859	0:02:27	0:07:31	0:03:26	0:13:29
Mokelumne Fire	910	0:01:44	0:06:57	0:03:02	0:09:26
<b>Montezuma Fire</b>	<b>1405</b>	<b>0:02:07</b>	<b>0:05:47</b>	<b>0:03:39</b>	<b>0:09:51</b>
Mountain House Fire	1304	0:01:48	0:05:18	0:03:03	0:08:50
Ripon Fire	2341	0:02:24	0:07:12	0:04:28	0:11:49
Thorton Fire	464	0:01:56	0:07:30	0:03:15	0:11:47
Waterloo-Morada Fire	3759	0:02:10	0:06:53	0:03:25	0:11:41
Woodbridge Fire	2876	0:02:04	0:09:47	0:03:52	0:17:36
<b>Average</b>	<b>1349</b>	<b>0:02:17</b>	<b>0:07:18</b>	<b>0:03:52</b>	<b>0:11:37</b>

Figure 17 – Rural Fire District Response Times

SFD Station 12 is located at 4010 E. Main Street. The 2020 MSR reported that Station 12 had an average response time of 5:57 minutes and responded to 90% of the calls within 10:56 minutes.

The project proposes detachment from MFD and fire protection services would be the responsibility of the Stockton Fire Department (SFD). SFD provides fire protection, fire prevention, paramedic emergency medical, and other related services to all areas of the City of Stockton, as well as on a contract basis to the Lincoln, Eastside, Boggs Tract, and Country Club Fire Districts. SFD currently serves an area of about 86 square miles and has about 181 total personnel. SFD currently has twelve stations located throughout the greater Stockton metropolitan area.

The site will be primarily served by SFD Station 12, located at 4010 East Main Street, approximately three (3) miles to the north of the site. The station is equipped with one engine and one grass rig, and is staffed by a captain, an engineer, and a firefighter. Starting in FY 23-24 the station will be responding with 4 firemen on the engine. Two of the staff are also paramedics, allowing SFD to provide Advanced Life Support (ALS) services. SFD also has a hazardous materials response team available.

Response times to the annexation area is anticipated to be approximately the same as MFD, approximately 6 minutes. This exceeds adopted the 240 seconds (4 minutes) or less travel time for the arrival of the first arriving engine company at a fire suppression incident. The City has adopted a standard for other than high-rise, 480 seconds (8 minutes) or less travel time for the deployment of an initial full alarm assignment at a fire suppression incident.

A mitigation measure in the Mariposa Industrial Park EIR requires new development on the subject site to install Early Suppression Fast Response (ESFR) fire sprinkler systems. The purpose of the ESFR systems is to allow for a variety of commodities to be capable of meeting high-bay storage up to five feet below roof deck. They are considered the best engineered fire protection system that the National Fire Protection Association recognizes, capable of flowing up to 100 gallons per minute per nozzle. Their design purpose is to completely extinguish the fire rather than controlling the spread of fire. Testing results from nationally recognized testing agencies have proven this. The site plan provides for a looped water mains on site to comply with necessary fire flows for the ESFR system.

**(3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.**

**Wastewater:**

This analysis uses a flow factor for new industrial development of 3,000 gallons per day per acre. Based on this factor, it is estimated that development on the project site would generate 610,440 gallons of wastewater per day, or approximately 0.61 mgd. The Regional Wastewater Control Facility currently has approximately 21.0 mgd of main treatment plant capacity to serve additional development. The proposed project would involve an increase in sewage generation that would amount to approximately 2.9% of the City's available treatment capacity.

Proposed project wastewater infrastructure may vary to some extent from the Wastewater Master Plan. The City is currently updating the Wastewater Master Plan. It is expected that the project applicant and the City will ensure that the project improvements and the updated Wastewater Master Plan are consistent.

**Water:**

The project water demand can be accommodated with existing available water supplies. As of 2015, the City had 96,480 acre-feet of water per year available by right or from safe yield. Based upon the 2015 water demand of 26,319 acre-feet per year, the City had 70,161 acre feet of water available to serve additional development.

In accordance with SB 610, the City prepared a Water Supply Assessment (WSA) for the project. The WSA estimated that the project would demand approximately 283 acre-feet of potable water per year. It determined that the existing and future City surface water and groundwater supplies can deliver a sustainable reliable water supply to meet existing and foreseeable water demands by the City's service area with the project, even during multiple dry years. Under the multiple dry-year condition, the City would still have approximately 47,365 acre-feet of water supply available after satisfying total demands. This also would be the case if the City's surface water supplies are limited under emergency water supply conditions due to water shortages brought on by drought. The incremental increase in water demand would not require the City to obtain additional supplies.

**Storm Water Management:**

Scrubbed storm water will be collected in detention basin along the southern boundary of the site. Collected runoff will be discharged from the detention basin to North Littlejohn Creek as capacity is available in the creek channel to accept it. Discharge control will prevent exceedance of creek capacity.

**Solid Waste:**

Upon annexation, the project site would be served by Waste Management, one of two franchises that serves the City of Stockton. In 2017, the City of Stockton generated approximately 348,714 tons of solid waste. The City's solid waste is transported and disposed of primarily at three active sanitary landfills in San Joaquin County. The combined capacity of all three County landfills is approximately 182.5 million cubic yards. The total maximum throughput permitted at all three landfills is 11,013 tons per day. With a project daily generation of 51,360 per day, this represents 0.2% of the daily throughput of the combined landfill capacity. The annual project generation of 62,487 cubic yards represents 0.03% of the available landfill capacity within San Joaquin County.

Further reducing the overall landfill demand are the 50 solid waste diversion programs in Stockton. These include composting; facility recovery, household hazardous waste collection and education programs, recycling, source reduction programs, and waste-to-energy. Target disposal rates in accordance with AB 939 for the City of Stockton were 6.9 pounds per day per resident and 21.0 pounds per day per employee. Actual rates were 5.1 pounds per day per resident and 16.9 pounds per day per employee, surpassing the target rates. Thus, there is adequate management and landfill capacity to handle the expected solid waste generated by the project.

**Police:**

The 2020 MSR reported that the average response time to in-progress, life threatening emergencies is between 3 and 5 minutes meeting the General Plan goal of 5 minutes. SPD has the capacity to serve the annexation area.

**Fire:**

The detachment of the project site from Montezuma Fire District (MFD) will reduce the financial capacity of MFD to provide services. MFD has submitted a letter stating that a payment of \$163,540.39 is necessary to mitigate the loss of revenue created by detaching the annexation area from the district. This represents 20 years of tax increment, with a 3% adjustment factor, plus 25% of the District's Fire Facility Impact Fee. The letter from MFD represents the District's position on this detachment.

It is San Joaquin LAFCo policy that, "LAFCo will consider any significant adverse effects upon 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 detachments from special districts or annexations that fail to provide adequate mitigation of the adverse impact on the district."



San Joaquin LAFCo has a long-standing practice of requiring a detachment agreement between cities and affected fire protection districts as a condition of approving reorganizations where there are annexations to the cities and detachments from the affected fire protection districts. A standard condition for reorganizations is that prior to recording a Notice of Completion, the applicant will submit proof of a detachment agreement to the Executive Officer. The standard operating practice of a detachment payment to a fire district equal to a 10 year property tax increment is based loosely on Section 56855 that actually deals with the opposite situation, where cities or portions thereof are annexed by fire districts.

LAFCo is obligated under the Act to consider the impacts of a change of organization such as a city annexation on surrounding public agencies such as a fire protection district.

The Act does not expressly provide for a fire district detachment agreement when property is annexed into a city and detached from a fire protection district. Rather, it is left to local LAFCo's to develop policies regarding the appropriate mitigation for the impacts of property tax revenue loss to a fire protection district. The mitigation is an agreement between the district and a City. The current LAFCo policy leaves the terms of the agreement to be negotiated between the district and City. LAFCo expects the parties to negotiate their detachment agreements in good faith and to obtain terms and conditions in such agreements that are reasonable under the circumstances.

The City resolution approving the project and filing annexation application also directed the applicant to come to a detachment agreement with MFD. Initially MFD opposed detachment due to the loss of territory in their northern service island. After further consideration, MFD submitted a letter stating support of terms that reflect 20 year tax increment plus 25% of the District's Fire Facility Fee. Thus, there appears to be good faith negotiation on the matter and staff recommends that the Commission apply the standard condition that prior to recording a Notice of Completion, the applicant submit proof of execution of an agreement between the City and MFD

**(4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.**

Within the City's 2020 MSR, the site is within the identified Mariposa Road Community DUC. This DUC comprises 223 parcels totaling 1,112 acres with residents and businesses within this community. The Mariposa Industrial Park Annexation project proposes the annexation of nine (9) parcels (4% of DUC) totaling approximately 203.5 acres (18.3% of DUC) into the City of Stockton. The majority of registered voters within the community oppose annexation and the remaining parcels are not part of the proposed annexation area. The resultant community will comprise 214 parcels totaling 908.5 acres. The MSR will be amended to remove an addition 3 parcels totaling 111.6 acres (10%). The Mariposa Road Community within the MSR will reflect 211 parcels totaling 796.9 acres.

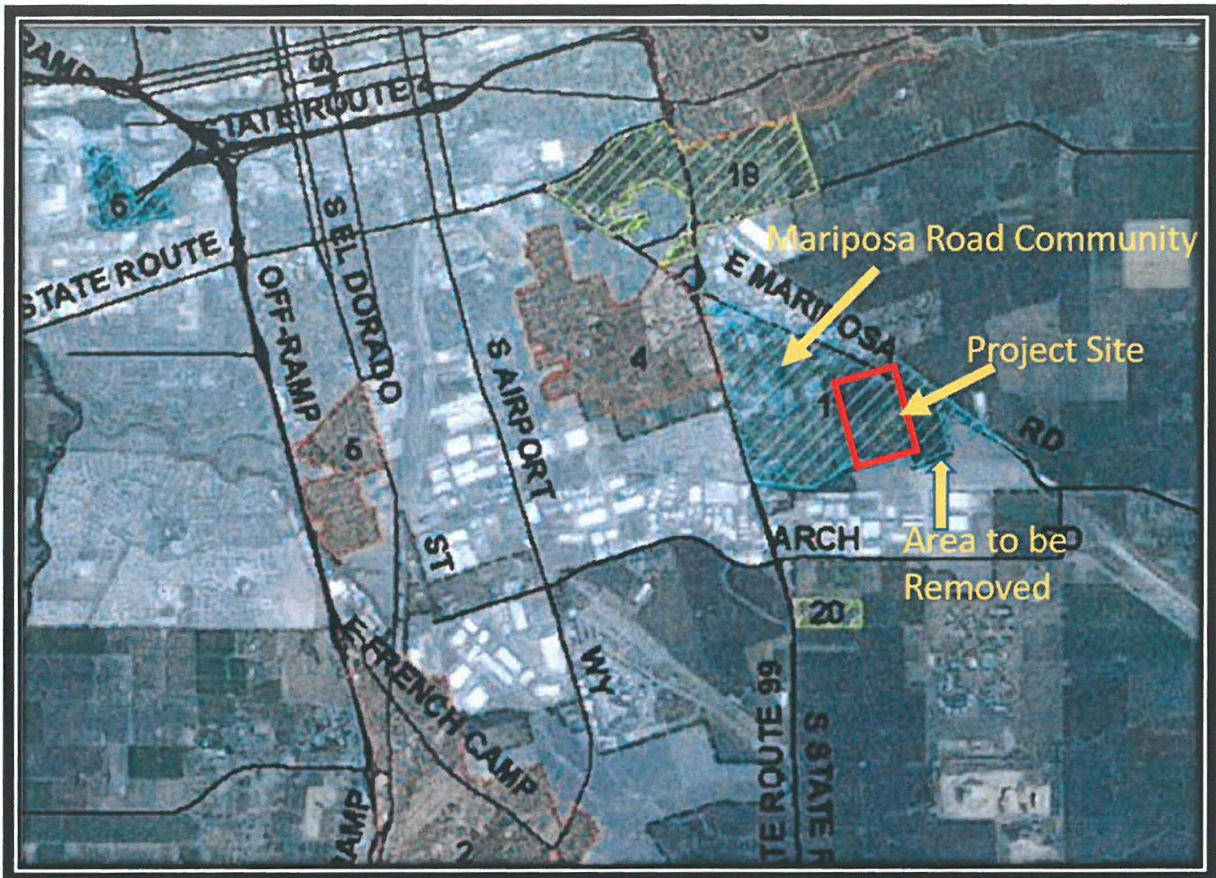


Figure 18 – Mariposa Road Community Map

**(5) For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.**

Please see discussions above.

**Annexation:**

The City pre-zoned the 9 parcels comprising the 208.34 acre annexation area to Industrial, Limited (IL) consistent with the City’s General Plan. The annexation plan provides an outline of how the project complies with all factors enumerated in CKH Section 56377, subsections “a” through “q”. This section mandates the factors that the Commission needs to evaluate in reviewing and approving or disapproving proposals which could convert existing open-space lands to uses other than open-space uses. The annexation plan provides detailed discussion of all applicable factors, including the factors discussed in this staff report.

**Comments:**

The Montezuma Fire District submitted two letters – 1) Dated March 1, 2023, opposing detachment; and, 2) Dated March 30, proposing an agreement for payment of a 20 year detachment payment and 25% of the District’s Fire Facility Fee, please see attached. The letters demonstrate that Montezuma Fire District has been

negotiating in good faith pursuant to LAFCo policies. Comments were also received from the County Department of Environmental Health and Public Works. These comments are listed below:

Environmental Health:

1. Prior to the issuance of any building permits, sewer facilities shall either be bonded for or be in place, as evidenced by a letter from the serving entity (San Joaquin County Development Title, Section 9-600.020(d)).
2. This project shall be provided with public water service at the time of building permit issuance. A letter shall be submitted from the purveyor stating that these services either are bonded for or are in place, prior building permit approval. (San Joaquin County Development Title, Section 9-602.010).
3. Open, pump, and backfill the septic tanks and/or seepage pits at the following addresses under permit and inspection by the Environmental Health Department (San Joaquin County Development Title, Section 9-605.010):
  - a. 4522 Marfargoa Road, Stockton (permit 83-816)
  - b. 4600 Marfargoa Road, Stockton (permit SR0019225)
  - c. 5268 Mariposa Road, Stockton (permit 88-1589 & 78-964)
  - d. 5150 Mariposa Road, Stockton (permit 88-368)
  - e. 4600 Marfargoa Road, CO0054768 Notice to Abate issued March 22, 2022 regarding the illicit septic tank installed without permit.
4. Destroy the abandoned well(s) at the following addresses under permit and inspection by the Environmental Health Department as required by San Joaquin County Development Title, Section 9-601.020(e).
  - a. 5100 Clark Drive, Stockton (permit SR0068492)
  - b. 4522 Marfargoa Road, Stockton (permit 83-821)
  - c. 5268 Mariposa Road, Stockton (permit 79-1154)
  - d. 5150 Mariposa Road, Stockton (permit 79-647)
  - e. 5110 Mariposa Road, Stockton (permit 81-40)
5. Submit a copy groundwater quality analysis report to EHD for the following site mitigation projects pursuant to San Joaquin County Well Water Standard 13.7:
  - a. 4522 Marfargoa Road, Stockton SR0084976 & WP0043068
  - b. 5110 Mariposa Road, Stockton SR0084978 & WP0043069
6. Any geotechnical drilling shall be conducted under permit and inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9- 601.01 0(b) and 9-601.020(i)).

Public Works:

1. The City of Stockton must also annex the entire section of Mariposa Road adjacent to this proposed annexation.
2. City shall mitigate all impacts to County roads.

**Cultural Resources:**

On April 5, 2023, staff received an email from the Chairperson Gould of the Confederated Villages of Lisjan Nation, “requesting a copy of the final CHRIS and FEIR for this project, along with the SLF from Native American Heritage Commission and any additional archeological reports. Once the Tribe has time to review the reports we can then move forward with possible consultation as to formal consultation with the Tribe.” Within the email chain a statement was made by the Army Corps of Engineers that, “A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed and the findings were positive.”

The FEIR for the project did study the positive record in the SLF. The FEIR documents that the archaeological consulting firm, Solano Archaeological Services, contacted the NAHC and requested a search of the Sacred Lands File for record of any lands on the project site considered sacred by tribes. The NAHC reported a positive result, although specific information was not provided. Consequently, the NAHC recommended that the North Valley Yokuts be contacted for more information. An intensive pedestrian survey of the project site by Solano Archaeological Services did not reveal any prehistoric archaeological resources.

In addition, Solano Archaeological Services attempted to contact eight representatives of four local sovereign nations: North Valley Yokuts, Confederated Villages of Lisjan, Muwekma Ohlone, and Tule River. These representatives were listed by the NAHC in its response to the request for a Sacred Lands File search of the project site. Initial letters were followed up by electronic mail contacts and telephone calls. Until April 5, 2023 no sovereign nation had responded to those inquiries.

The NAHC indicated the potential presence of a Sacred Land on or near the project site, and the Northern Valley Yokuts representative indicated in her request for AB 52 consultation that, “If tribal cultural resources are identified within the project area, it is our policy that tribal monitors must be present for all ground disturbing activities.” The Solano Archaeological study did not, however, identify any tribal or other cultural resources during its survey of the project site, and the City has received no other information that would indicate that significant tribal cultural resources are present on the site.

To address the potential cultural resources on the site, staff has drafted the following condition:

Section 9. Prior to recording a Certificate of Completion, the applicant shall submit to the Executive Officer proof of starting the consultation process with the Confederated Villages of Lisjan Nation. The applicant shall not issue any permits allowing; or otherwise allow the developer to commence ground disturbing activities within the annexation area until the consultation process is completed with the Confederated Villages of Lisjan Nation. Any and all conditions resulting from the consultation process are hereby incorporated by reference into this resolution.

**Conclusion:**

The Mariposa Industrial Park Reorganization meets all requirements to allow the annexation of 208.34 acres to the City of Stockton and simultaneous detachment from the Montezuma Fire District and San Joaquin Resource Conservation District.

The recommendation for approval is based upon the City’s General Plan designation of Industrial and pre-zoning of the site to Industrial, Limited (IL). The associated site plan showing the development of an 890,000 square foot warehouse is consistent with the City's general plan.

The amendment to the MSR and SOI is necessary to meet market demand for logistical and warehouse development between two major freight transportation facilities, the BNSF intermodal facility and SR 99. Mariposa Road that the project fronts on is roadway with a recently improved interchange on SR 99.

The majority of registered voters within the Mariposa Road Community, a DUC, were surveyed and a majority, 56.9%, enjoyed being within the unincorporated area and did not want to be annexed. The Mariposa Industrial Park will be annexed and the boundaries of DUC will be adjusted.

As conditioned, including the agreement with detachment from Montezuma Fire District, and intent to file an STAA Terminal application, along with the conditions from other public agencies, the Mariposa Industrial Park Reorganization epitomizes orderly growth and development and will add to the social, fiscal, and economic well-being of the San Joaquin region.

Attachments:

- Exhibit A Resolution 23-1517 Approval of Reorganization
- Exhibit B Resolution 23-1518 MSR – SOI update
- Exhibit C Justification of Proposal
- Exhibit D Plan for Services
- Exhibit E City of Stockton Resolution
- Exhibit F MSR Amended Chapter 2
- Exhibit G MSR and SOI Map Amendment
- Exhibit H DUC Annexation Survey Results
- Exhibit I Comment Letter from Montezuma Fire Protection District dated March 1, 2023
- Exhibit J Comment Letter from Montezuma Fire Protection District dated March 30, 2023
- Exhibit K Comment Letter from County Environmental Health
- Exhibit L Comment Letter from the County Public Works
- Exhibit M Comment E-Mail from Confederated Villages of Lisjan Nation

**RESOLUTION 23-1517**

**A RESOLUTION OF THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION  
APPROVING THE MARIPOSA INDUSTRIAL PARK REORGANIZATION TO THE CITY OF  
STOCKTON AND CONCURRENT DETACHMENT FROM THE SAN JOAQUIN COUNTY RESOURCE  
CONSERVATION DISTRICT**

WHEREAS, the above entitled proposal was initiated by resolution by the City of Stockton City Council on December 6, 2022; 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 April 13, 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, on December 6, 2022, the City of Stockton certified a Final Environmental Impact Report for the Mariposa Industrial Park (SCH # 2020120283); and

WHEREAS, on December 6, 2022, the City of Stockton pre-zoned nine (9 ) parcels (APN 179-220-10, 11, 12, 13, 16, 17, 18, 19, and 25) totaling 208.34 acres as Industrial, Limited (IL); and

WHEREAS, the nine (9) parcels (APN 179-220-10, 11, 12, 13, 16, 17, 18, 19, and 25) adjacent to inhabited portions of the Mariposa Road Disadvantaged Unincorporated Community; and

WHEREAS, on March 19, 2021, CV Strategies prepared a report from a survey conducted that showed 56.9% of the registered voters within the Mariposa Road Community Disadvantaged Community opposed annexation into the City of Stockton; and

WHEREAS, it is San Joaquin LAFCo policy that, "LAFCo will consider any significant adverse effects upon 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 detachments from special districts or annexations that fail to provide adequate mitigation of the adverse impact on the district"; and

WHEREAS, State Government Code Section 56668(g) states, “Factors to be considered in the review of a proposal shall include, but not be limited to, all of the following:… (g) A regional transportation plan adopted pursuant to Section 65080”; and

WHEREAS, State Government Code Section 56668(j) states, “Factors to be considered in the review of a proposal shall include, but not be limited to, all of the following:… (j) The comments of any affected local agency or other public agency”; and

WHEREAS the subject territory is uninhabited and has 100% owner consent; 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 on April 13, 2023.

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

Section 1. The Annexation Property 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 (FEIR) for the Mariposa Industrial Park (SCH# 2020120283) and associated Mitigation Monitoring and Reporting Program as certified by the City of Stockton City Council.

Section 3. The Annexing Property is within the scope of the FEIR for the Mariposa Industrial Park (SCH# 2020120283) as the FEIR expressly contemplates the annexation to the City proposed by Property Owner and adequately addresses all significant impacts therefrom.

Section 4. The Annexation Plan submitted by the City of Stockton for the Mariposa Industrial Park is hereby approved, as amended.

Section 5. Prior to recording a Certificate of Completion, the applicant shall submit to the Executive Officer proof of an agreement with the Montezuma Fire Protection District regarding mitigation for detachment from the District.

Section 6. All comments and conditions from San Joaquin County Department of Environmental Health dated March 1, 2023 shall be implemented in the annexation area to the satisfaction of the Department.

Section 7. All comments and conditions from San Joaquin County Department of Public Works dated April 3, 2023 shall be implemented in the annexation area to the satisfaction of the Department.

Section 8. Prior to recording a Certificate of Completion, the applicant shall submit to the Executive Officer a letter to the City, the State Department of Transportation and San Joaquin Council of Governments the intent to file an application for a Surface Transportation Assistance Act (STAA) Terminal application for the annexation area.

Section 9. The applicant shall continue to make a good faith effort of providing the requested information and shall comply with the decision of the Confederated Villages of Lisjan Nation as to whether further consultation is needed. The applicant shall not issue any permits allowing; or otherwise allow the developer to commence ground disturbing activities within the annexation area until the decision as to the consultation process is made and/or consultation process completed with the Confederated Villages of Lisjan Nation. Any and all conditions resulting from the decision and/or consultation process are hereby incorporated by reference into this resolution.

Section 10. Pursuant to California Government Code Section 56668, the Commission considered all pertinent factors associated with the Mariposa Industrial Park reorganization to the City of Stockton.

Section 11. The Commission finds that the proposed annexation, as amended, to the City of Stockton will be for the interest of landowners, and present or future residents within the City of Stockton and within the territory proposed to be annexed to the City of Stockton.

PASSED AND ADOPTED this 13<sup>th</sup> day of April, 2023 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

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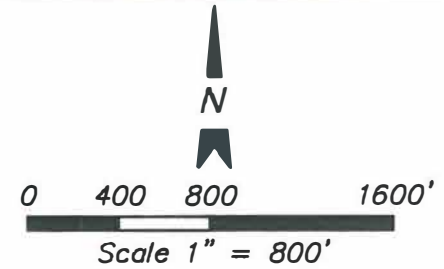
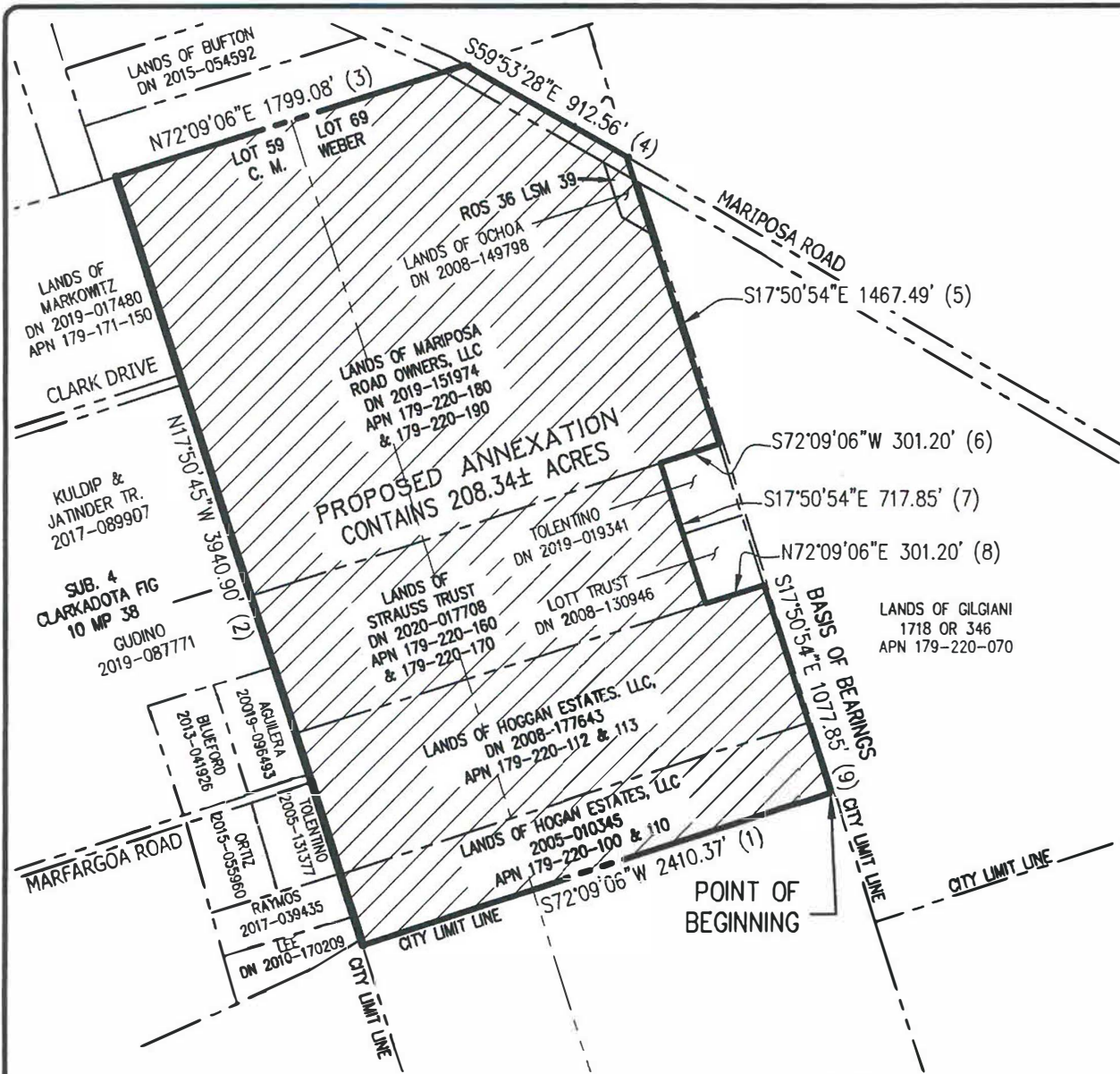
TOM PATTI, CHAIRPERSON  
SAN JOAQUIN LOCAL AGENCY  
FORMATION COMMISSION

ATTEST:



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MITZI STITES, COMMISSION CLERK  
SAN JOAQUIN LOCAL AGENCY  
FORMATION COMMISSION



### BASIS OF BEARINGS

THE BEARING OF NORTH 17° 50' 54" WEST TAKEN ON THE WESTERLY LINE OF THE IRIS GALGIANI 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.

### LEGEND

- APN ASSESSOR'S PARCEL NO.
- O.R. OFFICIAL RECORDS
- POB POINT OF BEGINNING
- ROW RIGHT OF WAY
- TR. TRUST
- (T) TOTAL
- (R) RADIAL BEARING
- D.N. DOCUMENT NUMBER



**KIER+WRIGHT**

250 Cherry Lane, Suite 107, 208  
Manteca, CA 95337

Phone: (209) 328-1123  
www.kierwright.com

## EXHIBIT "B" - ANNEXATION PLAT

LAFCO - -

MARIPOSA INDUSTRIAL PARK TO THE CITY OF STOCKTON

SAN JOAQUIN COUNTY

CALIFORNIA

DATE	FEBRUARY, 2023
SCALE	1" = 500'
BY	GKL
JOB NO.	A20631
SHEET	2 OF 2

LAFCO \_\_\_-\_\_\_  
MARIPOSA INDUSTRIAL PARK ANNEXATION  
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 59 AND 69 OF THE C. M. WEBER GRANT, AS DESCRIBED IN THAT CERTAIN DOCUMENT RECORDED JANUARY 14, 2005, AS DOCUMENT NO. 2005-010345, THAT CERTAIN DOCUMENT RECORDED NOVEMBER 12, 2008, AS DOCUMENT NO. 2008-177643, THAT CERTAIN DOCUMENT RECORDED FEBRUARY 10, 2020, AS DOCUMENT NO. 2020-017708 AND THAT CERTAIN DOCUMENT RECORDED DECEMBER 24, 2019, AS DOCUMENT NO. 2019-151974 SAN JOAQUIN COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A POINT AT THE SOUTHEAST CORNER PARCEL ONE OF THE LANDS OF HOGGAN ESTATES. LLC, AS DESCRIBED IN THAT CERTAIN DOCUMENT RECORDED JANUARY 14, 2005, AS DOCUMENT NO. 2005-010345, SAN JOAQUIN COUNTY RECORDS, SAID POINT ALSO BEING ALONG THE EXISTING BOUNDARY OF THE STOCKTON CITY LIMIT LINE;

THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL ONE AND ALSO ALONG THE EXISTING BOUNDARY OF THE STOCKTON CITY LIMIT LINE, (1) SOUTH 72° 09' 06" EAST, 2410.37 FEET, TO THE SOUTHWEST CORNER OF SAID PARCEL ONE, SAID POINT ALSO BEING ALONG THE EASTERLY LINE OF THE "MAP OF SUBDIVISION NO. 4 CLARKADOTA FIG PLANTATIONS", FILED IN BOOK 10 OF MAPS & PLATS, AT PAGE 38, SAN JOAQUIN COUNTY RECORDS;

- (2) THENCE LEAVING SAID EXISTING BOUNDARY OF THE STOCKTON CITY LIMIT AND RUNNING ALONG SAID EASTERLY LINE OF THE "MAP OF SUBDIVISION NO. 4 CLARKADOTA FIG PLANTATIONS" NORTH 17° 09' 06" WEST, 3940.90, TO THE NORTHEAST CORNER THEREOF, BEING A POINT ON THE NORTHERLY LINE OF SAID SECTION 59 OF THE C. M. WEBER GRANT,
- (3) THENCE ALONG SAID NORTHERLY LINE OF SECTIONS 59 AND 69 OF SAID C. M. WEBER GRANT, NORTH 72° 09' 06" EAST, 1799.08 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF MARIPOSA ROAD,
- (4) THENCE ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, SOUTH 59° 53' 28" EAST, 912.56 FEET, TO A POINT ON THE DIRECT EXTENSION OF THE EASTERLY LINE OF THE LANDS OF MARIPOSA ROAD OWNERS, LLC, AS DESCRIBED IN THAT CERTAIN DOCUMENT RECORDED DECEMBER 24, 2019, AS DOCUMENT NO. 2019-151974, SAN JOAQUIN COUNTY RECORDS,
- (5) THENCE ALONG SAID DIRECT EXTENSION AND EASTERLY LINE, SOUTH 17° 50' 54" EAST, 1467.49 FEET, TO THE NORTHEASTERLY CORNER OF THE LANDS OF THE TOLENTINO TRUST AS DESCRIBED IN THAT CERTAIN DOCUMENT RECORDED FEBRUARY 25, 2019, AS DOCUMENT NO. 2019-019341, SAN JOAQUIN COUNTY RECORDS,

- (6) THENCE ALONG THE NORTHERLY LINE OF SAID LANDS OF THE TOLENTINO TRUST, SOUTH 72° 29' 06" WEST, 301.20 FEET, TO THE NORTHWESTERLY CORNER THEREOF,
- (7) THENCE ALONG THE WESTERLY LINE OF THE LANDS OF THE TOLENTINO TRUST, AND ALONG THE WESTERLY LINE OF THE LANDS OF LOTT TRUST, AS DESCRIBED IN THAT CERTAIN DOCUMENT RECORDED AUGUST 11, 2008, AS DOCUMENT NO. 2008-130946, SAN JOAQUIN COUNTY RECORDS, SOUTH 17° 50' 54" EAST, 717.85 FEET, TO THE SOUTHWESTERLY CORNER OF SAID LANDS OF LOTT TRUST,
- (8) THENCE ALONG THE SOUTHERLY LINE OF THE LANDS OF LOTT TRUST, NORTH 72° 09' 06" EAST, 301.20 FEET, TO THE SOUTHEASTERLY CORNER THEREOF, ALSO BEING A POINT ON THE EASTERLY LINE OF THE LANDS OF HOGGAN ESTATES. LLC, AS DESCRIBED IN THAT CERTAIN DOCUMENT RECORDED NOVEMBER 11, 2008, AS DOCUMENT NO. 2008-177643, SAN JOAQUIN COUNTY RECORDS,
- (9) THENCE ALONG SAID EASTERLY LINE OF THE LANDS OF LEWIS, AND THE EASTERLY LINE OF THE LANDS OF HOGGAN ESTATES, LLC, AS DESCRIBED IN THAT CERTAIN DOCUMENT RECORDED JANUARY 14, 2005, AS DOCUMENT NO. 2005-010345, SAN JOAQUIN COUNTY RECORDS, SOUTH 17° 50' 24" EAST, 1077.85 FEET, TO THE **POINT OF BEGINNING.**

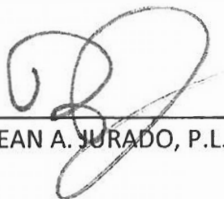
CONTAINING 208.34 ACRES, MORE OR LESS.

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.

  
\_\_\_\_\_  
DEAN A. JURADO, P.L.S. NO. 9032

2-2-23  
DATE



**RESOLUTION 23-1518**

**A RESOLUTION OF THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION  
APPROVING AMENDMENTS TO THE CITY OF STOCKTON MUNICIPAL SERVICE REVIEW (MSR)  
AND SPHERE OF INFLUENCE (SOI)**

WHEREAS, the above entitled proposal was initiated by resolution by the City of Stockton City Council on December 6, 2022; 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 amendments to the City of Stockton Municipal Services Review on April 13, 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 amendments and all persons were given an opportunity to address the Commission; and

WHEREAS, on December 6, 2022, the City of Stockton certified a Final Environmental Impact Report for the Mariposa Industrial Park (SCH # 2020120283); and

WHEREAS, on December 6, 2022, the City of Stockton approved a resolution authorizing the filing of an application for an amendments to the MSR and SOI necessary for the project evaluated within the Mariposa Industrial Park FEIR (SCH# 2020120283); and

WHEREAS, the project site identified within the Mariposa Industrial Park FEIR (SCH# 2020120283) was evaluated within City of Stockton MSR and reflected in the SOI as being within the 10 to 20 year planning horizon; and

WHEREAS, the project site bisects the Mariposa Road Community, a Disadvantaged Unincorporated Community (DUC) identified within the City of Stockton MSR; and

WHEREAS, the projected demand for industrial land exceeds the forecasted demand evaluated in Chapter 2 of the City of Stockton MSR; and

WHEREAS, the Mariposa Industrial Park FEIR (SCH# 2020120283) and submitted annexation plan for the project found that the City of Stockton provides all necessary services needed and has the capacity to provide all necessary services to the proposed project; and

WHEREAS, the Mariposa Industrial Park project proposes to amend the City's Sphere of Influence (SOI) by designating 9 parcels (APN 179-220-10, 11, 12, 13, 16, 17, 18, 19, and 25) totaling 208.34 acres within the City of Stockton's Sphere of Influence 10 to 20 year planning horizon to the City's 10 year planning horizon; and

WHEREAS, State Government Code Section 56428 states that a, "local agency may file a written request with the executive officer requesting amendments to a sphere of influence or urban service area adopted by the commission"; and

WHEREAS, State Government Code Section 56430(e) states that, "The commission shall conduct a service review before, or in conjunction with, ... or to update a sphere of influence pursuant to Section 56425; and

WHEREAS, State Code of Regulations, Section 15262, Feasibility and Planning Studies, stated that, "A project involving only feasibility or planning studies for possible future actions which the agency, board, or commission has not approved, adopted, or funded does not require the preparation of an EIR or negative declaration but does require consideration of environmental factors"; and

WHEREAS, the Commission has, in evaluating the proposal considered the report submitted by the Executive Officer, the factors set forth in Section 56430 of the California Government Code and testimony and evidence presented at the public hearing held on April 13, 2023.

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

Section 1. The proposed amendments to the City of Stockton MSR and SOI were considered by the Mariposa Industrial Park FEIR (SCH# 2020120283) and the amendments are exempt from further evaluation of potential environmental impacts pursuant to Section 15262 of the State Code of Regulations.

Section 2. All MSR and SOI maps shall be amended to show the nine (9) parcels (APN 179-220-10, 11, 12, 13, 16, 17, 18, 19, and 25) totaling 208.34 acres within the City of Stockton's Sphere of Influence as being within the City's 10 year planning horizon.

Section 3. The submitted amendment to Chapter 2 of the MSR is hereby approved, as amended, as shown on Attachment 1 of this Resolution.

Section 4. The City of Stockton MSR shall be amended to reflect the removal of three (3) parcels (APN 179-220-07, 14, and 15) totaling 111.6 acres east of the Mariposa Industrial Park from the Mariposa Road Community Disadvantaged Unincorporated Community text and map.

Section 5. Pursuant to California Government Code Section 56430, the Commission considered all pertinent factors associated with the proposed amendments to the City of Stockton MSR.

Section 6. The Commission finds that the proposed amendments to the City of Stockton MSR and SOI will be for the interest of landowners; and present or future residents within the City of Stockton.

PASSED AND ADOPTED this 13<sup>th</sup> day of April, 2023 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

---

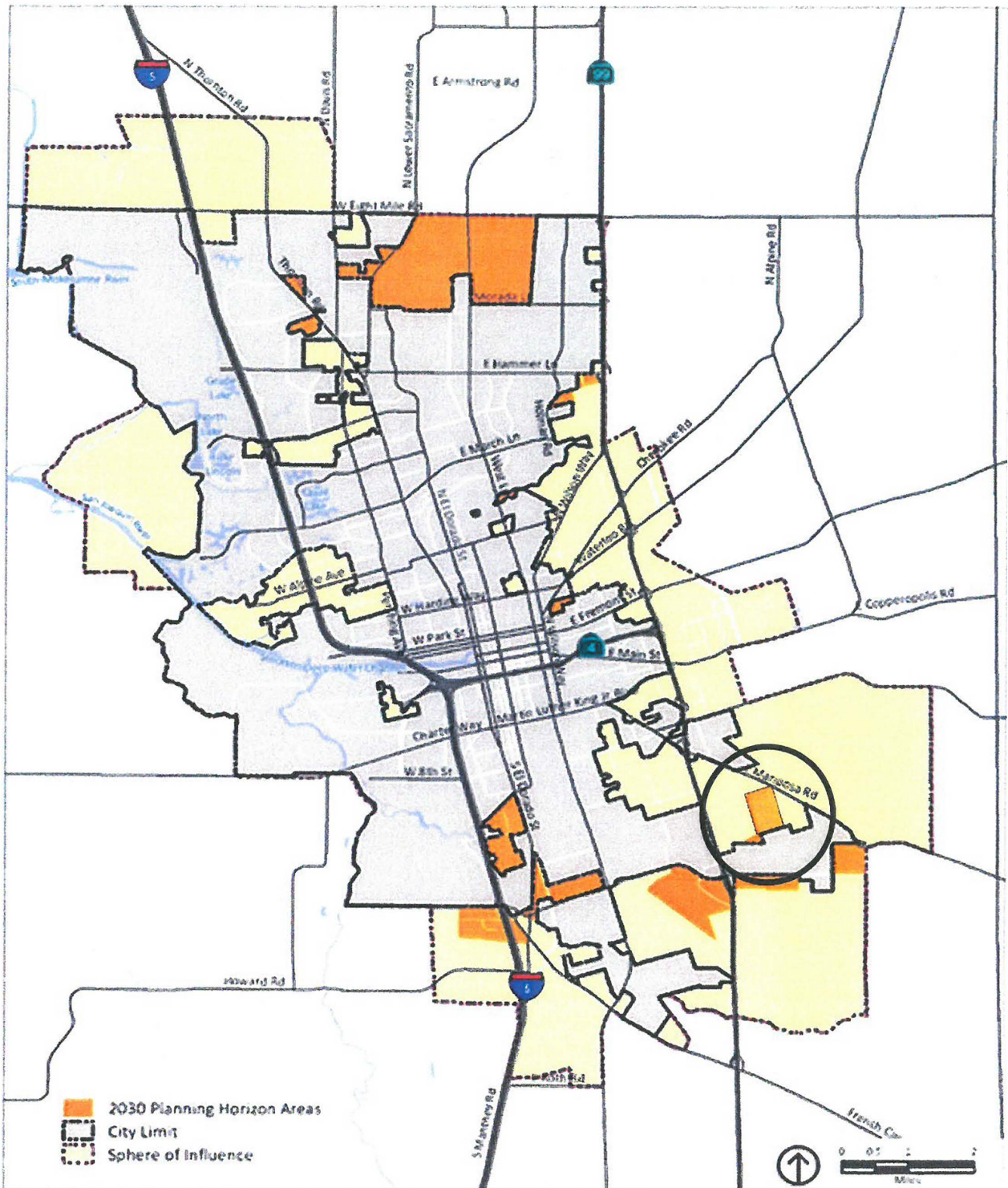
TOM PATTI, CHAIRPERSON  
SAN JOAQUIN LOCAL AGENCY  
FORMATION COMMISSION

ATTEST:

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MITZI STITES, COMMISSION CLERK  
SAN JOAQUIN LOCAL AGENCY  
FORMATION COMMISSION

FIGURE -7:10-YEAR PLANNING HORIZON ANNEXATION AREAS



Source: City of Stockton, 2016 Placeworks, revised February 22, 2022



# 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:** Mariposa Industrial Park

### TYPE OF PROPOSAL

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> City Incorporation  | <input type="checkbox"/> Sphere of Influence Amendment | <input type="checkbox"/> District Formation   |
| <input type="checkbox"/> Consolidation   | <input type="checkbox"/> Sphere of Influence Update    | <input type="checkbox"/> Annexation           |
| <input type="checkbox"/> Detachment  | <input type="checkbox"/> Addition of Services          | <input type="checkbox"/> District Dissolution |
| <input checked="" type="checkbox"/> Reorganization (involving an Annexation and Detachment(s)) |  |   |

### AGENCY CHANGES RESULTING FROM THIS PROPOSAL

Agency or Agencies gaining territory: **City of Stockton**  
Agency or Agencies losing territory: Montezuma Fire Department and San Joaquin County

### 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>
-------------	------------------------	------------------

### SEE JOP ATTACHMENT A

#### PROJECT INFORMATION

Please provide project-related information for the following questions:

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

7. List the affected Assessor Parcel Numbers, Owners of record and Parcel Sizes:  
APN                      Owner    Acreage

**SEE JOP ATTACHMENT B**

(Attach a separate sheet if necessary)

8. Physical Location of Proposal: **5150 E. Mariposa Road, Stockton CA, 95215.  
.03 miles southeast of Carpenter Road, southeast quadrant of Stockton**
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: **City water, sewer, police protection, fire protection and solid waste.**
11. Indicate which of these services or facilities will require main line extensions or facility up-grades in order to serve the affected territory: **None. Sewer and water utility trunk lines are adjacent to the site.**
12. Provide any other justification that will assist the Commission in reviewing the merits of this request. (Attach a separate sheet if necessary)

**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 Irvine, California, on 12/14/2022, 20  .

APPLICANT  
DocuSigned by:  
 Signature: *A. Michael Souza*  
88798889133C41A...  
 Title: Project Manager

REAL PARTY IN INTEREST  
 (If different from Applicant)  
DocuSigned by:  
 Signature: *Rob Mitchell*  
129A239B2C8541C...  
 Title: Partner

**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.

DocuSigned by:  
*A. Michael Souza*  
88798889133C41A...  
 (Signature)  
 Print or Type Name: A. Michael Souza

Date: 12/13/2022  
 Daytime Telephone: 209-649-4120

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).

ADMINISTRATIVE REVIEW DRAFT  
ANNEXATION REPORT  
MARIPOSA INDUSTRIAL PARK ANNEXATION  
ANNEXATION FILE NO. \_\_\_\_\_

APRIL 4, 2022

## 1.0 INTRODUCTION AND PROJECT INFORMATION

This report provides background information and analysis in support of the proposed Mariposa Industrial Park annexation to the City of Stockton. The report addresses annexation compliance with applicable San Joaquin Local Agency Formation Commission (LAFCo) rules and regulations, describes the plan for provision of City services to the annexation area, analyzes the fiscal effects of the annexation and documents the availability of adequate potable water supply to the project. The contents of this document are as follows:

- 1.0 Introduction and Project Information
- 2.0 Consistency of Proposed Annexation with LAFCo Policy
- 3.0 City Services Plan for Proposed Annexation Area
- 4.0 Fiscal Effects of Proposed Annexation
- 5.0 Availability of Adequate Water Supply

The Mariposa Industrial Park Annexation project proposes the annexation of nine parcels of land totaling approximately 203.5 acres into the City of Stockton (City), along with the adjacent Mariposa Road frontage. The proposed annexation area, hereinafter referred to as the “subject site,” is located along Mariposa Road north of North Littlejohns Creek (Figures 1 and 2). The Stockton city limits are on the southern boundary of the subject site. The parcels constituting the subject site are identified as Assessor’s Parcel Numbers (APNs) 179-220-10, -11, -12, -13, -16, -17, -18, -19, and -24.

The subject site is currently within the land use jurisdiction of San Joaquin County; it has a County General Plan designation of Agriculture-Urban Reserve and a zoning designation of AG-40 (General Agriculture; 40-acre minimum parcel size). The subject site is designated Industrial in the City of Stockton General Plan, as is much of the surrounding area (Figure 3), much of which has been developed for industrial use (Figure 5). The subject site is within the City of Stockton's existing Sphere of Influence (Figure 4). The project includes a proposed amendment to the City’s Municipal Services Review document that will include the site within the City’s 10-year planning horizon.

The City has received and is processing an application for annexation, pre-zoning, and industrial development of the subject site, including preparation of an Environmental

Impact Report (EIR). The project proposes to pre-zone the subject site as IL – Industrial, Limited. These approvals, which will take effect upon annexation of the subject site to the City, would permit proposed development of approximately 3,616,870 square feet of high-cube warehousing or other light industrial land uses, off-site street and utility improvements, and associated on-site utility services and site improvements (Figure 6). Proposed pre-zoning and development are consistent with the existing Industrial designation under the City’s General Plan. The City has prepared an Environmental Impact Report (EIR) for the project.

## 2.0 CONSISTENCY OF PROPOSED ANNEXATION WITH LAFCO POLICY REQUIREMENTS

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code Section 56000 *et seq.*) provides LAFCo with its authority, procedures, and functions. The Act gives LAFCo power to “approve or disapprove with or without amendment, wholly, partially or conditionally,” proposals concerning the formation of cities and special districts, annexation or detachment of territory to/from cities and special districts, and other changes in jurisdiction or organization of local government agencies.

Criteria for project consistency with the Cortese-Knox-Hertzberg Act are identified in California Government Code Section 56337 and shown below. The following sections of this report provides information in support of each of these findings for the proposed annexation as summarized below.

- 1) Lands within the annexation area are planned for urban uses in the Stockton General Plan.

*As documented in Section 1.0 and shown on Figures 2 and 3, the subject site is designated “Industrial” in the City of Stockton General Plan and is adjacent to the Stockton city limits.*

- 2) The project is located within the City of Stockton Sphere of Influence and 10-year development timeframe.

*As documented in Section 1.0 and shown on Figure 4, the subject site is within the City’s Sphere of Influence and will be within the 10-year planning horizon upon adoption of a proposed amendment of the City’s Municipal Service Review.*

- 3) The project proposes an orderly and logical boundary for annexation and is contiguous to the City limits.

*As noted above, the project is in a developing industrial area and is designated for industrial development. As shown on Figure 5, the proposed annexation would permit a logical extension of existing ongoing industrial development in the southeast Stockton region.*

- 4) The project creates a logical extension of the City boundaries and can be served by existing infrastructure.



*As discussed in Section 1.0 and the above findings, the subject site is adjacent to the City boundary and represents a logical extension of those boundaries. All required City services and utilities are available to the subject site as described in Sections 3.0 and 5.0.*

### 3.0 CITY SERVICES PLAN

Pursuant to California Government Code Section 56653, the San Joaquin LAFCo requires that any application for a change of organization or reorganization be accompanied by a plan for providing services. The plan must include the following information:

- (a) An enumeration and description of the services to be extended to the affected territory.
- (b) The level and range of those services.
- (c) An indication of when those services can feasibly be extended to the affected territory.
- (d) 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.
- (e) Information with respect to how those services will be financed.

The following City Services Plan meets the above requirements (a) through (d) with respect to annexation of the subject site. The subject site would require extension of existing City services, including public safety and utilities. Overall, existing public services, with improvements proposed as part of the project, would be adequate to serve the subject site and planned industrial development. The proposed level and range of services to be provided are described in more detail below. The design and construction of required infrastructure improvements, both on- and off-site, will be the responsibility of the project developers, as required by project conditions of approval and subject to engineering approval by the City. Information with respect to how those services will be financed is provided in Section 4.0, which will meet requirement (e) above.

The City of Stockton provides a full range of municipal services. These municipal services include public safety (police, fire, paramedics, building), sanitation (solid waste disposal, sanitary wastewater, and stormwater utility), potable water utility, community development, library, parks and recreation, and general administrative services. Public safety and general services will be extended to the subject site upon annexation. Utility services will be provided upon completion and connection of required on-site and off-site improvements.

#### 3.1 DOMESTIC WATER SERVICE

Water systems in the City of Stockton Metropolitan Area use a combination of treated surface water and pumped groundwater from City wells. Stockton water purveyors include

the City of Stockton Municipal Utilities Department (COSMUD), California Water Service Company, and San Joaquin County maintenance districts. Should the annexation be approved, water service to the subject site would be provided by COSMUD. COSMUD provides water to service areas in North Stockton and South Stockton; the subject site is in the South Stockton service area.

Sources of water provided by COSMUD include purchases from the Stockton East Water District (SEWD) and the Woodbridge Irrigation District, groundwater wells, and surface water from the Sacramento-San Joaquin Delta through the City's Delta Water Supply Project (DWSP). Water from SEWD is treated at its water treatment plant east of Stockton. Prior to operation of the DWSP in 2012, the City's planned delivery and allocation of SEWD treated water was 17,500 acre-feet per year, which was 37.6 percent of SEWD's total supplies. The City currently uses 6,500 acre-feet per year from SEWD. By agreement, the City purchases 6,500 acre-feet of water per year from the Woodbridge Irrigation District for municipal and industrial use. This water will augment the DWSP supply.

The DWSP provides the majority of the potable water supply for the City's service areas. It draws water from the San Joaquin River and treats the water at a plant in north Stockton. This plant currently treats an average of 30 million gallons per day (mgd). The projected 2035 capacity of the DWSP is 60 mgd, with an annual production of approximately 50,000 acre-feet per year. The City's supply from the San Joaquin River is curtailed annually from February through June of each year due to restrictions imposed by the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife.

The DWSP has the objectives of reducing groundwater overdraft and of protecting the underlying groundwater basin from further saltwater intrusion and water quality degradation. Extensive groundwater pumping in the past has caused movement of the saline waters eastward from under the Delta. With the DWSP now online, the City uses less groundwater in wet and average years, but it increases groundwater use in dry years to make up for reductions in surface water deliveries. The City has determined that the sustainable groundwater yield is 0.75 acre-feet per acre per year, equivalent to a groundwater yield of approximately 50,000 acre-feet per year. Based on available monitoring data, extraction rates appear to be below the maximum sustainable yield of the groundwater basin.

The South Stockton water system pumps from groundwater wells and receives surface water from the SEWD Water Treatment Plant, supplied in large part by the DWTP. There are seven active groundwater wells, with pump design flows ranging from 900 to 2,500 gallons per minute. There is also the South Stockton Aqueduct, which can supply surface water from the SEWD Water Treatment Plant.

The South Stockton water system distributes water from the DWSP, SEWD, and groundwater wells. The entire system is one pressure zone with the lowest elevation (5 feet above mean sea level) on the western side of the system and the highest elevation (30 feet above mean sea level) on the eastern side. Additionally, there are two tanks, each with a capacity of three million gallons, located near the Weston Ranch Subdivision in southwest Stockton. Distribution lines provide water service to the South Stockton area, serving

development that includes the existing Norcal Logistics Center and the CDCR facilities near the subject site.

The subject site is currently within the service area for the Stockton potable water system, and connection to the system will be available upon annexation. An existing 24-inch diameter trunk line runs along Mariposa Road. On-site lines would be installed to provide water to future development, and the on-site water system would connect to the Mariposa Road line. The developer(s) will comply with plumbing, metering, and other water conservation measures in effect in the City of Stockton, including the policies in the City's 2015 UWMP. The existing water connection fee charged by COSMUD for non-residential development varies from approximately \$2,264 to \$156,828 or higher, depending on the size of the water meter.

The City prepared a Water Supply Assessment for the project in January 2021. The Water Supply Assessment was prepared in accordance with California Water Code sections 10910 through 10915, as established by Senate Bill (SB) 610, which requires detailed information regarding water supply availability to be provided to decision-makers prior to approval of specified large development projects. The project assessment projected potable demands for buildout of the project to be approximately 283 acre-feet per year. Pursuant to California Water Code Section 10910(4), and based on technical analyses, the Water Supply Assessment concluded that the COSMUD existing and additional planned future water supplies are sufficient to meet existing and future water demands associated with the project. Section 5.0, Availability of Adequate Water Supply, provides more detail on the Water Supply Assessment for the project.

### 3.2 WASTEWATER

The subject site is not presently connected to a wastewater collection and treatment system and contains no individual wastewater disposal systems. Should the annexation be approved, the subject site would be served by the City's existing wastewater and collection system.

The Stockton Regional Wastewater Control Facility (RWCF) provides primary, secondary, and tertiary treatment of municipal wastewater gathered from the city as a whole. The RWCF has a designed flow capacity of 55 mgd and average daily flow rate of 31.7 mgd. Treated effluent from the RWCF is dechlorinated and discharged to the San Joaquin River. The RWCF operations are regulated by the City's National Pollutant Discharge Elimination System (NPDES) Permit.

The City's wastewater collection system is divided into 14 designated subareas or "systems." The subject site would upon annexation be incorporated within Wastewater Collection System No. 8. Pump stations are located throughout Stockton and are integral to the sanitary sewer collection system. Most of the pump stations discharge to pressure lines that convey flow directly to the RWCF or to an available gravity sewer.

An existing 24-inch sanitary sewer main, oriented from south to north, is located along the western boundary of the subject site south of Marfargoa Road. At Marfargoa Road, this main terminates at a manhole, from where a 42-inch diameter main continues east to west

along Marfargoa Road. On-site sewer lines will be installed to provide service to future development, and the on-site system would connect to the existing 42-inch diameter main.

The subject site is within the South of Calaveras Sanitary Connection fee area. The existing sewer connection fee in that area is \$2,850 per single family residential unit equivalent.

### 3.3 STORM DRAINAGE

The City of Stockton is situated just east of the Sacramento–San Joaquin Delta, a low-lying region of sloughs and channels connecting local waterways with the Suisun and San Francisco Bays. The city and surrounding areas depend on creeks, rivers, and sloughs to collect and convey storm runoff to the San Joaquin River and the Delta. The primary watercourses include the San Joaquin River, Bear Creek, Mosher Slough, Five Mile Slough, Fourteen Mile Slough, Calaveras River and Stockton Diverting Canal, Smith Canal, and French Camp and Walker Sloughs.

The subject site is within the North Littlejohns Creek watershed, which is tributary to French Camp Slough and the San Joaquin River. Most storm drains and pump stations within the service area have adequate capacity to collect stormwater drainage; however, North Littlejohns Creek flows at or near capacity that results in flooding of adjacent lands through most of its length during peak storm events. Recognizing this, stormwater detention infrastructure has been developed to serve existing industrial development in the area, such as the Norcal Logistics Center project north and west of the subject site.

The Stormwater Utility Division of COSMUD operates and maintains 620 miles of storm drains, 72 pump stations, and over 100 discharge pipes that collect and route runoff from the streets and gutters to local rivers, creeks, and sloughs. Most storm drains and pump stations have adequate capacity to collect stormwater. Like other industrial development in the vicinity, subject site development will include new stormwater detention facilities, including an approximately seven-acre, on-site detention basin in the southern portion of the subject site. On-site runoff would be collected by a storm drainage system of inlets and lines and stored in the detention basin. The runoff in the basin would eventually be discharged through a metered outfall into North Littlejohns Creek, when capacity in the creek is available to avoid potential downstream flooding. On this basis, potential project impacts related to flooding are considered less than significant with implementation of proposed on-site storm drainage features and compliance with City standards.

Stormwater discharges from the Stockton urbanized area contain substantial urban runoff pollution. Five Mile Slough, Mosher Slough, the Stockton Deep Water Channel, and the San Joaquin River are listed as “water quality impaired”. The City of Stockton provides local management of the federal and state programs for implementation of the Clean Water Act’s NPDES program. Stormwater quality is governed by the Central Valley Regional Water Quality Control Board (RWQCB) Order No. R5-2016-0040, NPDES No. CAS0085324. The regulations of the City’s Grading and Erosion Control Ordinance and the Storm Water Management and Discharge Control Ordinance establish local oversight of the general permit system and effective control of storm water quality impacts. The design of drainage facilities is regulated by the City. The City Department of Public Works Standard Specifications Section 71, Sanitary Sewers and Storm Sewers, and Section 79,

Storm Water Basins, cover much of the design criteria for these facilities. The City's General Plan commits the City to maintaining the existing storm drain and flood management facilities.

The City's General Plan includes policies that ensure and require that stormwater drainage planning be addressed in conjunction with new development, including requirements for inclusion of Best Management Practices (BMPs) that reduce stormwater runoff pollution. Any costs associated with new facilities must be met or offset by the project, including costs of storm water BMP maintenance.

### 3.4 SOLID WASTE DISPOSAL

City ordinance requires collection of municipal refuse. This ordinance would apply to development on the subject site upon annexation. The City's franchise haulers provide solid waste collection in Stockton. The waste provider bills the property owner monthly for collection service, based on the size of collection container utilized. Industrial waste – such as construction and demolition debris and manufacturer waste – may only be collected and hauled with a valid City-issued Industrial Waste Collector Permit. There are currently two waste haulers permitted to collect and transport industrial waste within the City of Stockton limits: Republic Services and Waste Management.

Solid waste generated in the City of Stockton is disposed at existing County-owned and private landfill facilities. There is currently no shortage of space available at the County-owned landfills, with one estimated to have available capacity to 2048 and another to 2082.

Recent information regarding individual jurisdiction diversion of solid waste from landfills is no longer available. The most recent information from 2006 indicates that about 33% of the City of Stockton's solid waste is landfilled while the remainder is handled by one or more of the City's waste diversion (recycling) programs. To increase construction and demolition debris recycling, the City adopted a Construction and Demolition Debris Ordinance in 2008; the ordinance requires construction and demolition contractors to divert from the landfill 50% of all waste generated, by weight, and to document these reductions in written reports filed with the City. Upon annexation of the subject site, construction associated with future development will be subject to this ordinance.

### 3.5 NATURAL GAS, ELECTRIC, TELEPHONE, AND CATV SERVICES

Pacific Gas and Electric Company (PG&E) currently provides both natural gas and electricity services to the vicinity of the subject site. Local telephone service is provided by AT&T, and cable television service is provided by Comcast. These systems are obligated to extend service to the subject site on request. Developer/utility company cost-sharing agreements to provide these services will be executed as required.

### 3.6 POLICE PROTECTION

Law enforcement services to the subject site currently are provided by the San Joaquin County Sheriff's Department. Should the subject site be annexed, law enforcement would be the responsibility of the Stockton Police Department. The Police Department serves the area within City limits, covering more than 65 square miles. As of February 2021, the

Police Department consists of 486 sworn officers, 47 police telecommunicators, and 179 civilian staff. The staffing level is determined each year by the Stockton City Council and is subject to change as the Council, City Manager, and Chief of Police determine the needs of the city.

The service area is organized into six Community Policing Districts, one of which (Park) is adjacent to the subject site. It is the Police Department's policy to respond to all emergency calls within three to five minutes. Currently, there are no adopted service levels for the Police Department; however, it is understood that a higher level of service may be required as population increases. The project would receive law enforcement service during construction as well as upon completion of development.

Capital costs of Police Department expansion are accounted for by the City's Public Facilities Fee program. The City of Stockton has adopted a Public Facility Fee for police facilities payable upon issuance of a building permit. For warehouse/low density land uses, the fee is \$62 per 1,000 square feet. Additionally, Stockton's voters approved Measure A, which instituted a three-quarter cent (0.75%) sales tax to provide funding for law enforcement, crime prevention services, and other essential City services. City voters also approved Measure W, which instituted a one-quarter cent (0.25%) sales tax to provide funding for law enforcement and fire protection services.

### 3.7 FIRE PROTECTION

The subject site is currently within the Montezuma Fire Protection District, which serves approximately 10 square miles within unincorporated San Joaquin County located adjacent to the southeast portion of Stockton. The Stockton Metropolitan Airport is also within the Montezuma Fire District service area.

Should annexation occur, the subject site would be detached from the Montezuma Fire District, and fire protection services would be the responsibility of the Stockton Fire Department. The Fire Department provides fire protection, fire prevention, paramedic emergency medical, and other related services to all areas of the City of Stockton, as well as on a contract basis to the Lincoln, Eastside, Boggs Tract, and Country Club Fire Districts. Specific services provided include fire hydrant maintenance, training, fire dispatch, hazardous materials intervention, and weed abatement services. The Fire Department currently serves an area of about 86 square miles and has about 181 total personnel.

The Fire Department currently has twelve stations located throughout the greater Stockton metropolitan area. On July 1<sup>st</sup> 2022 the Stockton Fire Department will be reopening Fire Station 1 at 1818 S. Fresno Ave. increasing the total number of fire stations to 13. The closest station to the subject site is Station 12, located at 4010 East Main Street, approximately four miles to the north of the site. The station is equipped with one engine and one grass rig, and is staffed by a captain, an engineer, and a firefighter. Two of the staff are also paramedics. The response time from Station 12 to a standard structure fire call would be between three and four minutes. Response times to the industrial area within which the subject site is located are currently longer – approximately 7-8 minutes. This response time is within the industry standard for Rural/Semi-Urban responses.

Additionally, to address the long-term Fire Protection and eventual area urbanization, the City of Stockton is currently working to establish a Community Facilities District (CFD) to fund the construction of a new Stockton Fire Station in the Mariposa corridor. The new station will be staffed with 3 personnel from the ongoing CFD assessment.

To provide adequate fire protection services, future development will coordinate with the Fire Department during planning and design phases to ensure site access, response time, sprinkler requirements, water system design, and hydrant placement are acceptable. Improvements to the City of Stockton water system will also be constructed in conformance with the Uniform Fire Code fire flow standards, and hydrants will be placed in accordance with Fire Department standards. Also, the Stockton Fire Department participates in the California Disaster and Civil Defense Master Mutual Aid Agreement. This agreement allows the City to share resources with all fire department agencies in San Joaquin County and request assistance from the County fire districts when additional services are required. The City currently provides most of the fire services within and around the City limits, since some of the County fire districts have reduced staffing, supply shortages, or operations on a temporary basis. The existing mutual aid agreement allows the City and County agencies to share resources when needed.

A mitigation measure in the Mariposa Industrial Park EIR requires new development on the subject site to install Early Suppression Fast Response (ESFR) fire sprinkler systems. The purpose of the ESFR systems is to allow for a variety of commodities to be capable of meeting high-bay storage up to five feet below roof deck. They are considered the best engineered fire protection system that the National Fire Protection Association recognizes, capable of flowing up to 100 gallons per minute per nozzle. Their design purpose is to completely extinguish the fire rather than controlling the spread of fire. Testing results from nationally recognized testing agencies have proven this.

As with police facilities, capital costs of fire station expansion are accounted for by the City's Public Facilities Fee program. The City of Stockton has adopted a Public Facility Fee for fire stations payable upon issuance of a building permit. For warehouse/low density land uses, the fee is \$54 per 1,000 square feet. As with other Public Facility Fees, these fees would be payable upon issuance of a building permit. In addition, as noted, City voters approved Measure W, which instituted a one-quarter cent (0.25%) sales tax to provide funding for law enforcement and fire protection services.

### 3.8 SCHOOLS

The subject site is within the boundaries of the Stockton Unified School District (SUSD). The nearest public school to the subject site is Nightingale Charter School, a SUSD facility located at 1721 Carpenter Road approximately three miles to the northwest. SUSD experiences overcrowding in its schools but collects required school impact fees and coordinates with residential developers to ensure that sufficient capacity exists within the school system to accommodate residential-related student generation.

The subject site is proposed for industrial development and would result in no residential development or student generation. Nevertheless, the project would contribute developer fees from industrial development in accordance with State law. Based on a non-residential

development rate of \$0.61 per square foot, the project would generate an estimated \$1,296,177 in school impact fees. Project development will contribute to these fees in conjunction with building permit issuance.

### 3.9 PARKS AND RECREATION FACILITIES

The City of Stockton provides park and recreational services. The nearest City Park to the subject site is Ernie Shropshire Park, on Logan Lane approximately two miles to the west. Shropshire Park, a neighborhood park, is equipped with picnic tables, tot lots, a tennis court, a basketball court, and barbecue facilities. The Stockton General Plan establishes policies and standards for the size and siting of parklands.

San Joaquin County also provides parks and recreational facilities available to the public. The nearest County park is the Regional Sports Complex, a facility with softball and soccer fields adjacent to Stockton Metropolitan Airport, approximately 1.25 miles south of the site, adjacent to SR 99.

No new residential development is proposed on the subject site. Public Facility Fees for parklands are only assessed on new residential development; industrial development as proposed is exempt from parkland fees. However, industrial development would be subject to the payment of Public Facility Fees for community recreation centers. As with other Public Facility Fees, these fees would be payable upon issuance of a building permit. Additionally, Stockton's voters approved Measure M, which instituted a one-quarter cent (0.25%) sales tax to provide funding for recreation and library services.

### 3.10 LIBRARIES

The public library system in the Stockton area is operated jointly by the City and San Joaquin County. The nearest library branch to the subject site is the Maya Angelou Branch Library at 2324 Pock Lane in Stockton, approximately 2.5 miles to the northwest. A new library is planned for construction in northeast Stockton adjacent to the Ronald McNair High School campus.

Capital costs of library expansion are accounted for by the City's Public Facilities Fee program. The City of Stockton has adopted a Public Facility Fee for libraries payable upon issuance of a building permit. For warehouse/low density land uses, the fee is \$56 per 1,000 square feet. Additionally, as noted, Stockton's voters approved Measure M, which instituted a one-quarter cent (0.25%) sales tax to provide funding for recreation and library services.

### 3.11 MAINTENANCE OF PUBLIC FACILITIES/OTHER GOVERNMENTAL SERVICES

Mariposa Road, a public road abutting the northeastern boundary of the subject site, is currently maintained by San Joaquin County. This road is paved but does not have street improvements such as curb, gutter, and sidewalk. Proposed industrial development will require street improvements along the subject site frontage of Mariposa Road, including additional pavement width, curb, gutter, and sidewalk, all of which would be designed and constructed by the applicant pursuant to City of Stockton standards.



With increased vehicular traffic resulting from the development of the subject site, the need for road maintenance will increase. Future development will be responsible for payment of adopted Public Facility Fees for street improvements and traffic signals to fund intersection and roadway segment improvements identified in the City's Street Improvement Plan. For warehouse/low density land uses, street improvement fees are \$931.50 per 1,000 square feet. Traffic signal fees would be \$83.25 per 1,000 square feet. The City requires that these fees be paid prior to building permit issuance.

A Regional Transportation Impact Fee (RTIF) also will be required of future development on the subject site. The RTIF's objectives are to generate funding from new development projects that impact the Regional Transportation Network and to integrate these funds with federal, state, and other local funding to make transportation improvements identified in the RTIF Program. Proposed improvements in the RTIF Program that are in the vicinity of the subject site include Arch-Airport Road from State Route 99 to Pock Lane and a Bus Rapid Transit project on the Arch Road/Sperry Road corridor. Assuming future development is high-cube warehouses as anticipated, the Regional Transportation Impact Fee would be \$450 per 1,000 square feet.

Measure K was passed by voters in 1990 and extended for another 30 years by voter approval in 2006. This measure instituted a one-half cent (0.50%) sales tax dedicated to transportation improvement projects in San Joaquin County. Measure K funding is allocated to specific projects including improved highways and local streets, new passenger rail service, regional and interregional bus routes, park-and-ride lots, new bicycle facilities, and railroad crossings by the San Joaquin Council of Governments. San Joaquin County and cities within the County share 35% of the sales tax revenue for local street repair. The local jurisdictions receive an annual funding allocation for local street repairs and safety and operations improvements. The local share of Measure K funds is distributed by formula based primarily on the City's proportionate share of the overall County population.

#### **4.0 FINANCING OF CITY SERVICES AND FISCAL EFFECTS**

California Government Code Section 56653 requires that the required plan for services to a subject site include information on how the extension services would be financed. For the purposes of this analysis, services extensions are classified as 1) public road improvements and utility services such as water, wastewater, storm water, electrical, gas and communication systems that require construction of new pipelines, power lines, pump stations or other physical facilities needed to extend urban services to the subject site, and 2) general City services such as police and fire protection would, generally speaking, be provided without major improvements to capital facilities. These concerns are addressed in the following Sections 4.1 and 4.2, respectively.

##### **4.1 FINANCING OF ROADS AND UTILITY IMPROVEMENTS**

Improvements needed to extend public road and utility services to the site would be constructed in conjunction with the development of proposed industrial structures, access, parking and other on-site improvements. These improvements would include off-site improvements to the frontage of Mariposa Road, any required extension of water and wastewater lines and electrical, gas and communication lines.

As prescribed in the project conditions of approval, the project will be responsible for design and construction of required improvements to City roads and utility systems in accordance with adopted City standards. Unless improvements are deferred per a specific agreement with the City, they will be constructed prior to occupancy of the project site. The costs of extending electrical, gas and communication facilities will be borne by the project and the responsible franchise utility as prescribed in adopted rules and regulations. Costs of operating public infrastructure for the benefit of the project will be met through existing monthly service fee systems established by the City and franchise utilities.

Long-term capital improvement needs associated with new development, including the proposed project, are met through the City's adopted Public Facilities Fees (PFFs), which provide for expansion of City offices, libraries, community recreation centers, fire and police stations, street improvements, park land, surface water resource development improvement, air quality, and related administrative costs as these needs are identified. Similarly, the City has also adopted development fees for sanitary sewer and water connections, traffic signals, and street trees, and various local benefit district fees. PFF and connection fee payments are required when building permits are issued, in accordance with the City's adopted fee schedule, which is annually updated to keep pace with infrastructure and public facility costs. As a result, the City operates from year to year with a fee structure that reasonably anticipates and collects fees sufficient to meet capital improvement needs associated with new development.

Along with the PFFs and connection fees, the City also collects development-related fees for the following:

- Agricultural Land Mitigation Program
- Air quality
- County facilities
- Habitat/Open Space for San Joaquin Council of Governments (SJCOG)
- Surface water for SEWD (\$0.283 per square feet of retail/0.30)
- Related administrative costs

Table 1 summarizes the estimated development-related fees for the proposed development of the subject site. These include development impact fees collected by other agencies, such as the Stockton Unified School District and SJCOG. This information is also in Exhibit 7 of this City Services Plan.

**TABLE 1  
ESTIMATED PUBLIC FACILITY FEES**

<b>FEE CATEGORY</b>	<b>ESTIMATED PROJECT FEES</b>
Impact Fees	\$5,997,979
Habitat/Open Space (SJCOG)	\$3,533,371
School District Fees (SUSD)	\$1,296,177
<b>TOTAL PROJECT DEVELOPMENT FEES</b>	<b>\$10,827,527</b>

## 4.2 FINANCING OF GENERAL SERVICES

This section describes the anticipated revenues to the City of Stockton, which would be the main provider of services. As noted above, the design, engineering, and construction of these services and infrastructure improvements will be financed by developers of the subject site, subject to approval by the City. This section also analyzes financial impacts on the Montezuma Fire District, which currently provides fire protection services to the subject site and from which the subject site would be detached upon annexation to the City.

### 4.2.1 Estimated Change in Annual Revenue for City of Stockton

As a Charter City, the City of Stockton benefits from the same revenue sources as general law cities, as well as a utility user tax. The City receives a portion of the property tax collected within the City limits, and it receives franchise payments from electrical distribution, cable television and solid waste collection franchises. As discussed in Section 4.1, the City operates its public utilities (i.e., water and sanitary sewer) as enterprise functions, and it engages in public recreation activities on a quasi-enterprise basis, subsidized by its General Fund (e.g., golf courses, ice arena, civic auditorium).

The major sources of revenue that will be generated by the proposed future development for the City of Stockton General Fund are summarized in Table 2 below. Revenue estimates were generated primarily on a person-served basis, which accounts for project-related population and employee growth. Please see the attached Exhibits 1-6 for more information regarding the derivation of Table 3 calculations. More detailed information regarding specific sources of revenues is provided below.

#### Property Tax

Property tax rates are set at 1% of assessed property value. The potential property tax revenues resulting from the project were based on information provided by the project applicant and the current City/County Revenue Sharing Agreement for annexations. As shown in Exhibit 3, the estimated assessed valuation on the subject site with proposed development is \$325,518,300.

Approximately 60% of every property tax dollar from the subject site is allocated among the Stockton Unified School District, San Joaquin Delta Community College, and the State's educational fund. This leaves an "available share" of approximately 40% of the overall property tax revenue, which is divided between the County General Fund, the Montezuma Fire District, and other County agencies. This division of the property tax is the basis for estimating the property tax the City will receive upon annexation and development of the subject site (see Exhibit 3).

Based upon information from the San Joaquin County Auditor-Controller's Office, upon annexation, approximately 20% of total property tax revenue from the subject site would go to the City. Based on this and the anticipated valuation of the subject site once fully developed, the property tax amount that would be collected by the City would be approximately \$821,298 (see Exhibit 3). Current property taxes paid to the County General Fund on the subject site are approximately \$33,170.

**TABLE 2**  
**ESTIMATED CITY OF STOCKTON GENERAL REVENUES**  
**RESULTING FROM ANNEXATION AND BUILDOUT OF THE SUBJECT SITE**

<b>General Fund Revenue Category</b>	<b>Total Project</b>
Property Tax	\$827,985
Property Tax: Vehicle License Fee	\$420,871
Document Transfer Tax	\$11,295
Sales Tax	\$55,736
Prop. 172 Sales Tax	\$13,934
Measure A Transaction Tax	\$41,802
Franchise Tax	\$66,262
Hotel/Motel Tax	\$10,573
Business License	\$38,710
Utility Users Tax	\$137,119
Licenses and Permits	-
Revenue from Other Agencies	-
Motor Vehicle In-Lieu	-
Charges for Services	-
Fire Contracts	-
Code Enforcement	-
Fines and Forfeitures	-
Other Revenues	-
Transfers In	-
<b>TOTAL REVENUES</b>	<b>\$1,624,287</b>

Property transfer taxes are taxes charged as a percentage of the value of property that has a transfer of title. It is estimated that the amount of property transfer tax the City would receive after annexation of the subject site would be \$11,295. Exhibit 3 provides details on the property transfer tax estimate.

In 2004, the State Legislature and the Governor agreed to a swap of city and county vehicle license fee revenue for an additional share of property tax revenue to be provided to the local governments. This Property Tax in-Lieu of Motor Vehicle Fees is a substantial source of revenue based on property taxes. It is estimated that the amount of property tax in-lieu of motor vehicle fees associated with the subject site would be \$420,871. See Exhibit 3 for development of this estimate.

### Sales Tax

The current sales tax rate in the City of Stockton is 9.00%, with the City receiving 2.25% of taxable sales, 1.25% of which is a result of measures approved by City voters (Measure A – 0.75%, Measure W (police and fire) – 0.25%, Measure M (library and recreation) – 0.25%). The proposed development is not a commercial land use and therefore would not directly generate sales tax. However, employees working at the proposed development would generate sales tax revenue through local spending. It is estimated that sales tax generated by employee spending would be approximately \$55,736. See Exhibit 4 for development of this estimate, along with Exhibit 6 for estimates of revenues from voter-approved measures.

In addition, the City collects sales tax revenue from Proposition 172, approved by California voters in 1993. Proposition 172 imposes a one-half cent sales tax to provide revenues for public safety services. It is estimated that sales tax generated by Proposition 172 would be approximately \$13,934. See Exhibit 4 for development of this estimate.

### Utility User Tax

A utility user tax is levied against utility charges for all non-public users of gas, electric, water, telephone, and cable television services. This tax is 6% of a customer's monthly bill. As noted in Table 2 above, future development on the subject site would generate an estimated \$137,119 annually in utility user tax revenues. See Exhibit 5 for how the estimate of utility user tax revenue was developed.

### Franchise Tax

Franchise taxes are levied upon the providers of natural gas, electric, refuse removal and cable television service. The franchise tax, which is 2% for most utilities and 3% for cable TV, is levied upon the provider rather than the customer and is charged against all utility revenues. The anticipated future development on the subject site would generate approximately \$66,262 in franchise tax revenue annually (see Exhibit 1).

### Business License Tax

The City of Stockton assesses a business registration fee and a license tax on any person engaged in or carrying on any profession, trade, calling, occupation, or business in the City. Beyond a registration fee of \$24, businesses are assessed at varying rates based typically on their gross receipts; gross receipts information for the annexation area is unknown. Future development on the subject site is estimated to yield an annual business license tax revenue of \$38,710 (see Exhibit 1).

### Other Revenue Sources

The City has a variety of other revenue sources, which are listed in the City's budget. These include licenses and permits, fines and forfeitures, charges for services, motor vehicle in-lieu revenues, and revenues from fire service contracts, among others. Table 2 and Exhibit 1 list these other sources. No estimates were developed for subject site revenues from these

sources, in part because not all these revenue sources would be associated with annexation and development of the subject site.

#### 4.2.2 Estimated Change in Annual Expenditures for City of Stockton

As discussed in Section 4.1, immediate and future capital costs of the project would be met through developer improvements to public road and utility systems and through payment of the City PFFs and connection fees. The project is industrial in nature and would not result in increases in the resident population of Stockton, with concurrent costs in providing City services. However, the addition of project-related employees would contribute to the “service population” of the City, which could contribute to service costs.

Preliminary work done for the Mariposa Industrial Park EIR indicates that impacts of proposed future development on the City’s water, sanitary sewer, and storm drainage systems would be less than significant. The City’s sanitary sewer system has adequate capacity to accommodate additional wastewater from the project, and existing sewer lines in the area can carry the anticipated flow. The City’s water system has sufficient supplies to satisfy potential project demand, and no new supplies would need to be obtained. In accordance with City requirements, the project developer would construct the necessary improvements and connections to the City’s water and sewer systems and storm drainage facilities to accommodate runoff in accordance with City standards. Expenses to operate the required City utilities to the subject site are expected to be minimal and would be covered by monthly utility billing to the project activities.

The Draft EIR also concluded that impacts of the Mariposa Industrial Park project on public services provided by the City, primarily fire and police protection, would be less than significant with the installation of the fire sprinkler systems required by the City. Expenses to provide City fire and police services to the subject site are also expected to be minimal.

The project would place an incremental demand on the City for future fire and police services, the project in and of itself would not result in a need for new or expanded fire facilities and services. Future capital costs for these services would ordinarily be met through payment of PFFs. However, the Stockton Fire Department is experiencing increased demand for fire protection and related services in the south Stockton industrial areas as a result of ongoing industrial and other development. City departments, including Fire, Community Development and Finance, together with industrial project proponents, are engaged in planning for financing, construction and staffing of a new fire station serving the south Stockton industrial areas, including the proposed project site. Development and implementation of the plan will involve a multi-year process helping the Department meet increasing service demands and reduce response times (Chief Edwards, pers. comm.). Nonetheless, the City and the Mariposa Industrial Park project applicant are in discussions as to how the proposed project could facilitate development of the new fire station.

The proposed annexation would include approximately 750 feet of Mariposa Road frontage. Improvements would be installed along this frontage and are likely to include widening, turn lanes, acceleration and/or deceleration lanes, shoulders, and intersection

improvements at the proposed entry, including street lighting and signage. The frontage improvements would be funded by the developer. The annexed frontage would increase costs to the City for ongoing maintenance. A rough approximation of the increased maintenance cost was obtained by dividing the total miles currently maintained by the City of Stockton into total street maintenance cost, then applying the results to the segments to be annexed. According to the FY 2020/21 budget for the City of Stockton, the City maintains 763 miles of streets at a cost of \$12,996,825. Based on these figures, the additional cost to maintain the annexed frontage would be approximately \$2,420 annually. This cost may increase if more of the segment of Mariposa Road fronting the subject site is annexed than proposed. Road maintenance costs are met from a variety of sources.

The project is not expected to result in additional costs for schools or parks and recreation, as the project would not increase the resident population. Nonetheless, the project would contribute to future school and park capital needs through payment of school mitigation fees and park and recreation PFFs.

An approximation of maximum potential increases in City services costs associated with the project was calculated by dividing total general fund expenditures by the City service population, and by multiplying that factor by the increase in service population on the subject site. The per-unit cost factor would be \$587.92. The expected increase in service population would be 1,531 (see Exhibit 2). Therefore, potential service costs to the City would be approximately \$900,106. See Exhibit 8 for a development of the expenditure estimate for the subject site.

#### 4.2.3 Overall Impact of Project on City Budget

As indicated in Table 2, proposed future development of the subject site is expected to generate approximately \$1,624,287 in annual revenues to the City. With estimated annual expenditures of \$900,106, the City would have adequate annual revenues to provide services to the subject site. In addition, as indicated in Table 1, proposed future development would generate \$5,997,979 in one-time impact fees to the City to cover expenses associated with new or expanded public facilities and services. Additional fees would be paid to SUSD and SJCOG.

In summary, the City would be expected to expect to receive substantial revenues from proposed development of the subject site, while the expenses incurred in providing City services to the subject site would be less than the anticipated revenues. Thus, at the project level, the City would likely operate at a budget surplus.

### 4.3 PROPERTY TAX IMPACT TO THE MONTEZUMA FIRE DISTRICT

Based on information provided by the County Auditor-Controller's Office, the Montezuma Fire District currently receives approximately 10.4 percent of the general one-percent property tax levy from the subject site. Based on the most current information from the County Auditor-Controller, this generates approximately \$2,913 of property tax revenue for the Fire District, based on current valuation of the property. Upon annexation and development of the subject site, the assessed valuation of the site would increase substantially. However, as a part of the annexation process, the subject site would

be detached from the Fire District, and the Fire District would no longer receive tax revenue from the site.

In comments on another proposed annexation, the Fire Chief of the Montezuma Fire District stated that he looks for the Fire District to be made whole for any loss of revenue resulting from annexation. Also, LAFCo policy dictates that adverse fiscal impacts resulting from such detachments from special districts or annexations that fail to provide adequate mitigation of the adverse impact on the district will not be approved. It is expected that the City and the Fire District will reach an agreement that will reduce adverse revenue impacts on the Fire District resulting from the proposed annexation. LAFCo may determine an appropriate temporary mitigation, if any, and impose that temporary mitigation to the extent it is within its powers.



## 5.0 AVAILABILITY OF ADEQUATE WATER SUPPLY

As noted, California Government Code Section 56668(l) requires an assessment of the timely availability of water supplies for an annexation area. The UWMP for the City of Stockton's water system assessed the reliability of its water supply for its service area, which includes the subject site. The UWMP includes a description of the water supply sources, projected water use, and a comparison of water supply water demands during normal, single-dry, and multiple-dry years. The definitions of the three water year scenarios, as described by the State Department of Water Resources, are provided below.

1. Average year is a year, or an averaged range of years in the historical sequence that most closely represents median water supply availability to the agency. Normal and average are used interchangeably within the Department of Water Resources guidebook.
2. Single dry year is the year with the lowest water supply availability to the agency.
3. Multiple dry year is the lowest average water supply availability to the agency for a consecutive multiple-year period (three years or more) for a watershed since 1903.

As part of the UWMP, a Water Supply Reliability Assessment was conducted to determine the reliability of the City's water supply for all three water year scenarios from 2020 to 2040. This Water Supply Reliability Assessment is currently the most up-to-date and reliable source of information regarding the City's long-term water supplies and their reliability. Under the normal water year scenario, water supply would exceed demand by 34,546 to 50,351 acre-feet per year. Under the single dry water year scenario, supply would exceed demand by 30,546 to 44,351 acre-feet per year. Under the third year of a multiple dry year scenario, supply would exceed demand by the same amounts as in the single dry year scenario.

As noted in Section 3.1, Domestic Water Supply, the City conducted a Water Supply Assessment for the proposed project in January 2021. Under SB 610, a Water Supply Assessment 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 Water Supply Assessment 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. COSMUD is the purveyor for this project.

The Water Supply Assessment determined that COSMUD's water supply would exceed the projected water demand by the amounts in the UWMP described above. Updated water use factors based on recent water consumption trends within the COSMUD service area were used to determine the projected water demand for the Proposed Project, which is equal to 283 acre-feet per year. Based on this information, the Water Supply Assessment concluded that the project could be adequately served by COSMUD from its existing and future water supplies without requiring additional supplies or entitlements.

Resolution No. **2022-12-06-1602-02**

## **STOCKTON CITY COUNCIL**

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**RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE LOCAL AGENCY FORMATION COMMISSION FOR THE ANNEXATION OF ASSESSOR'S PARCEL NUMBERS 179-220-10; -11; -12; -13; -16; -17; -18; -19; and -24, ABUTTING PORTIONS OF MARIPOSA ROAD WITH RELATED CITY SERVICES PLAN, INCLUDING DETACHMENT FROM THE MONTEZUMA FIRE DISTRICT, AND AN AMENDMENT TO THE SPHERE OF INFLUENCE AND MUNICIPAL SERVICE REVIEW REPORT**

On October 19, 2020, the applicant, Greenlaw Partners, LLC submitted a request to, amongst other requests, to annex Assessor's Parcel Numbers (APNs) 179-220-10; -11; -12; -13; -16; -17; -18; -19; -24, abutting portions of Mariposa Road; and

The petition for annexation is for the purposes of obtaining general city services as outlined in the City Services Plan; and

The subject territory will, upon annexation, be able to receive normal City services as required by section 56653 of the Cortese/Knox Local Government Reorganization Act of 1985; and

In accordance with section 56375(a)(7) of the Cortese/Knox Local Government Reorganization Act of 1985 and the policies of the San Joaquin County Local Agency Formation Commission, the City Council has concurrently with this resolution adopted an ordinance to prezone APNs 179-220-10; -11; -12; -13; -16; -17; -18; -19; -24 to Industrial, Limited (IL) Zone; and

The annexation action would also include the applicant's requested detachment from the Montezuma Fire District. The detachment will be subject to an agreement by the developer to mitigate the district's loss of property taxes. Future services will be provided by the City of Stockton; and

The General Plan illustrates the City's anticipated 20-year growth within the approved planning boundaries. State law requires the City to prepare a Sphere of Influence and Municipal Service Review (SOI/MSR) report to assess services (fire, police, schools, utilities, etc.) for the anticipated General Plan growth. The SOI/MSR includes a section highlighting the City's anticipated 10-year growth through pending project approvals and areas of interest; and

As the proposed annexation was not anticipated in the SOI/MSR 10-year Planning Horizon, the Applicant has proposed changes to include the Project as part of that analysis. As the 10-year growth plan merely illustrates potential growth within a 10-year

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timeframe, it will not impact the City's ability to service the project site as the project is consistent with the General Plan land use; and

On March 10, 2022, the Planning Commission held a duly noticed public hearing, pursuant to Stockton Municipal Code (SMC) section 16.116.040(D), to consider the proposed Prezoning, at which all interested parties had the opportunity to be heard; and On March 10, 2022, and prior to acting on this request, the Planning Commission considered, and recommended adoption of an Environmental Impact Report (SCH #2020120283) prepared pursuant to the California Environmental Quality Act (CEQA); and

On April 19, 2022, the State of California Department of Justice Attorney General's Office and the Sierra Club provided communication to staff related to concerns with the environmental effects of the project immediately before the public hearing was scheduled to occur. Based on the communication received, Staff elected to postpone the public hearing to a future date; and

The Attorney General's Office and the Sierra Club presented additional mitigation measures which were evaluated and incorporated into the document where appropriate, however did not cause changes or reevaluation of the existing technical studies prepared, thus the DEIR was not required to be recirculated; and

On November 15, 2022, the City Council held a duly noticed public hearing pursuant to Stockton Municipal Code section 16.216.070, at which time all interested parties had the opportunity to be heard. After consideration of the project, the City Council considered and found no further environmental review is necessary under the California Environmental Quality Act (CEQA) pursuant to section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning); now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

Annexation:

Pursuant to Stockton Municipal Code section 16.216.070(H)(2), the following findings of fact are made to support the annexation request:

- a) The subject territory is located within the urban services area of the City, as shown in Exhibit 2: Prezone Map and Legal Description.
- b) APNs 179-220-10; -11; -12; -13; -16; -17; -18; -19; -24 have been prezoned, as described above.
- c) The subject territory is contiguous to the existing City limits, as shown in Exhibit 2: Prezone Map and Legal Description.

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- d) The proposed annexation does not split a line of assessment and would, as described in the Environmental Impact Report prepared for the overall project, include a future subdivision map application to ensure property ownership lines align with the City limit boundary established by the annexation. This finding is supported by San Joaquin County Local Formation Agency Commission Policy 10 (Definite and Certain Boundaries) which requires: (a) all boundaries shall be and certain and conform to lines of assessment or ownership; and (b) acknowledgement by the City of Stockton that the Commission may impose a condition on the annexation requiring the recordation of a parcel map to avoid creating remnants of legal lots.
- e) The proposal does not create islands or areas in which it would not be easy to provide City services. The subject territory includes a corner parcel abutting two (2) public roads within the requisite infrastructure (e.g., water, sewer, stormwater) located within or in immediate proximity. The proposal utilizes said services without creating a feature that may make their delivery difficult to other areas.
- f) The 2040 General Plan Land Use Map designates the subject site as Industrial. Pursuant to Table 2-1 (General Plan Relationship to Development Code) of the General Plan, the IL Zone is compatible with Industrial General Plan Land Use Map designation.

The proposed annexation would further the following General Plan policies:

- Goal LU-4: Attract and retain companies that offer high-quality jobs with wages that are competitive with the region and state.
- Policy LU-4.2: Attract employment- and tax-generating businesses that support the economic diversity of the City.
- Policy LU-6.2: Prioritize development and redevelopment of vacant, underutilized, and blighted infill areas.

Consistency of the annexation proposed with these policies is demonstrated through its ability to enable development of a new industrial land use in a vacant and contiguous location to the existing City limits.

#### Detachment and Rural Fire Agreements

- A. The proposal is contiguous to existing County boundaries or other jurisdiction(s) party to the detachment or reorganization;
- B. The County Surveyor has determined that the boundaries of the proposal are definite and certain;

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- C. The proposal does not split lines of assessment or ownership;
  - D. The proposal does not create islands or areas in which it would be difficult to provide appropriate services;
  - E. The proposal is consistent with the land uses, objectives, policies, and programs of the General Plan, any applicable specific plan or master development plan, and other adopted goals and policies of the City and other applicable jurisdiction(s); and
  - F. The City Manager is hereby authorized and directed to execute on behalf of the City, the Agreement between the City of Stockton, Greenlaw Partners, LLC, and/or current owner of the subject properties (APNs 179-220-10; -11; -12; -13; -16; -17; -18; -19; -24), and Montezuma Fire Protection District regarding detachment of property from the District to the City of Stockton, as illustrated on Exhibit 3 and incorporated herein by reference.

1. As referenced above, per SMC 16.216.070(H)(2), all findings of fact can be made to approve the annexation request.

2. The foregoing recitals are true and correct and incorporated here by reference; and

3. The City Council accepts the updated 2020 Sphere of Influence/Municipal Service Review report 10-year plan amendment; and

4. An Environmental Impact Report with Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program has been prepared for the project; and

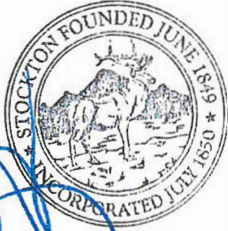
5. The City Manager is authorized to file with the San Joaquin County Local Agency Formation Commission, as described in Exhibit 1 (City Services Plan), Exhibit 2 (Prezone Description and Annexation Boundary), and Exhibit 3 (City Services Plan), to execute a Detachment agreement on behalf of the City between the City of Stockton, the Applicant, and Montezuma Fire District regarding detachment of property from the District to the City of Stockton, and make an amendment to the 2020 Sphere of Influence/Municipal Service Review report 10-year plan (Exhibit 4).

6. The San Joaquin County Local Agency Formation Commission is hereby requested to approve the above-noted annexation of territory to the City of Stockton as depicted on Exhibit 2.

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7. The City Manager is authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Resolution.

PASSED, APPROVED, and ADOPTED December 6, 2022



ATTEST:

A handwritten signature in blue ink, appearing to be "Eliza R. Garza", is written over a horizontal line.

ELIZA R. GARZA, CMC  
City Clerk of the City of Stockton

A handwritten signature in blue ink, appearing to be "Kevin J. Lincoln II", is written over a horizontal line.

KEVIN J. LINCOLN II  
Mayor of the City of Stockton

### **A. 10- AND 30-YEAR PLANNING HORIZONS**

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San Joaquin LAFCo's Policies and Procedures call for municipal service reviews and SOI plans to present information on future projections and plans tied to 10-year and 30-year horizons. LAFCo provides for shorter time frames where applicable general plans have shorter planning periods remaining when the service review is prepared. The City has divided the buildout period into two time frames: 0 to 10 years (2020 to 2030) and 11 to 20 years (2021 to 2040). For each time frame, the City has projected the amount of residential and non-residential development that is expected to occur within the SOI. As discussed above, the City's current SOI has the capacity to accommodate the projected residential, retail, office, and industrial demand in 2040.

Table 2-7 shows the projected development demand according to the 10-year horizon (2020 to 2030) and the balance of the 20-year horizon (2030 to 2040) [based on a Market Analysis Technical Memorandum \(July 20, 2016\) generated during preparation of the City's Updated General Plan 2040, adopted in 2018.](#)

TABLE ERROR! NO TEXT OF SPECIFIED STYLE IN DOCUMENT.-17:  
**DEVELOPMENT DEMAND FORECAST 10-  
 YEAR AND 20-YEAR PLANNING HORIZONS**

	2020-2030	2030-2040	Total
<b>Low Growth</b>			
Housing Units	9,876	9,876	19,752
Retail Square Feet (Non-Automotive)	1,650,000	1,650,000	3,300,000
Office Square Feet	3,550,000	3,550,000	7,100,000
Industrial Square Feet	3,100,000	3,100,000	6,200,000
<b>High Growth</b>			
Housing Units	20,515	20,515	41,030
Retail Square Feet (Non-Automotive)	2,450,000	2,450,000	4,900,000
Office Square Feet	3,550,000	3,550,000	7,100,000
Industrial Square Feet	3,100,000	3,100,000	6,200,000

*Source: 2040 General Plan, Market Analysis Technical Memorandum, July 20, 2016.*

[Since the 2018 adoption of the Updated General Plan 2040, the City of Stockton has experienced an upswing in proposals for development of industrial warehousing and distribution uses. Projects approved by the City in that time period have exceeded the total Industrial Square Feet forecast shown in Table 2-7. A general accounting of changes in industrial and other development demands contributing to demand during the “2030 planning horizon” are listed below](#)

Figure 2-7 shows where annexations within the City’s current SOI would contribute to addressing demand over the 10-year horizon (i.e., prior to 2030). These areas are labeled “2030 planning horizon areas” and include the areas listed below. Any areas that aren’t completely developed by 2030 are assumed to be built out by the end of the 20-year horizon.

- ◆ **Airpark 599 (southeast of City limit):** As indicated in **Error! Reference source not found.** [Table 2-6: Net New Approved And Pending Development](#), this is an approved development project that includes 1.7 million square feet of commercial and office uses and 2.2 million square feet of industrial uses.
- ◆ **Tra Vigne (north of City limit, south of Eight Mile Road):** As indicated in **Error! Reference source not found.** [Table 2-6](#), this is an approved development project that includes 1,200 single-family homes.
- ◆ **Balance of area north of City limit, south of Eight Mile Road:** According to the 2040 General Plan EIR, this area is expected to accommodate up to 1,380 new single-family homes, 1,200 new multi-family homes, and 39,000 square feet of new commercial and office development.
- ◆ **Sanchez annexation project:** This is an [approved pending](#) annexation project that is expected to include approximately 3.1 million square feet of new industrial development.
- ◆ **Archtown annexation projects:** These pending annexation projects include the Archtown Industrial Project, for which a tentative subdivision map has expired, but the applicant intends on submitting a new map in the near future, and the Arch Road Annexation, which would include approximately 9,100 square feet of new commercial development.
- ◆ **Mariposa industrial park project:** [This pending annexation project, recently approved by the City of Stockton, would include approximately 3.6 million square feet of new industrial development.](#)
- ◆ **Hammer Lane annexation projects:** These are pending annexation projects that include approximately 12,000 square feet of new commercial development, plus a 144-room hotel.



- ◆ **Unincorporated islands:**<sup>1</sup> Unincorporated islands included in the 10-year horizon are listed below. Although they lack significant development potential, they are included in the 10-year horizon to facilitate improved service delivery and efficiency.
  - *Rancho San Joaquin:* There are 32 existing housing units in this island.
  - *Wagner Heights North and South:* There are 79 existing housing units and various commercial and office uses in this island.
  - *Weber Grant:* There are 7 existing housing units and various commercial and office uses in this island.
  - *Sperry Tract:* There are 12 existing housing units in this island.
  - *Rose Terrace:* There are 83 existing housing units and a portion of a food processing facility in this island.
  - *Mosswood Park:* There are 439 existing housing units in this island.
  - *El Dorado-Airport:* There are only industrial uses existing in this island.

In total, the areas described above and included in the 10-year horizon can accommodate the following development:

- ◆ 3,780 housing units
  - 2,580 single-family
  - 1,200 multi-family
- ◆ 1.7 million square feet of commercial and office uses
- ◆ 5.38.9 million square feet of industrial uses (5.3 million + 3.6 million = 8.9 million)

As Table 2-7 shows, the 10-year demand for residential units ranges from 9,880 units (low-growth) to 20,520 units (high-growth). Although the capacity for development within the 10-year horizon areas outside the City limit would not accommodate that demand, there is capacity within the existing City limit to accommodate the balance. The study areas identified in Table 2-5 are primarily within the city limit; the only study area with residential capacity that is not within the City limit is Study Area 1, Eight Mile Road. In total, the remaining study areas are expected to accommodate 8,020 housing units, which, when combined with the 10-year horizon areas (totaling 11,800 units), can accommodate housing demand in the low-growth scenario. As shown in Table 2-6, there is additional residential development capacity within the approved and pending projects within the City limit to accommodate the remaining demand in the high growth scenario.

For commercial and office space, as shown in Table 2-7, the 10-year demand ranges from 5.2 million square feet (low-growth, combined) to 6 million square feet (high-growth, combined). Although the capacity for development within the 10-year horizon areas outside the City limit would not accommodate that demand, there is capacity within the existing City limit to accommodate the balance. When combined with the study areas within the city limit from Table 2-5, the commercial and office capacity increases to 10.4 million square feet, which can accommodate both demand scenarios.

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<sup>1</sup> Information about unincorporated islands is from the December 18, 2018 Executive Officer's Report to the San Joaquin LAFCO, available at <https://www.sjgov.org/uploadedfiles/sjc/departments/lafco/content/december%20agenda%20item%20no.%205%20san%20joaquin%20unincorporated%20islands.pdf>

For industrial space, as shown in Table 2-7, the 10-year demand is ~~3.18.9~~ million square feet. The capacity for development within the 10-year horizon areas outside the City limit would accommodate that anticipated demand.

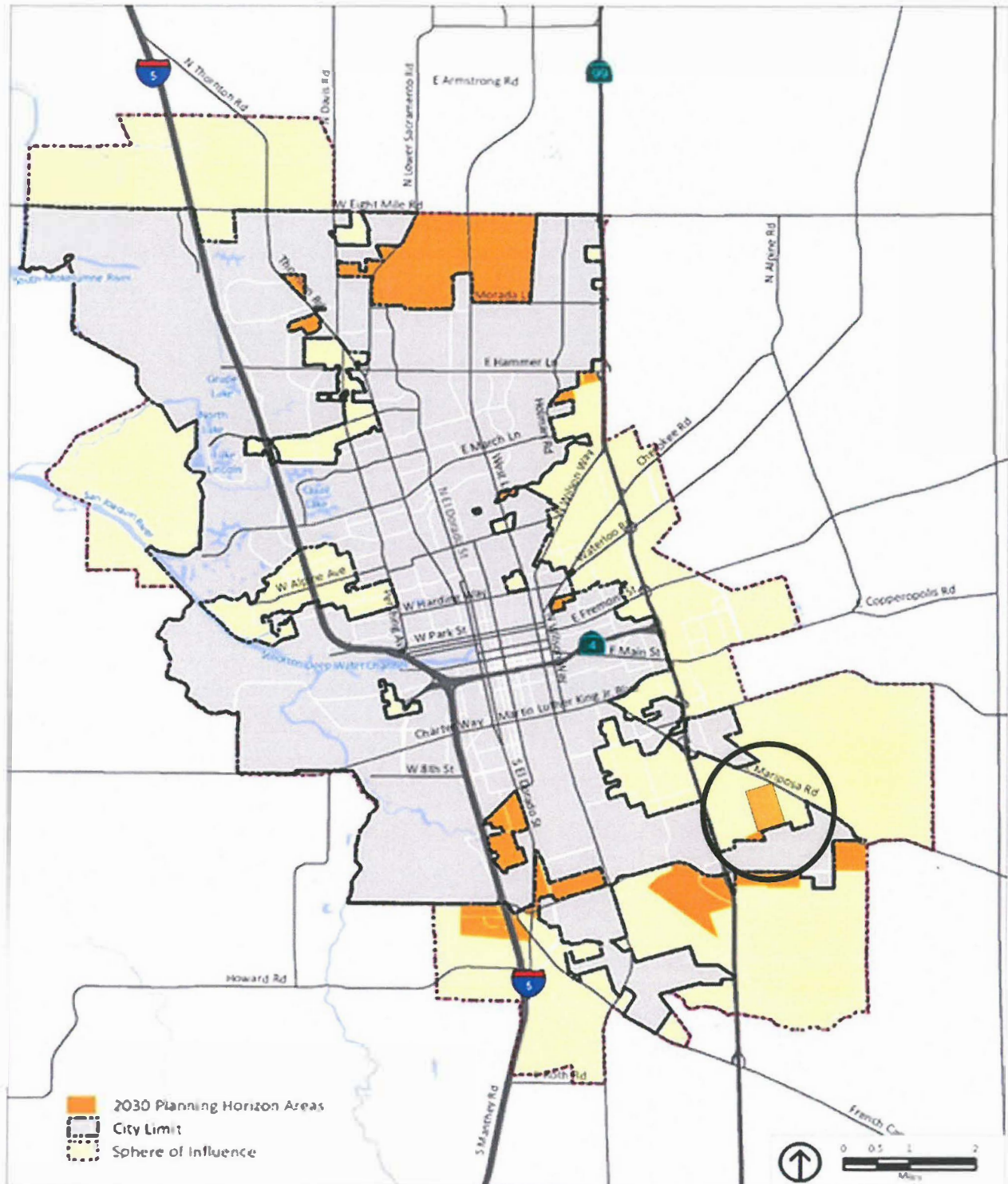
In addition to annexation of the areas shown in Figure 2-7, the City is committed to working in good faith with all stakeholders, including property owners, members of the public, and other government agencies, to prepare feasibility studies regarding the annexation of other unincorporated islands within the SOI.

For demand beyond the 10-year planning horizon, the City assumes areas within the unincorporated SOI that are not shown on Figure 2-7 as partially developed by 2030 will be annexed as necessary after 2030. As described in Section F of Chapter 2, and as amended during consideration of the Mariposa Industrial Park annexation process, in total, the anticipated development in the City limit and SOI includes:

- ◆ 40,900 new dwelling units
- ◆ 13.8 million square feet of new commercial and office space
- ◆ ~~35.6~~32.0 million square feet of new industrial space. (Note: ~~35.6~~ - 3.6 Mariposa Industrial = 32.0)

This 2040 development projection would accommodate anticipated demand. In the high-growth scenario, the residential demand is expected to be slightly higher than the 2040 development projection (41,030 units, or a difference of 130 units from the 2040 projection). If the high-growth scenario were to occur, there is additional residential development capacity beyond the 2040 development projection for the General Plan, as shown in Table 2-5, which also shows the full buildout potential of the General Plan (i.e., the development of every parcel with the maximum amount of development allowed under the General Plan).

FIGURE -7:10-YEAR PLANNING HORIZON ANNEXATION AREAS



Source: City of Stockton, 2016 Placemarks, revised February 22, 2022

## Strategic Memorandum

**From:** CV Strategies  
**To:** Michael Souza  
**Date:** March 19, 2021  
**Subject:** Annexation Interest Survey, Disadvantaged Unincorporated Community (DUC), Mariposa Industrial Park Project

As per our contract with Greenlaw Development, CV Strategies conducted a survey of the DUC near the proposed Mariposa Industrial Park project to gauge interest in annexation into the City of Stockton.

To inform and educate opinion on the project, CV Strategies began surveying residents who are registered voters in the area that would be affected by the proposed annexation. The survey was initially conducted by phone (five questions) and followed up with a direct mail survey card and in-person contact made via door-to-door canvassing. In all, our team attempted to reach 288 registered voters in the identified subject area. Completed responses totaled 172 – a 69.7% response rate.

For the survey, our team utilized a standard script identifying changes that would result from annexation, including the benefits and costs of connecting to the City's water and sewer system, coverage for police and fire service and a utility tax, as well as land use regulations.

Of the voters contacted, 152 were reached in-person at their home; 19 responded by phone; and two replied by mail.

Responses were compiled in February 2021 and overwhelmingly opposed annexation at 56.9% opposed – 164 people against, 8 people for the project. Signed cards were collected from those voters contacted in person and those that submitted their mail in responses.

Attached is a spreadsheet with the names and addresses of those contacted and their standing in opposition or support of annexation.

Name:	Address:	Oppose/Support
Aceves-Carranza, Lorenza	3823 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Aguilara, Cynthia	4004 Margargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Aguilara, Juan	4004 Margargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Alexander, Bill	4127 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Avalos, Carlos	3748 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Avalos, Carlos Jr	3851 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Avalos, Elvia	3748 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Avalos, Gerardo	3748 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Avalos, Gerardo	4040 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Avalos, Mayra A	3748 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Bacigalupi, Renald	3703 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Battista, Albert D	4232 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Bentz, Ocie	3435 Marfargoa RD 29	OPPOSE ANNEXATION - Via DoortoDoor
Billups, Andrew	4303 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Blueford, Leshonna	4425 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Bossi, Gloria	3715 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Bossi, Jackie	3715 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Buzo , Thomas	3435 Marfargoa RD 20	OPPOSE ANNEXATION - Via DoortoDoor
Carrou, Robert	3460 S Highway 99	OPPOSE ANNEXATION - Via DoortoDoor
Castillo, Paula	4421 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Cervantes, Lucy	4566 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Chiribel, Andrea	4525 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Contreras, Nidia	3912 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Contreras, Roberto	3912 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Contreras, Rocina	3912 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Cortez, Joann	4428 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Cortez, Juan	4428 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Counts, Evelyn	4040 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Flores, Cynthia	4343 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Flores, Jessica	4343 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Galvez, Rocio	3727 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Gaunta, Ly	3832 S Highway 99	OPPOSE ANNEXATION - Via DoortoDoor
Gaunta, Ly	3798 S Highway 99	OPPOSE ANNEXATION - Via DoortoDoor
Gonzales Jr., John	3601 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Gonzales, Leticia	3606 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Granadoz, Leonard	4440 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Guerrero, Cindy	3631 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Guerrero, Evaneglina	3606 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Guerrero, Richard	3606 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Guerrero, Ryan	3631 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Guizar Mendoza, Elvira	4220 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Guizar Mendoza, Salvador	4220 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Guizar, James	4220 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Gunter, Ly	3832 S Highway 99	OPPOSE ANNEXATION - Via DoortoDoor
Guzman, Abel	3738 Margargoa Road	OPPOSE ANNEXATION - Via DoortoDoor
Hall, Sally	3435 Marfargoa RD 94	OPPOSE ANNEXATION - Via DoortoDoor
Hipes, Aaron	3435 Marfargoa RD 47	OPPOSE ANNEXATION - Via DoortoDoor

Hipes, Kandi	3435 Marfargoa RD 47	OPPOSE ANNEXATION - Via DoortoDoor
Huerta, Carlos	4032 S Highway 99 2	OPPOSE ANNEXATION - Via DoortoDoor
Huerta, Rosa	4032 S Highway 99 2	OPPOSE ANNEXATION - Via DoortoDoor
Ivey, Koslynn	3738 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Kong, Tith	3732 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Kurzawinski, Sharon	3460 S Highway 99 17	OPPOSE ANNEXATION - Via DoortoDoor
Lawson, Anita	4023 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Lupian, Qua BM	3708 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Markowitz, Roger	4421 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Martinez, Arthur	4540 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Martinez, Paul	4176 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Matuska, Gary	4241 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Matuska, Melody	4241 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Matuska, Sascha	4241 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Mc Ginnis, Barbara	4343 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Mc Ginnis, John	4343 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
McGill, Linda	4321 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
McNamara, Nancy	3460 S Highway 99 23	OPPOSE ANNEXATION - Via DoortoDoor
Molina, Anita	3708 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Mumford, Beverly	3622 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Munoz, Sara	4176 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Ocampo, Alfonso	4408 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Ocampo, Cassie	4408 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Ocampo, Dedee	4408 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Ocampo, Isabella	4408 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Ocampo, Jerry	4408 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Pecoraro, Kenneth	3435 Marfargoa RD 75	OPPOSE ANNEXATION - Via DoortoDoor
Perez, Sophia	3820 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Quinones, Ernie	3715 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Quinones, Eva	3649 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Quinones, George	3649 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Quinones, George	3715 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Quinones, George	3637 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Quinonez, Gloria	3715 Clark Drive	OPPOSE ANNEXATION - Via DoortoDoor
Real Medrano, Kasandra	4244 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Revuelta, Maria	3737 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Rodriguez, Richard	4531 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Roe, Katie	4229 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Roe, Raysean	4308 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Roe, Rochelle	4308 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Roe, Willie	4308 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Sanchez Salaeas, Linda	3738 Margargoa Road	OPPOSE ANNEXATION - Via DoortoDoor
Sanchez, Ana	3738 Margargoa Road	OPPOSE ANNEXATION - Via DoortoDoor
Smith, Chris	4508 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Spicer, Paula	4408 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Stout, Robert	4421 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Thoza, Matthew	3612 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Thoza, Rin	3612 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor

Vindiola, Rosalio	3848 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Wade, Bruce	4303 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Wade, David	4309 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Wade, Sondra	4127 Carpenter RD	OPPOSE ANNEXATION - Via DoortoDoor
Welsh, Richard	4408 S Highway 99	OPPOSE ANNEXATION - Via DoortoDoor
Williams, Billy Ray	3390 S Highway 99	OPPOSE ANNEXATION - Via DoortoDoor
Williams, Billy Ray	3393 S Highway 99	OPPOSE ANNEXATION - Via DoortoDoor
Williams, Luther	4463 Clark Dr	OPPOSE ANNEXATION - Via DoortoDoor
Zuniga Salas, Ana	4428 Clark DR	OPPOSE ANNEXATION - Via DoortoDoor
Martinez-Avalos, Crystal	4040 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Guidino, George	4463 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Cadena, Sebado	4224 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Godfrey, Pearl	5109 E Mariposa RD	OPPOSE ANNEXATION - Via DoortoDoor
Tolentino, Maria	5262 E Mariposa RD	OPPOSE ANNEXATION - Via DoortoDoor
Godfrey, Bryan	5109 E Mariposa RD	OPPOSE ANNEXATION - Via DoortoDoor
Godfrey, Stephanie	5109 E Mariposa RD	OPPOSE ANNEXATION - Via DoortoDoor
Tolentino, Wilner	4480 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Lopez, Virginia	4463 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Tolentino, Mayvelyn	4480 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Raymos, Robert	4460 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Halligan, Debbie	4460 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Hadon, Juan	4347 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Garcia, Richard	4347 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Ponce, Nancy	4347 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Cadena, Maria	4224 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Goss, Cameron	4152 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Raski, Robert	4152 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Raski-Vasquez, Justin	4152 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Raski, Lauraina	4152 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Sanchez Torres, Lesly	4147 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Ortiz, Fabiola	3920 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Alexander, Barbara	4127 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Villalpando, Lisa	3919 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Suasin, Glicer	3919 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Galvez, Ariana	3727 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Perez, Rayna	3820 Marfargoa RD	OPPOSE ANNEXATION - Via DoortoDoor
Lopez Leon, Jesus	3435 Marfargoa RD 53	OPPOSE ANNEXATION - Via DoortoDoor
Lopez, Stephanie	3435 Marfargoa RD 53	OPPOSE ANNEXATION - Via DoortoDoor
Hernandez Lopez, Eva	3435 Marfargoa RD 53	OPPOSE ANNEXATION - Via DoortoDoor
Valenzuela, Deborah	3435 Marfargoa RD 52	OPPOSE ANNEXATION - Via DoortoDoor
Hylton, Joe	3823 Munford Ave	OPPOSE ANNEXATION - Via DoortoDoor
Hylton, Sherry	3823 Munford Ave	OPPOSE ANNEXATION - Via DoortoDoor
Murry, Justin	3848 Munford Ave	OPPOSE ANNEXATION - Via DoortoDoor
Hylton, Joelle	3823 Munford Ave	OPPOSE ANNEXATION - Via DoortoDoor
Hylton, Eugene	3823 Munford Ave	OPPOSE ANNEXATION - Via DoortoDoor
Houston, Linda	3596 Mumford Ave	OPPOSE ANNEXATION - Via DoortoDoor
Valleza, Bernardo	3839 Munford Ave	OPPOSE ANNEXATION - Via DoortoDoor
Hylton, Irene	3823 Munford Ave	OPPOSE ANNEXATION - Via DoortoDoor

Miranda, Rebecca	3839 Munford Ave	OPPOSE ANNEXATION - Via DoortoDoor
Rodriguez, Eric	3848 Munford Ave	OPPOSE ANNEXATION - Via DoortoDoor
Hylton, Kenneth	3848 Munford Ave	OPPOSE ANNEXATION - Via DoortoDoor
Shelton, James	3910 Munford Ave	OPPOSE ANNEXATION - Via DoortoDoor
Urena Rojas, Faviola	3948 Munford Ave	OPPOSE ANNEXATION - Via DoortoDoor
Dill, Ellen	3435 Marfargoa Rd 26	OPPOSE ANNEXATION - Via Mail
Lawson, Jack	4023 Carpenter RD	OPPOSE ANNEXATION - Via Mail
Abelong, Melinda	3828 Carpenter RD	OPPOSE ANNEXATION - Via Phone
Avalos, Ana	3851 Marfargoa RD	OPPOSE ANNEXATION - Via Phone
Avalos, Carlos A	3851 Marfargoa RD	OPPOSE ANNEXATION - Via Phone
Avalos, Carlos F	3851 Marfargoa RD	OPPOSE ANNEXATION - Via Phone
Brockway, Michael	3685 Marfargoa RD	OPPOSE ANNEXATION - Via Phone
Duenas, Carlos	3619 Clark DR	OPPOSE ANNEXATION - Via Phone
Fritts, Amber	3703 Marfargoa RD	OPPOSE ANNEXATION - Via Phone
Juarez, Cristina	4327 Marfargoa RD	OPPOSE ANNEXATION - Via Phone
Juarez, Saul	4327 Marfargoa RD	OPPOSE ANNEXATION - Via Phone
Lott, John	5276 E Mariposa RD	OPPOSE ANNEXATION - Via Phone
Perez, Margarita	3820 Marfargoa RD	OPPOSE ANNEXATION - Via Phone
Sayers, Billy	4340 Carpenter RD	OPPOSE ANNEXATION - Via Phone
Williams, Antonio	4343 Carpenter RD	OPPOSE ANNEXATION - Via Phone
Woods, Willie	3688 Carpenter RD	OPPOSE ANNEXATION - Via Phone
Mike Young	3435 Marfargoa RD 15	SUPPORT ANNEXATION - Via DoortoDoor
Munoz, Rosa	4176 Clark Drive	SUPPORT ANNEXATION - Via DoortoDoor
Rhodes, Steve	3435 Marfargoa RD 15	SUPPORT ANNEXATION - Via DoortoDoor
Carrasco, Javier	4032 S Highway 99 6	SUPPORT ANNEXATION - Via Phone
Constantino Guzman, Miguel	4032 S Highway 99 22	SUPPORT ANNEXATION - Via Phone
Guzman Rico, Luz	4032 S Highway 99 22	SUPPORT ANNEXATION - Via Phone
Santana, Carlos	3820 Marfargoa RD	SUPPORT ANNEXATION - Via Phone
Vasquez Hernandez, Angelina	4244 Marfargoa RD	SUPPORT ANNEXATION - Via Phone
Aceves, David	3823 Carpenter RD	COULD NOT BE REACHED
Agbulos, Lacey	3435 Marfargoa RD 69	COULD NOT BE REACHED
Anaya-Torres, Marvina	5203 E Mariposa RD	COULD NOT BE REACHED
Avalos, Cynthia	4451 Marfargoa RD	COULD NOT BE REACHED
Bahr, James	3832 S Highway 99 B	COULD NOT BE REACHED
Bahr, Kelly	3832 S Highway 99 B	COULD NOT BE REACHED
Baker, Leah	3435 Marfargoa RD 47	COULD NOT BE REACHED
Barragan, Jesse	4233 Marfargoa RD	COULD NOT BE REACHED
Bautista, Katheryn	4700 E Mariposa RD	COULD NOT BE REACHED
Becerra, Luis	3435 Marfargoa RD 95	COULD NOT BE REACHED
Berkenbile, Donald	4580 S Highway 99	COULD NOT BE REACHED
Berkenbile, Dwanna	4580 S Highway 99	COULD NOT BE REACHED
Berkenbile, Dwanna	4580 S Highway 99	COULD NOT BE REACHED
Billups, Amy	4303 Carpenter RD	COULD NOT BE REACHED
Bossi, Jackie	3715 Clark DR	COULD NOT BE REACHED
Brewer, Lorie	4032 S Highway 99 20	COULD NOT BE REACHED
Brown, Rebecca	5024 E Mariposa RD	COULD NOT BE REACHED
Buzo , Patti	3435 Marfargoa RD 20	COULD NOT BE REACHED
Calhoun, Aaron	3435 Marfargoa RD 5	COULD NOT BE REACHED



Ceron Guzman, Maria	4032 S Highway 99 19	COULD NOT BE REACHED
Cervantes, Urbano	3435 Marfargoa RD 42	COULD NOT BE REACHED
Chiribel, Andrea	4525 Carpenter RD	COULD NOT BE REACHED
Christie, Daniel	4700 E Mariposa RD	COULD NOT BE REACHED
Curtis, Ernestine	4229 Carpenter RD	COULD NOT BE REACHED
Diaz, Jonathan	3435 Marfargoa RD 17	COULD NOT BE REACHED
Diaz, Melissa	3435 Marfargoa RD 17	COULD NOT BE REACHED
Diaz, Vanessa	3435 Marfargoa RD 17	COULD NOT BE REACHED
Estrada, Brandon	4032 S Highway 99 11	COULD NOT BE REACHED
Estrada, Bryan	4032 S Highway 99 11	COULD NOT BE REACHED
Godfrey, Bryan	5109 E Mariposa RD	COULD NOT BE REACHED
Godfrey, Stephanie	5109 E Mariposa RD	COULD NOT BE REACHED
Gonzales, Steven	3606 Carpenter RD	COULD NOT BE REACHED
Gonzalez, Karina-Micaela	3601 Clark DR	COULD NOT BE REACHED
Granadoz, William	4440 Carpenter RD	COULD NOT BE REACHED
Guerrero, Richard	3631 Carpenter RD	COULD NOT BE REACHED
Guerrero, Ryanda	3631 Carpenter RD	COULD NOT BE REACHED
Guzman, Anna	4032 S Highway 99 21	COULD NOT BE REACHED
Harbin, Kelly	3807 Munford Ave	COULD NOT BE REACHED
Harbin, Kristine	3807 Munford Ave	COULD NOT BE REACHED
Harbin, Shawn	3807 Munford Ave	COULD NOT BE REACHED
Haskin, Amelia	3435 Marfargoa RD 47	COULD NOT BE REACHED
Hendon, Joshua	4347 Marfargoa RD	COULD NOT BE REACHED
Hernandez, Christal	4700 E Mariposa RD	COULD NOT BE REACHED
Hernandez, Consuelo	4330 Clark DR	COULD NOT BE REACHED
Holt, Ronald	3435 Marfargoa RD 61	COULD NOT BE REACHED
James, John	3550 Marfargoa RD	COULD NOT BE REACHED
James, Patricia	3550 Marfargoa RD	COULD NOT BE REACHED
Jurado, Danielle	3435 Marfargoa RD 44	COULD NOT BE REACHED
Knight, Leonard	3637 Clark DR	COULD NOT BE REACHED
Leach, Michael	3540 Munford Ave	COULD NOT BE REACHED
Lopez, Marciano	3606 Munford Ave	COULD NOT BE REACHED
Loza, Altigracia	4330 Clark DR	COULD NOT BE REACHED
Loza, Jose	4330 Clark DR	COULD NOT BE REACHED
Loza, Longino	4330 Clark DR	COULD NOT BE REACHED
Magallon, Jose	3435 Marfargoa RD 9	COULD NOT BE REACHED
Manzo, Martha	3739 Carpenter RD	COULD NOT BE REACHED
Martinez, Russel	4540 Carpenter RD	COULD NOT BE REACHED
Martinez, Vincent	4176 Clark DR	COULD NOT BE REACHED
Mc Ginnis, Barbara	4343 Carpenter RD	COULD NOT BE REACHED
McGill, John	4321 Carpenter RD	COULD NOT BE REACHED
Medrano, Maria	4244 Marfargoa RD	COULD NOT BE REACHED
Mendoza, Corina	5207 E Mariposa RD	COULD NOT BE REACHED
Mercado, Jesus	4032 S Highway 99 2	COULD NOT BE REACHED
Merlis, James	3390 S Highway 99	COULD NOT BE REACHED
Moreno, Guadalupe	3435 Marfargoa RD 3	COULD NOT BE REACHED
Munoz, Frederick	3435 Marfargoa RD 44	COULD NOT BE REACHED
Myers, Lisa	3435 Marfargoa RD 54	COULD NOT BE REACHED

Ocampo, German	3604 Munford Ave	COULD NOT BE REACHED
Ocampo, Julieta	3604 Munford Ave	COULD NOT BE REACHED
Ocampo, Steven	4408 Carpenter RD	COULD NOT BE REACHED
Ochoa, Jose	5252 E Mariposa RD	COULD NOT BE REACHED
Ochoa, Maria	5252 E Mariposa RD	COULD NOT BE REACHED
Ochoa, Sandra	5252 E Mariposa RD	COULD NOT BE REACHED
Ochoa, Simon	5252 E Mariposa RD	COULD NOT BE REACHED
Oden, Linda	3435 Marfargoa RD 8	COULD NOT BE REACHED
Olson Heffernan, James	5207 E Mariposa RD	COULD NOT BE REACHED
Orozco, Julian	3435 Marfargoa RD 52	COULD NOT BE REACHED
Osborne, Teresa	3435 Marfargoa RD 91	COULD NOT BE REACHED
Plascencia, Joann	3777 Carpenter RD	COULD NOT BE REACHED
Plascencia, Roman	3777 Carpenter RD	COULD NOT BE REACHED
Quinones, Danny	3649 Clark DR	COULD NOT BE REACHED
Quinones, Severa	3649 Clark DR	COULD NOT BE REACHED
Reuelta, Jose	3737 Marfargoa RD	COULD NOT BE REACHED
Rico de Guzman, Juana	4032 S Highway 99 1	COULD NOT BE REACHED
Robles, Bianca	4240 Carpenter RD	COULD NOT BE REACHED
Rodriguez, Marta	3435 Marfargoa Rd 24	COULD NOT BE REACHED
Rodriguez, Schaffe	4531 Carpenter RD	COULD NOT BE REACHED
Roe, Marionne	4229 Carpenter RD	COULD NOT BE REACHED
Roe, Marvin	4229 Carpenter RD	COULD NOT BE REACHED
Roe, Rochelle	4308 Carpenter RD	COULD NOT BE REACHED
Sanders, Arthur	3598 Munford Ave	COULD NOT BE REACHED
Santiago, Avelina	3435 Marfargoa Rd 25	COULD NOT BE REACHED
Saunders, Charlie	3435 Marfargoa RD 92	COULD NOT BE REACHED
Schwanker, Adolf	3435 Marfargoa RD 96	COULD NOT BE REACHED
Schwanker, Alyssa	3435 Marfargoa RD 96	COULD NOT BE REACHED
Schwanker, Penny	3435 Marfargoa RD 96	COULD NOT BE REACHED
Segura, Reynaldo	4566 Carpenter RD	COULD NOT BE REACHED
Shaffer, Gene	3435 Marfargoa RD 14	COULD NOT BE REACHED
Silva, Claudio	4026 Munford Ave	COULD NOT BE REACHED
Smith, Donald	3435 Marfargoa RD 9	COULD NOT BE REACHED
Smith, James	3531 Clark DR	COULD NOT BE REACHED
Smith, Ruby	3460 S Highway 99 15	COULD NOT BE REACHED
Solis, Mariana	3435 Marfargoa RD 41	COULD NOT BE REACHED
Stevens, Diana	3460 S Highway 99 17	COULD NOT BE REACHED
Taylor, Latanya	4032 S Highway 99 C	COULD NOT BE REACHED
Thoza, Bonita	3612 Marfargoa RD	COULD NOT BE REACHED
Titus, Clayton	3460 S Highway 99 25	COULD NOT BE REACHED
Tovar, Libier	3435 Marfargoa RD 40	COULD NOT BE REACHED
Valverde, Andrea	3828 Carpenter RD	COULD NOT BE REACHED
Valverde, Jefferey	3838 Carpenter RD	COULD NOT BE REACHED
Watkins, Zachary	4032 S Highway 99 K	COULD NOT BE REACHED
Wheaton, Randall	3460 S Highway 99 7	COULD NOT BE REACHED
Wolfington, Deborah	3435 Marfargoa RD 29	COULD NOT BE REACHED
Yacoub, Romeo	3978 S Highway 99	COULD NOT BE REACHED
Yem, Loun	3732 Carpenter RD	COULD NOT BE REACHED

Zuniga Salas, Ana	4310 S Highway 99	COULD NOT BE REACHED
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# Montezuma Fire District

In San Joaquin County  
 Station 18-1, 2405 S. "B" St., Stockton, CA 95206  
 Station 18-2, Stockton Metro Airport



Administration  
 Business Phone:  
 (209) 464-5234  
 Fax (209) 466-2624

Edward Martel  
 Fire Chief  
 & Clerk to the Board

To: San Joaquin County Local Agency  
 Formation Commission – J.D. Hightower, Executive Officer  
 44 N. San Joaquin., Suite 374  
 Stockton, Ca. 95203

March 1<sup>st</sup> 20223

From: Edward O. Martel – Fire Chief

Re: **Notice of Application Mariposa Industrial Park Reorganization to The City of Stockton (L AFC 08-23)**

The Montezuma Fire Protection District is in receipt of your application referral for project (L AFC 08-23) Mariposa Industrial Park Reorganization to The City of Stockton. As per your request the district submits project-related comments along with proposed requirements to the L AFCo office, Executive Officer and entire L AFCo Commission. The district would like to also submit valuable current fire protection, fire prevention services, and conclusion to the above stated application referral, which are;

- 1.) Current Fire Protection Service.
- 2.) Current Fire Prevention Service.
- 3.) Conclusion, Fire District Position.

**1.) Current Fire Protection Service:**

The Montezuma Fire District currently serves the project site listed above (since 1958). The district is currently providing fire suppression, rescue, fire training, aircraft fire fighting, hazardous material response and emergency medical service to all areas within the fire district to include the above listed area.

The Montezuma Fire District currently serves 9.6 square miles area and staffs two (2) Fire Stations at all times. The fire district also has an Automatic Aid agreement with the French Camp Fire District to respond to all structure fires automatically.

The nearest fire station is Station # 181 located @ 2505 South "B" Street. Response time to the project area by district personnel is approximately less than 4 minutes.

**2.) Current Fire Prevention Service:**

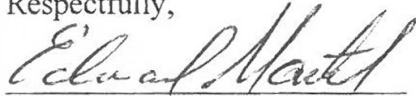
The Montezuma Fire District also provides Fire Prevention service to the area mentioned above. The fire district utilizes the Cal. Fire Code on all businesses within the district. All parcels within the area are required to be inspected annually per San Joaquin County Weed Abatement program. Any plan checking requirements for new constructions are contracted out by the district to San Joaquin County Fire Prevention Bureau.

Conclusion:

The districts position is that no detachment takes place on any or all parcels being proposed for detachment. That LAFCo, considers the fire protection services currently provided including response times, fire preventions services, the creation of more difficult boundary lines and islands and recent ruling from the court of appeal of the State of California Third Appellant District (San Joaquin) C095083 (Super. Ct. No. STK-CV-UWM-2019-0009687) Tracy Rural County Fire Protection District V. LAFCO of SJC..

In closing, the district's is very appreciated to the fact that LAFCo Executive Officer, Board Commission and Legal Counsel has allowed for input from the fire district.

Respectfully,



Edward O. Martel – Fire Chief



Jeff Hachman – Chairman

moe

C; All MFD Board of Directors  
All SJC Honorable Board of Supervisors  
SJC County Administrator.

# Montezuma Fire District

In San Joaquin County  
Station 18-1, 2405 S. "B" St., Stockton, CA 95206  
Station 18-2, Stockton Metro Airport



Exhibit J

Administration  
Business Phone:  
(209) 464-5234  
Fax (209) 466-2624

Edward Martel  
Fire Chief  
& Clerk to the Board

To: San Joaquin County Local Agency  
Formation Commission – Mr. J.D. Hightower, Executive Officer  
44 N. San Joaquin, Suite 347  
Stockton, Ca. 95203

March 30<sup>th</sup> 2023

From: Edward Martel – Fire Chief

Re: LAFCo 8-23 Mariposa Industrial Park, Fire transition, detachment and loss of revenue agreement.

Dear Mr. Hightower

As per our recent discussions regarding LAFCo 8-23 Mariposa Industrial Park, attached you will find the districts loss of revenue spread sheet. It includes the twenty (20) years of property tax allocation, district override assessment with a 3% COLA for the total amount \$ 85,665.39, and a portion of the loss of fire impact mitigation fees at 25 % of the building square footage for a total amount of \$77,875.00. Grand total request will be \$ 163,540.39. If you have any questions regarding this matter, please feel free to contact me I can be reach at (209) 607-3939.

Respectfully,

A handwritten signature in blue ink that reads "Edward Martel".

Edward Martel – Fire Chief

C; MFD Board of Directors

Montezuma Fire District  
 Property Tax & Assessment;

Year	1	\$3,101.14	
	3%	\$ 93.03	
Year	2	\$ 3,194.17	
	3%	\$ 95.83	
Year	3	\$ 3,290.00	
	3%	\$ 98.70	
Year	4	\$ 3,388.70	
	3%	\$ 101.66	
Year	5	\$ 3,490.36	
	3%	\$ 104.71	
Year	6	\$ 3,595.07	
	3%	\$ 107.85	
Year	7	\$ 3,702.92	
	3%	\$ 111.09	
Year	8	\$ 3,814.01	
	3%	\$ 114.42	
Year	9	\$ 3,928.43	
	3%	\$ 117.85	
Year	10	\$ 4,046.28	
	3%	\$ 121.39	
Year	11	\$ 4,167.67	
	3%	\$ 125.03	
Year	12	\$ 4,292.70	
	3%	\$ 128.78	
Year	13	\$ 4,421.48	
	3%	\$ 132.64	
Year	14	\$ 4,554.12	
	3%	\$ 136.62	
Year	15	\$ 4,690.74	
	3%	\$ 140.72	
Year	16	\$ 4,831.47	
	3%	\$ 144.94	
Year	17	\$ 4,976.41	
	3%	\$ 149.29	
Year	18	\$ 5,125.70	
	3%	\$ 153.77	
Year	19	\$ 5,279.47	
	3%	\$ 158.38	
Year	20	\$ 5,437.85	
Total			\$ 85,665.39
Fire Facility Impact fee			
	.25 % of .35 x 890,0000		\$ 77,875.00
	Grand total=		\$ 163,540.39



## 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**

6 March 2023

To: San Joaquin Local Agency Formation Commission  
Attention: JD Hightower, Executive Officer

From: Aaron Gooderham (209) 616-3062  
Senior Registered Environmental Health Specialist

RE: **L AFC 04-23, Referral, SU0015408**  
**MARIPOSA INDUSTRIAL PARK REORGANIZATION TO THE CITY OF STOCKTON**

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The following requirements have been identified as pertinent to this project. Other requirements may also apply. These requirements cannot be modified.

1. Prior to the issuance of any building permits, sewer facilities shall either be bonded for or be in place, as evidenced by a letter from the serving entity (San Joaquin County Development Title, Section 9-600.020(d)).
2. This project shall be provided with public water service at the time of building permit issuance. A letter shall be submitted from the purveyor stating that these services either are bonded for or are in place, prior building permit approval. (San Joaquin County Development Title, Section 9-602.010).
3. Open, pump, and backfill the septic tanks and/or seepage pits at the following addresses under permit and inspection by the Environmental Health Department (San Joaquin County Development Title, Section 9-605.010):
  - a. 4522 Marfargoa Road, Stockton (permit 83-816)
  - b. 4600 Marfargoa Road, Stockton (permit SR0019225)
  - c. 5268 Mariposa Road, Stockton (permit 88-1589 & 78-964)
  - d. 5150 Mariposa Road, Stockton (permit 88-368)
  - e. 4600 Marfargoa Road, CO0054768 Notice to Abate issued 22 MARCH 2022 regarding the illicit septic tank installed without permit.
4. Destroy the abandoned well(s) at the following addresses under permit and inspection by the Environmental Health Department as required by San Joaquin County Development Title, Section 9-601.020(e).
  - a. 5100 Clark Drive, Stockton (permit SR0068492)
  - b. 4522 Marfargoa Road, Stockton (permit 83-821)
  - c. 5268 Mariposa Road, Stockton (permit 79-1154)
  - d. 5150 Mariposa Road, Stockton (permit 79-647)
  - e. 5110 Mariposa Road, Stockton (permit 81-40)



5. Submit a copy groundwater quality analysis report to EHD for the following site mitigation projects pursuant to San Joaquin County Well Water Standard 13.7:
  - a. 4522 Marfargoa Road, Stockton SR0084976 & WP0043068
  - b. 5110 Mariposa Road, Stockton SR0084978 & WP0043069
6. Any geotechnical drilling shall be conducted under permit and inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9-601.010(b) and 9-601.020(i)).



Fritz Buchman, Director

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

April 3, 2023

MEMORANDUM

TO: J.D. Hightower, Executive Officer  
 LAFCo

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

SUBJECT: MARIPOSA INDUSTRIAL PARK REORGANIZATION TO THE CITY OF STOCKTON (LAFC 04-23) To annex approximately 203.48 acres to City of Stockton with concurrent detachment from the San Joaquin County Resource Conservation District.

LOCATION: Adjacent to and south of Mariposa Road, and adjacent to the southeastern limits of the City of Stockton

COMMENTS:

- **The City of Stockton must also annex the entire section of Mariposa Rd adjacent to this proposed annexation.**
- **City shall mitigate all impacts to County roads.**

SR:SC

X:\LAFCO\LAFCo Referrals\Mariposa Industrial Park Reorganization to City of Stockton (LAFC 04-23)\Comments to LAFCo (LAFC 04-23).doc

**Hightower, Jeffrey [LAFCO]**

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**From:** Corrina Gould <cvltribe@gmail.com>  
**Sent:** Wednesday, April 5, 2023 4:18 PM  
**To:** Hightower, Jeffrey [LAFCO]  
**Subject:** Re: [URL Verdict: Neutral][Non-DoD Source] Re: SPK-2022-00080 Tribal Coordination Letter: Mariposa Industrial Park Project, San Joaquin County CA

Hello,

Thank you for your email. The Tribe is requesting a copy of the final CHRIS and FEIR for this project, along with the SLF from Native American Heritage Commission and any additional archeological reports. Once the Tribe has time to review the reports we can then move forward with possible consultation. Please send them electronically to this email address.

'Uni (Respectfully),

**Corrina Gould, Tribal Chair**  
Confederated Villages of Lisjan Nation



On Wed, Apr 5, 2023 at 4:01 PM Hightower, Jeffrey [LAFCO] <[jhightower@sjgov.org](mailto:jhightower@sjgov.org)> wrote:

Hi Ms. Gould,

Upon further review of the FEIR, that document stated that:

Solano Archaeological Services contacted the NAHC and requested a search of the Sacred Lands File for record of any lands on the project site considered sacred by tribes. The NAHC reported a positive result, although specific information was not provided. Consequently, the NAHC recommended that the North Valley Yokuts be contacted for more information. An intensive pedestrian survey of the project site by Solano Archaeological

Services did not reveal any prehistoric archaeological resources (Solano Archaeological Services 2021).

In addition, Solano Archaeological Services attempted to contact eight representatives of four local tribes: North Valley Yokuts, Confederated Villages of Lisjan, Muwekma Ohlone, and Tule River. These representatives were listed by the NAHC in its response to the request for a Sacred Lands File search of the project site. Initial letters were followed up by electronic mail contacts and telephone calls. To date, no tribes have responded to these inquiries.

Is the Confederated Villages of Lisjan Nation asking seeking consultation for the project? Please call so that we can discuss.

Yours Truly,

*J.D. Hightower*

Executive Officer

San Joaquin Local Agency Formation Commission

The Gateway County of California

44 N San Joaquin St, Suite 374

Stockton, CA 95202

(209)468-3198 (Office)

(209)605-5440 (Cell)



Balancing Community and Commerce

**From:** Corrina Gould <[cvltribe@gmail.com](mailto:cvltribe@gmail.com)>

**Sent:** Wednesday, April 5, 2023 2:50 PM

**To:** Hirkala, Matthew J CIV USARMY CESP (USA) <[Matthew.J.Hirkala@usace.army.mil](mailto:Matthew.J.Hirkala@usace.army.mil)>; Hightower, Jeffrey [LAFCO] <[jhightower@sjgov.org](mailto:jhightower@sjgov.org)>

**Subject:** Re: [URL Verdict: Neutral][Non-DoD Source] Re: SPK-2022-00080 Tribal Coordination Letter: Mariposa Industrial Park Project, San Joaquin County CA

Hello,

The Tribe would like to review the NAHC letter when it is available. Once you have this information please inform us you are asking for a formal consultation with the Tribe. We look forward to hearing from you.

'Uni (Respectfully),

***Corrina Gould, Tribal Chair***

Confederated Villages of Lisjan Nation



On Thu, Jan 26, 2023 at 3:58 PM Hirkala, Matthew J CIV USARMY CESPCK (USA)  
<[Matthew.J.Hirkala@usace.army.mil](mailto:Matthew.J.Hirkala@usace.army.mil)> wrote:

Apologies, but we are not able to provide project documents while an action is under review. As stated below, a FOIA request for this document may be submitted upon the completion of the permit decision.

Respectfully.

**Matt Hirkala**

Project Manager, CA Delta Section

Regulatory Division, Sacramento District

U.S. Army Corps of Engineers

Phone: (916) 557-5148

[matthew.j.hirkala@usace.army.mil](mailto:matthew.j.hirkala@usace.army.mil)

---

**From:** Corrina Gould <[cvltribe@gmail.com](mailto:cvltribe@gmail.com)>  
**Sent:** Thursday, January 26, 2023 10:43 AM  
**To:** Hirkala, Matthew J CIV USARMY CESPCK (USA) <[Matthew.J.Hirkala@usace.army.mil](mailto:Matthew.J.Hirkala@usace.army.mil)>  
**Cc:** SPKRegulatoryMailbox <[SPKRegulatoryMailbox@usace.army.mil](mailto:SPKRegulatoryMailbox@usace.army.mil)>  
**Subject:** Re: [URL Verdict: Neutral][Non-DoD Source] Re: SPK-2022-00080 Tribal Coordination Letter: Mariposa Industrial Park Project, San Joaquin County CA

Can you please send over the positive results letter you received from the NAHC? Thank you

'Uni (Respectfully),

***Corrina Gould, Tribal Chair***

Confederated Villages of Lisjan Nation

On Tue, Jan 24, 2023 at 12:43 PM Hirkala, Matthew J CIV USARMY CESPCK (USA) <[Matthew.J.Hirkala@usace.army.mil](mailto:Matthew.J.Hirkala@usace.army.mil)> wrote:

Hello,

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed and the findings were positive. We are not able to provide project documents while an action is under review, but after the permit decision a Freedom of Information Act (FOIA) request may be submitted to our office. A link for submitting a FOIA request can be found on our web page at: <https://www.usace.army.mil/FOIA.aspx>. For additional project information, there may be public sources such as CEQA-related documents online.

Respectfully,

**Matt Hirkala**

Project Manager, CA Delta Section

Regulatory Division, Sacramento District

U.S. Army Corps of Engineers

Phone: [\(916\) 557-5148](tel:9165575148)

[matthew.j.hirkala@usace.army.mil](mailto:matthew.j.hirkala@usace.army.mil)

**From:** Corrina Gould <[cvltribe@gmail.com](mailto:cvltribe@gmail.com)>

**Sent:** Monday, January 9, 2023 3:20 PM

**To:** SPKRegulatoryMailbox <[SPKRegulatoryMailbox@usace.army.mil](mailto:SPKRegulatoryMailbox@usace.army.mil)>

**Cc:** Hirkala, Matthew J CIV USARMY CESP (USA) <[Matthew.J.Hirkala@usace.army.mil](mailto:Matthew.J.Hirkala@usace.army.mil)>

**Subject:** [URL Verdict: Neutral][Non-DoD Source] Re: SPK-2022-00080 Tribal Coordination Letter: Mariposa Industrial Park Project, San Joaquin County CA

Hello,

Thank you for your email. Can you please send additional information regarding the site? Has there been a Sacred Lands File search at the Native American Heritage Commission with Negative or Positive findings? Once this information is available, we can move forward with possible consultation.

'Uni (Respectfully),

***Corrina Gould, Tribal Chair***

Confederated Villages of Lisjan Nation

On Tue, Dec 27, 2022 at 9:06 PM SPKRegulatoryMailbox <[SPKRegulatoryMailbox@usace.army.mil](mailto:SPKRegulatoryMailbox@usace.army.mil)> wrote:

Hello,

The attached documents are provided on behalf of Matthew Hirkala in the Regulatory Division, Sacramento District, U.S. Army Corps of Engineers.

Respectfully,

**Regulatory Division**

US Army Corps of Engineers, Sacramento District

1325 J Street, Room 1350, Sacramento, CA 95814-2922

TEL: [916-557-5250](tel:916-557-5250) FAX: [916-557-7803](tel:916-557-7803)

Please send all project related documents and general questions and inquiries about the Regulatory Program or 408 Program to: [SPKREGULATORYMailbox@usace.army.mil](mailto:SPKREGULATORYMailbox@usace.army.mil).



For information on the Regulatory Program: <http://www.spk.usace.army.mil/Missions/Regulatory.aspx>

For Regulatory Program Public Notices: <http://www.spk.usace.army.mil/Media/RegulatoryPublicNotices.aspx>

\*\*\*In response to COVID-19, Regulatory Division staff are teleworking from home or other approved location. We will do our best to administer the Regulatory Program in an effective and efficient manner. Priority will be given to health and safety activities and essential infrastructure. Action on your permit application or other request may be delayed during this emergency. We appreciate your patience over the next several weeks.\*\*\*

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**SAN JOAQUIN  
LOCAL AGENCY FORMATION COMMISSION**

**Agenda Item 4**

**LAFCo**

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

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**Executive Officer's Brief**

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

April 13, 2023

**VICE CHAIR**  
**KEVIN LINCOLN**  
STOCKTON CITY COUNCIL

TO: LAFCo Commissioners

FROM: J. D. Hightower, Executive Officer

AGENDA ITEM NO. 4

**DAVID BREITENBUCHER**  
MANTECA CITY COUNCIL

SUBJECT: Dutra Reorganization

**MIGUEL VILLAPUDUA**  
COUNTY BOARD OF  
SUPERVISORS

**Recommendation:**

Adoption a resolution approving the Dutra Reorganization consisting of annexation of 39.49 acres to the City of Manteca and simultaneous detachment from the Lathrop Manteca Fire Protection District (LMFD) and San Joaquin Resource Conservation District.

**PETER JOHNSON**  
PUBLIC MEMBER

**Environmental:**

The City of Manteca has adopted a Mitigated Negative Declaration (MND) for the project.

**ALTERNATE MEMBERS**

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

**Brief:**

The requested reorganization is necessary for the construction the Dutra Tentative Subdivision Map (TSM) creating 197 lots. The subdivision is consistent with the City's General Plan and has been pre-zoned R-1. The area is on the northwest corner of Oleander Avenue and Peach Avenue, south of SR 120. The area is adjacent to the Wackerly annexation approved a few years ago and is removed by Airport Way and lots fronting such of the recently approved Lumina annexation. The annexation area is comprised of the TSM area and a Non-Mapped area that fronts Oleander and the hard northwest corner of Oleander and Peach Avenues. There are nine (9) registered voters in the homes in the Non-Mapped area of the annexation area. CKH defines inhabited areas as having 12 or more registered voters. Therefore the annexation is considered uninhabited. LMFD conditionally supports detachment based on a mutual agreed upon detachment payment by the City. The terms of the detachment payment is not a LAFCo concern, only that good faith negotiations take place and that proof of agreement is submitted prior to Certificate of Completion.

**VACANT**  
ALTERNATE PUBLIC MEMBER

**MINNIE DIALLO**  
LATHROP CITY COUNCIL

**EXECUTIVE OFFICER**

**J.D. HIGHTOWER**

**ANALYST / COMMISSION CLERK**

**MITZI STITES**

**COUNSEL**

**ROD ATTEBERY**

**Attachments:**

- 1) Staff Report

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SAN JOAQUIN

LOCAL AGENCY FORMATION COMMISSION

AGENDA ITEM NO. 4

**LAFCo**

44 N SAN JOAQUIN STREET SUITE 374 STOCKTON, CA 95202

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**EXECUTIVE OFFICER'S REPORT**

**PROJECT: DUTRA REORGANIZATION TO THE CITY OF MANTECA (LAFCO 04-23)**

**PROPOSAL:** Annexation of eight (8) parcels (APN 226-170-08 (Portion), 226-170-12, -13, -14, -15, -16, -17, 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.

**APPLICANT:** City of Manteca

**LOCATION:** Northwest corner of the intersection of Oleander Avenue and Peach Avenue, please see attached Vicinity Map below.

**PURPOSE:** Create additional housing opportunities with a 197 dwelling unit subdivision map meeting the City of Manteca development standards.

**PROCESS:** Proposed annexation area is considered uninhabited territory pursuant to CKH Section 56079.5 with 9 registered voters residing within the annexation area (12 or more required to be considered inhabited).

**RECOMMENDATION**

It is recommended that the Commission approve a resolution approving the Dutra reorganization to the City of Manteca with concurrent detachment from the Montezuma Fire Protection District and San Joaquin County Resource Conservation District. The resolution also includes all conditions received from the County Departments of Environmental Health; and, Public Works.

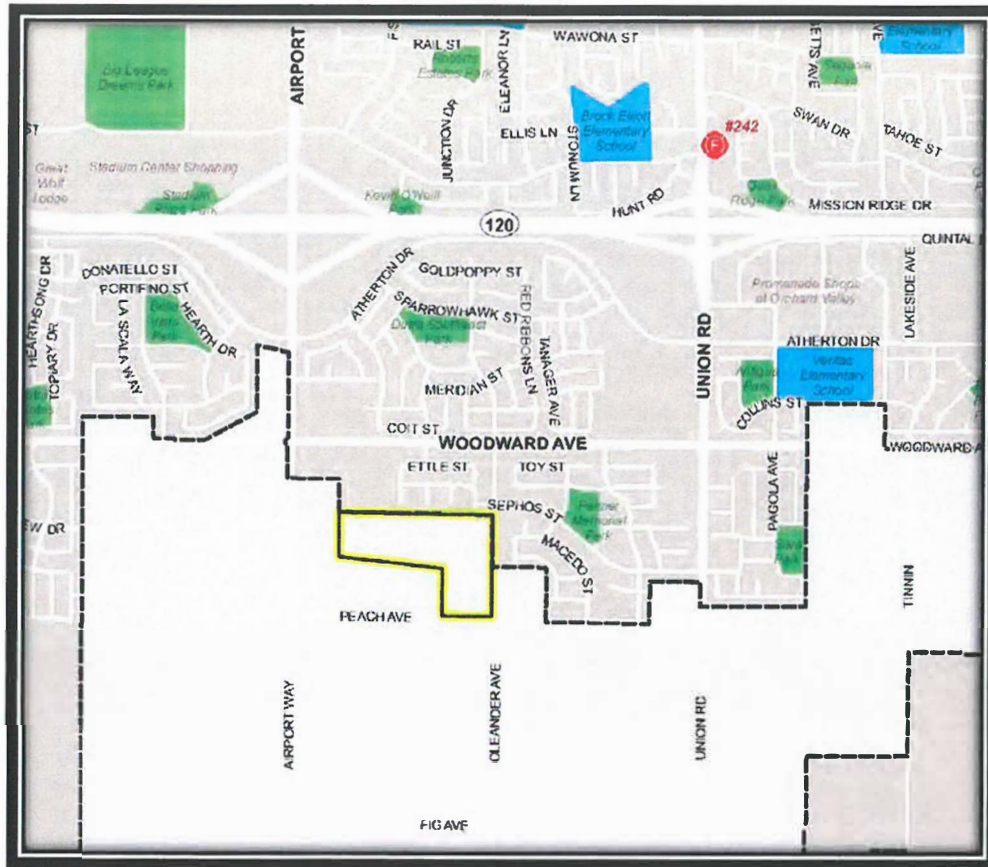


Figure 1.—Vicinity Map

**ENVIRONMENTAL:**

On October 18, 2022, the City of Manteca adopted a Mitigated Negative Declaration (MND) (SCH# 2022070148) for the project. Pursuant to the California Environmental Quality Act Guidelines, Section 15381, LAFCo is a responsible agency for the requested reorganization. Two (2) other responsible agencies commented on the MND: 1) California Department of Fish and Wildlife; and, 2) Central Valley Regional Water Quality Control Board. Both agencies noted necessary project review and permit requirements. LAFCo staff concurs with the impact analysis and Mitigation Measures and responses to the responsible agencies contained in the MND.

**BACKGROUND:**

The City of Manteca’s SOI area south of SR 120 is experiencing rapid growth. The site is located south of SR 120 between Airport Way to the west and Oleander Street to the east. There have been recent reorganizations in the area, including Wackerly and Lumina at Machado Ranch reorganizations. The reorganization is necessary for the development of a 197 single family detached lot subdivision adjacent to other single family detached subdivisions to the north. The reorganization area is within the City’s Interim Sphere of Influence and the City has pre-zoned the site One-Family Dwelling Zoning District (R-1). This is consistent with the City’s General Plan designation of Low Density Residential. The development pattern proposed by the annexation will

continue the single family detached suburban development pattern that is well established in the area.

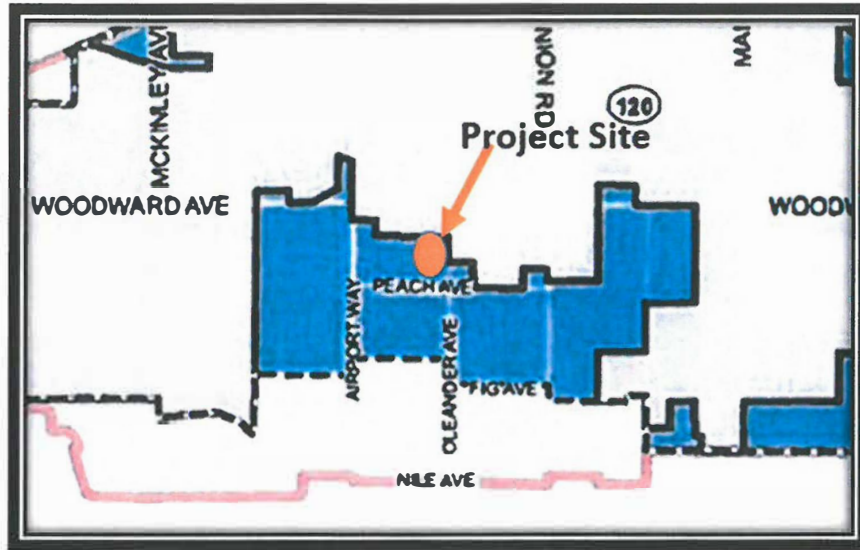


Figure 2 – City of Manteca Interim Sphere of Influence

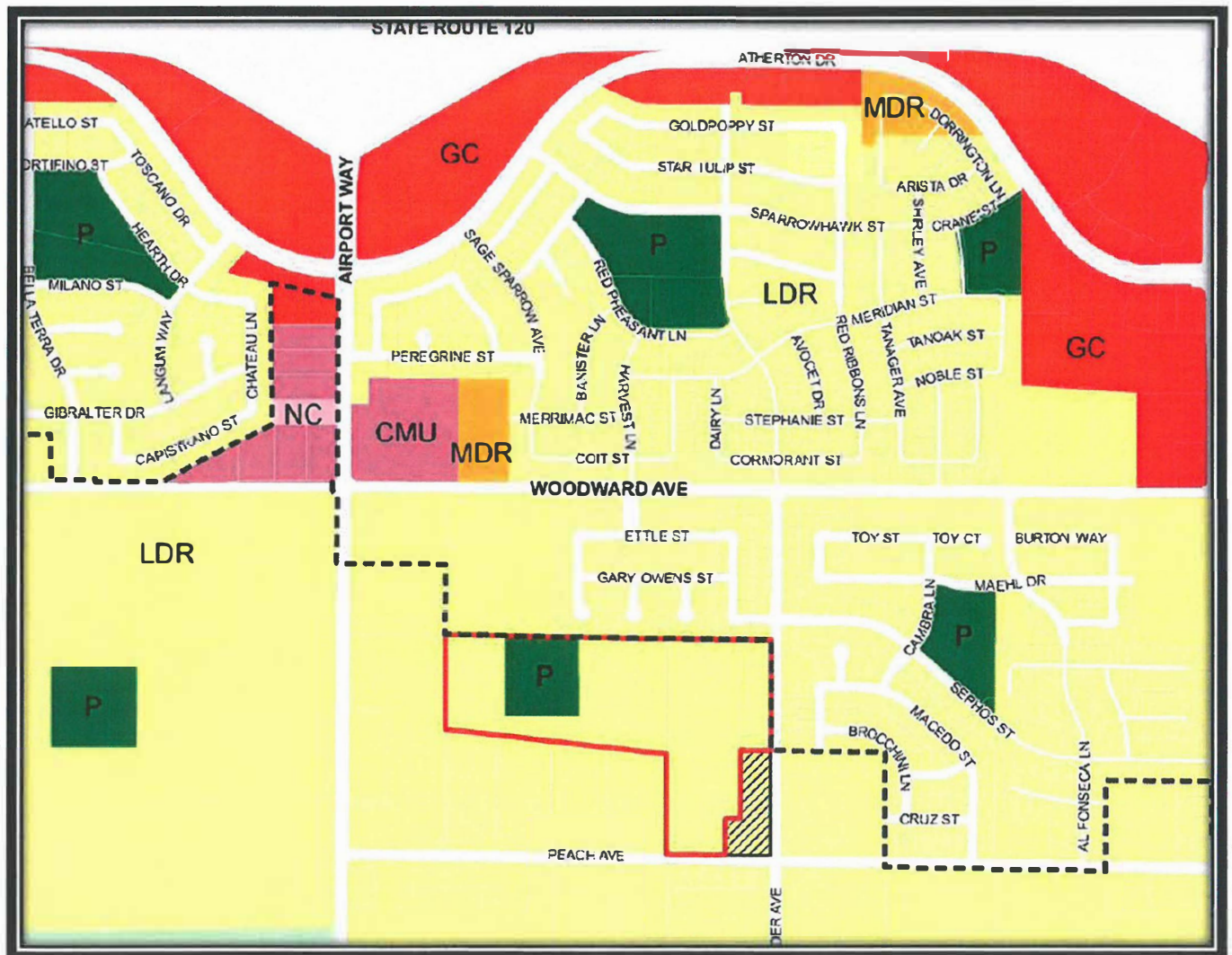


Figure 3 – City of Manteca General Plan Map

*Crossed-hatched = Non-Mapped Area*

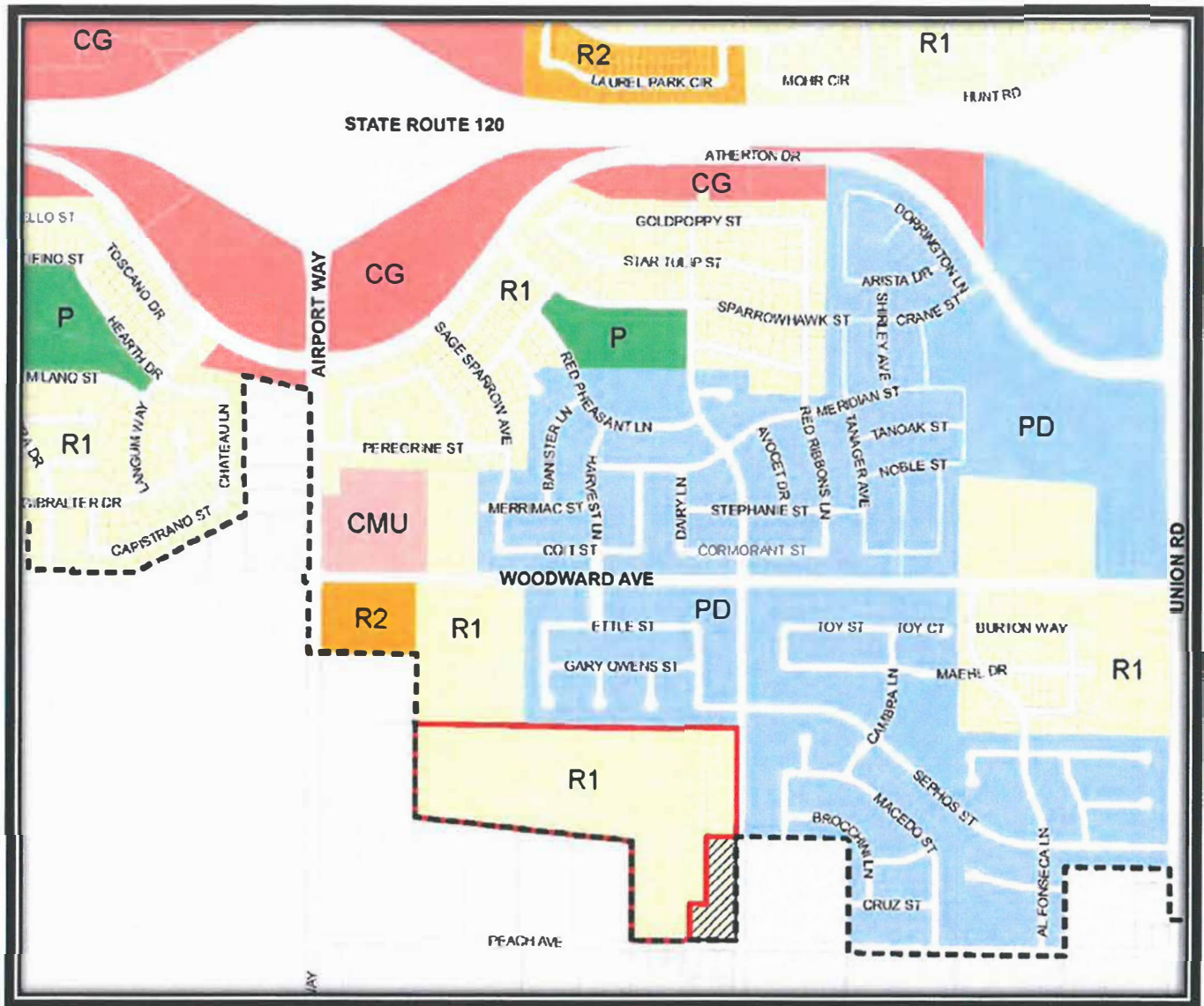


Figure 4 – City of Manteca Zoning Map  
*Crossed-hatched = Non-Mapped Area*

The reorganization area includes the whole of the project, including the 34.6-acre Tentative Subdivision Map (TSM) Area, 3.09-acre Non-Development Areas on five 5(5) existing residential lots, and 1.8-acres of existing right-of-way. The reorganization area is comprised of two distinct areas: 1) the Dutra Tentative Subdivision Map (TSM) area; and, 2) Non-Mapped Area.

- TSM Area includes 34.49-acres on three (3) parcels (APN Nos. 226-170-08 (portion), 226-170-12, and -13, and dedication areas along East Peach Road and Oleander Avenue) intended for the development of 197 residential units, a 2.86-acre park, and public infrastructure.
- Non-Mapped Area: Includes five (5) parcels with six (6) existing residential homes. Access to these homes is directly onto Oleander Avenue and East Peach Road.

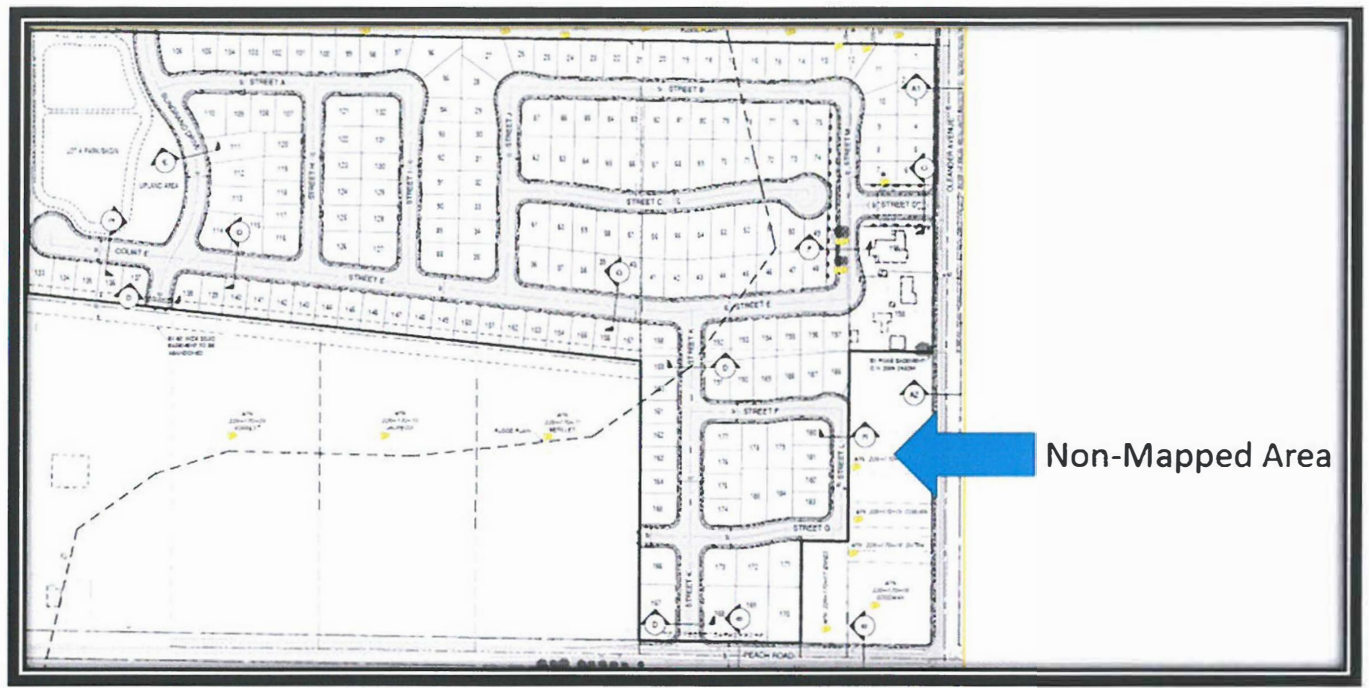


Figure 5 – Dutra Tentative Subdivision Map

**Existing Disadvantaged Unincorporated Community (DUC)**

As defined by CKH Section 56033.5 and Section 79505.5 of the State Water Code, there are no DUC’s in the vicinity of the reorganization area.

**FACTORS:**

Pursuant to CKH Section 56375(a)(7), the decision of the commission with regard to a proposal to annex territory to a city shall be based upon the general plan and pre-zoning of the city. As discussed above the reorganization and planned land uses are consistent with the City’s General Plan and pre-zoning of the site as well as the established land use pattern for new development in the area.

CKH Section 56668 directs the Commission to consider factors “a” through “q” to be considered in the review of a proposal. Additionally, the Commission may also consider regional growth policies pursuant to Section 56668.5. Pertinent to the Dutra reorganization are factors:

**(b)(1) 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.**

The purpose of the reorganization is to provide 197 additional dwelling units to the San Joaquin region. To support these the density of dwelling units on 34.49 acres

will require the full array of centralized urban services. The City of Manteca is a full-service City that provides all urban services such as Police, Fire Protection, water, wastewater and storm water management. The annexation area is within the City's Interim SOI and all City services were fully analyzed by the City's 2022 Municipal Services Review (MSR). The effect of the reorganization will allow the City to provide the required services and facilities as stated in the MSR with additional site specific details contained in the Annexation Plan.

The project specific need for urban services has been evaluated by the City within the Annexation Plan and the MND documented foreseeable impacts created by the needed services. The TSM Area includes 197 single family detached residential units, construction of a 2.92-acre Park/Basin, installation of frontage/entry landscaping, expansion of an existing storm drainage basin, as well as retention of two lots that have existing residential homes along Oleander Avenue.

The existing residential structures within the TSM Area would be retained along with the ancillary structures associated with the residences. All other facilities and structures would be removed, including septic tanks, leach fields, wells, irrigation facilities, and electric lines, per City of Manteca and SSJID standards.

Within the Non-Mapped Area, the proposed Project would have no new development. The existing six residential homes on five lots would remain intact. This area has existing lot sizes that ranges from .21 acre to 1.35. These parcels are designated Low Density Residential under the City of Manteca General Plan and likewise pre-zoned R-1.

Within the Right-of-Way annexation Area, approximately 60 feet of roadway would be annexed and developed to the City of Manteca standards. Within the roadway, it is anticipated there will be underground utility improvements to serve the proposed Project. This may include connections for the Non-development Area for city services.

**(e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.**

The reorganization area is considered Rural Residential rather than any type of farmland by the State Department of Conservation Farmland Mapping Unit. Accurately to the existing land use pattern within the reorganization area, the State considers Rural Residential as areas of one to five (1-5) structures per ten (10) acres. The 39.49 acre reorganization site has six existing residential homes or 1.51 homes per ten (10) acres.

To help mitigate potential biological impacts, the applicant can voluntarily participate in the San Joaquin Multi Species Habitat Conservation Plan (SJMSCP). Payment of these fees is routine for building permit issuance the City of Manteca. Different types of land require different levels of mitigation.

The entirety of San Joaquin County is mapped according to each land use category so that landowners, project proponents and project reviewers are aware of the



applicable SJMSCP fees for the proposed development. The appropriate fees are collected by the City and remitted to SJCOG for administration. SJCOG uses the funds to preserve open space land of comparable types throughout the County, often coordinating with other private or public land trusts to purchase conservation easements or buy land outright for preservation. Fees are automatically adjusted on an annual basis.



Figure 6 – State Farmland Map

**(k) The ability of the newly formed or 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.**

#### **Overview**

At build-out, the project will generate new, annual City General Fund revenues (Property Tax, Property Tax in Lieu of Vehicle License Fees, Real Property Transfer Tax, Sales and Use Tax, Transient Occupancy Tax, etc.), that are anticipated to offset annual City General Fund service costs, as noted in the report prepared by the firm Economic & Planning Systems (EPS). EPS analyzed the existing master tax sharing agreement with San Joaquin County and the City of Manteca.

This existing agreement specifies that new property tax from the annexation area is to be shared with 80% to the County and 20% to the City. Under this existing 80/20 split, the annexation would have a marginal net annual to the City's General Fund with a surplus of approximately \$75,000. The 80/20 property tax sharing analysis estimated that the project would generate about \$260,000 in net, new annual City General Fund revenues and would require about \$185,000 in annual City General Fund service costs.

EPS also analyzed a 60/40 split. The City is currently negotiating a 60/40 with San Joaquin County. Under a 60/40 split, the project would generate \$160,000 net annual General Fund surplus. With a 60/40 split, the project would generate about \$345,000 in net, new City General Fund revenues and would require the same \$185,000 in annual City General Fund service costs. Either split would provide more revenue than the costs of the new project.

CKH does not specify terms of a master property tax sharing agreement between a city and county, only that one needs to be in place prior to approving an annexation. In this case, there is already a master tax sharing agreement (80/20) in place between the City of Manteca and San Joaquin County. This existing agreement has a term until 2028. There appears to be good faith negotiations towards a new property tax sharing agreement. To give time for the City and County to come to a new agreement, as with the Lumina annexation, the resolution is conditioned such that a Notice of Completion will not be filed until the Executive Officer is notified by the applicant, in this case the City, to do so.

### **Fire**

As part of the proposed reorganization, the area will be detached from the Lathrop Manteca Fire District (LMFD) and receive fire protection and emergency services from the City of Manteca Fire Department (MFD). MFD serves approximately 83,498 people over 17.2 square miles within the City limits. MFD operates out of five stations.

MFD maintains a goal for the initial company of three firefighters to arrive on scene for fire and emergency medical service (EMS) incidents within five minutes 90% of the time (Response Effectiveness). In 2021, the Department met this goal with a 90% response time of 4:45. MFD is able to respond to emergency calls more than 95 percent of the time within five minutes.

The Insurance Services Office (ISO) Public Protection Classification Program currently rates the Fire Department as a 2 on a scale of 1 to 10, with 1 being the highest possible protection rating and 10 being the lowest. To facilitate maintenance of this ISO rating, development of the TSM will require payment of all applicable fire service fees and assessments required to fund its fair share of the City of Manteca Fire Department. In addition, all new development is required to conform to the California Fire Code, the City's Fire Sprinkler Ordinance, fire flow standards, and other applicable requirements.

LMFD does not object to the detachment subject to the applicant making payment of lost property tax increment. The terms of the agreement are up to the District and City, LAFCo expectations are that the parties negotiate in good faith. The resolution includes the standard condition regarding submission of an agreement prior to the recordation of a Notice of Completion.

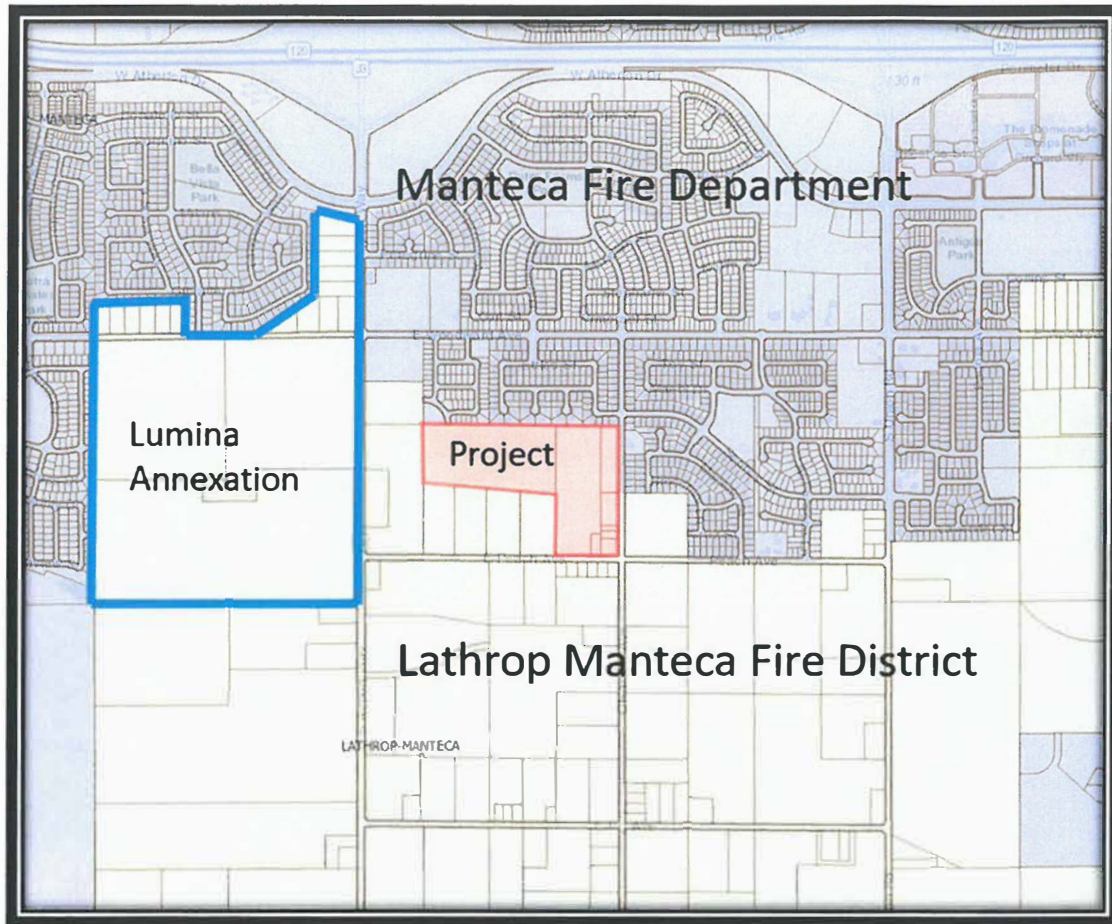


Figure 7 – Fire District Boundaries

**Police**

Police protection services in the City of Manteca are provided by the Manteca Police Department (MPD). MPD operates out of its headquarters located at 1001 W. Center Street. MPD is organized into two divisions: Operations, and Services. Additionally, MPD operates a Public Affairs Unit. For budgeting purposes, MPD organized into the following programs: administration, patrol, investigations, support services, dispatch, code enforcement, jail services, and animal services.

MPD classifies calls for service as Priority 1, Priority 2 or Priority 3. Priority 1 calls are calls where a threat is posed to life or a crime of violence. Priority 2 calls are calls for service where there is an urgency or suspicious behavior. Priority 3 calls are calls for service where no emergency or serious problem is involved.

City of Manteca  
Police Response Times

Year	Priority 1	Priority 2	Priority 3
2020	0:01:15	0:10:26	0:21:10
2021	0:01:12	0:13:06	0:27:07
Average	0:01:14	0:11:46	0:24:08

Figure 8 – Police Response

Staffing levels are assessed by the City on an annual basis, based on a variety of factors including response times for the three priorities listed above. The City currently has 76 sworn officers. With a population of 83,498, that equates to a staffing level of 0.91 officers per 1,000 residents. Additional officers are planned to be hired, as the City population grows. The addition of 197 housing units could increase the population of the city by an estimated 617 persons. This would change the staffing level to 0.90 officers per 1,000, bringing the ratio down by 1/10 with this new subdivision. The City's per capita officer goal is 1 officer per 1,000 residents and currently and with the proposed annexation, the project may incrementally degrade the current sworn officers per capita ratio depending on staffing decisions.

### **Road Maintenance**

Currently, road maintenance within the vicinity of the Annexation Area is provided by San Joaquin County. After annexation, all roadways within the Annexation Area will be dedicated to the City of Manteca. Road maintenance will be provided by the City of Manteca's Public Works Department. The City of Manteca will use local and regional funds to maintain roadways throughout the project site and throughout the project area.

The development fee for construction and maintenance of roadways and improvements for single-family residential is \$8,300 per dwelling unit, or \$1,635,100 for the proposed project. The development fee is collected at building permit issuance and the City updates this fee regularly. This fee may increase by the time building permits are issued.

### **Solid Waste**

The City of Manteca Public Works Department, Solid Waste Division provides solid waste collection services for the Manteca area. Lovelace Transfer Station, owned and operated by San Joaquin County, is used to process and ship collected waste to its final destination. Recyclables are transported to a small Transfer Station adjacent to Forward Landfill where they are loaded onto larger trucks and taken to Sacramento Recycling. The majority of Manteca's solid waste is landfilled at the Forward Sanitary Landfill, located north of French Camp Road. Foothill Sanitary Landfill and North County landfill are also employed, but to a much lesser degree.

The permitted maximum disposal at the Forward Landfill is 8,668 tons per day. The total permitted capacity of the landfill is 51.04 million cubic yards. Forward Sanitary Landfill has a remaining capacity of 23,700,000 cubic yards and has a current maximum permitted throughput of 8,668 tons per day.

The Development Area is estimated to generate roughly 10 pounds per day per household. It is estimated that the proposed 197 residential units would generate 1,970 pounds, or .96 tons of waste per day of solid waste or 1/100<sup>th</sup> of a percent of the total throughput at Forward.

Forward is currently scheduled to close in 2036 and an additional 8.2 million cubic yards of waste will be processed on two sites, an 8.7-acre parcel in the

northeast corner and an 8.6-acre parcel on the south end of the property. The City will need to secure a new location or expand existing facilities when the Forward Landfill is ultimately closed. There are several options that the City will have to evaluate, plan and implement for solid waste disposal by 2036.

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

It is anticipated that water supply for the proposed Project would be local groundwater and treated surface water from SSJID's South County Water Supply Program (SCWSP). Water distribution will be by an underground distribution system to be installed as per the City of Manteca standards and specifications. The applicant for the proposed Project will provide their proportionate share of required funding to the City for the acquisition and delivery of treated potable water supplies to the proposed Project site through connection fees.

The City's General Plan designates the Project site as Low Density Residential (LDR), which allows for the uses proposed for the proposed Project. Therefore, the City's 2023 General Plan anticipated the proposed Project and the City's Urban Water Master Plan (UWMP) assumed that the site would be developed with LDR uses. The unit water use factor for LDR land uses is 2240 gallons per day per acre (gpd/ac), which equates to 77,504 gallons per day for the proposed project. The proposed Project is well below this total allowed units (276 units allowed) and would result in less water consumption compared to the maximum allowed. The proposed Project would not increase demand beyond the levels assumed for the Project site in the City's UWMP. The technical analyses shows that the total projected water supplies determined to be available for the Proposed Project during Normal, Single Dry, and Multiple Dry years during a 20-year projection will meet the projected water demand associated with the Proposed Project, in addition to existing and planned future uses.

**56668.5. The commission may, but is not required to, consider the regional growth goals and policies established by a collaboration of elected officials only, formally representing their local jurisdictions in an official capacity on a regional or sub-regional basis.**

The annexation and development of the property will participate and is consistent with the growth goals of the San Joaquin Area Flood Control Agency (SJAFCA). The City of Manteca is a participating jurisdiction of this Joint Powers Agency. The existing Reclamation District (RD) 17 levees protecting the Mossdale Tract Area do not provide 200-year flood protection as required by state law. SJAFCA and RD 17 are engaged in efforts to meet this requirement by 2028.

The existing plan for meeting state requirements includes two components: (1) RD 17's ongoing Levee Seepage Repair Project (LSRP) and (2) SJAFCA Levee Improvements to achieve 200-year flood protection (the Project). The Project consists of a fix-in-place levee improvement project and an extension of the existing drylandlevee in Manteca.

The estimated Project cost is \$270 million. Funding is expected to come from the following sources:

- a regional development impact fee
- an assessment of all benefitting properties
- the Mossdale Tract Enhanced Infrastructure Financing District (EIFD)
- any remaining funds following the completion of RD 17's Levee Seepage Repair Project

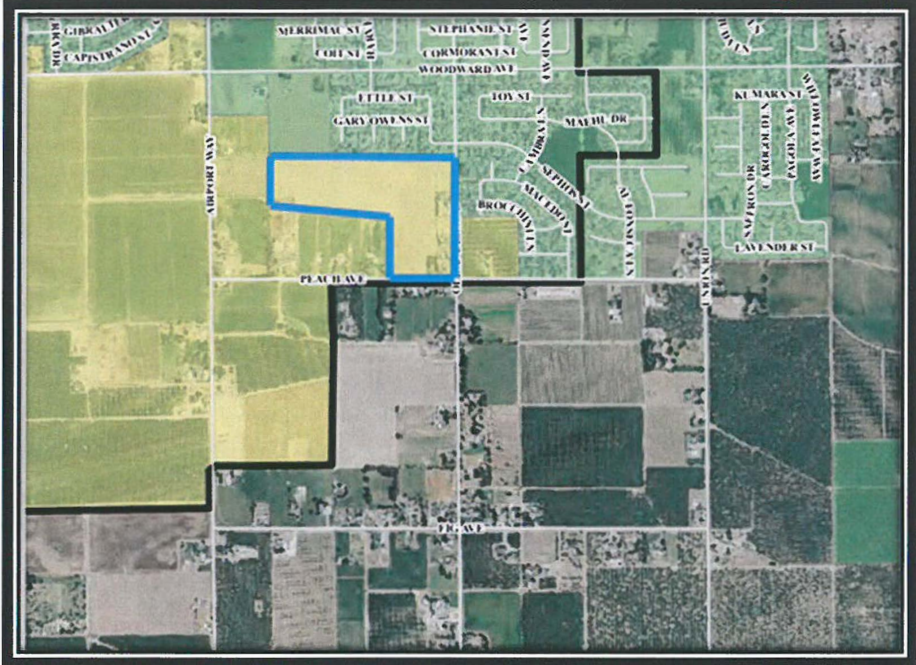


Figure 7 – Project site within SJAFCF EIFD

**Conditions of Approval:**

The following are conditions of approval received from the County Departments of Environmental Health; and, Public Works as well as the San Joaquin Council of Governments, Inc. Habitat Conservation Plan. Staff has reviewed and have incorporated these conditions by reference into the resolution approving the reorganization:

Environmental Health:

1. Prior to the issuance of any building permits, sewer facilities shall either be bonded for or be in place, as evidenced by a letter from the serving entity (San Joaquin County Development Title, Section 9-600.020(d)).
2. This project shall be provided with public water service at the time of building permit issuance. A letter shall be submitted from the purveyor stating that these services either are bonded for or are in place, prior building permit approval. (San Joaquin County Development Title, Section 9-602.010).
3. Any existing wells or septic systems to be abandoned shall be destroyed under permit and inspection by the EHD (San Joaquin County Development Title, Section 9-605.010 & 9-601.020).

4. Any geotechnical drilling shall be conducted under permit and inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9-601.010(b) and 9-601.020(i)).

Public Works:

1. Back in December 2021, a Notice of Lot Line Adjustment was recorded (Doc# 2021-204061) which matches the proposed annexation boundary for APN's: 226-170-08 and -12, but according to the current records APN's 226-170-08 is still matching its old parcel configuration. Ensure the Lot Line Adjustment is completed, prior to finalizing the annexation, in order to match proposed annexation boundary.
2. The County currently has 35MPH signs posted on Peach Avenue and Oleander Avenue. Any County signage removed by City construction must be reestablished at the new City/County Boundary. This includes a southbound 35MPH sign on Oleander Avenue that was previously removed and not replaced as a result of a previous annexation.
3. City shall mitigate all impacts to County roads.

San Joaquin Council of Governments, Inc. – Habitat Conservation Plan:

The landowner/developer for this site has requested coverage pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In accordance with that agreement, the Applicant has agreed to:

- 1) SJMSCP Incidental Take Minimization Measures and mitigation requirement:
  1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
  2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
  3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
    - a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
    - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
    - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or

- d. Purchase approved mitigation bank credits.
4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
    - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
    - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
    - c. Purchase approved mitigation bank credits.Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

**Conclusion:**

The Dutra Reorganization meets all requirements to allow the annexation of 39.49 acres to the City of Manteca and simultaneous detachment from the Lathrop Manteca Fire District and San Joaquin Resource Conservation District. The recommendation for approval is based upon the City's General Plan designation of Low Density Residential and pre-zoning of the site to One-Family Dwelling Zoning District (R-1). The associated Tentative Subdivision Map creating 197 new lots is consistent with the City's general plan. As conditioned, including the agreement with detachment from Lathrop Manteca Fire District, City notification of when to record the notice of completion along with the conditions from other public agencies, the Dutra reorganization epitomizes orderly growth and development and will add to the social, fiscal, and economic well-being of the San Joaquin region.

Attachments:

- Exhibit A Resolution
- Exhibit B Justification of Proposal
- Exhibit C Plan of Services
- Exhibit D City of Manteca Resolution
- Exhibit E Comment Letter from County Environmental Health
- Exhibit F Comment Letter from County Public Works
- Exhibit G Comment Letter from San Joaquin Council of Governments, Inc.



**“REVISED” RESOLUTION NO. 23-1519**

**BEFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION  
APPROVING THE DUTRA REORGANIZATION TO THE CITY OF MANTECA  
WITH CONCURRENT DETACHMENTS FROM THE LATHROP MANTECA  
FIRE DISTRICT AND THE SAN JOAQUIN COUNTY RESOURCE  
CONSERVATION DISTRICT (L AFC 10-23)**

WHEREAS, the above entitled proposal was initiated by resolution by the City of Manteca and on October 13, 2022 the Executive Officer certified the application filed for processing in accordance with the Local Government Reorganization Act; and

WHEREAS, the Commission held a public hearing on the proposed reorganization on April 13, 2023 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 City of Manteca certified and adopted an Initial Study and Mitigated Negative Declaration (MND) (State Clearinghouse No. 2022070148) and approved Mitigation Measures and a Mitigation Monitoring and Reporting Program (MMRP) for the Dutra Property Subdivision Project, consisting of Reorganization, Pre-Zoning to One Family One-Family Dwelling Zoning District (R-1), and Tentative Subdivision Map; and

WHEREAS, the proposed reorganization area has nine (9) registered voters residing within the reorganization area; 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 on April 13, 2023.

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

Section 1. The Annexation Property is as shown on Attachment 1 of this resolution subject to the map meeting all requirements of the County Surveyor’s Office and County Assessor’s Office, as amended.

Section 2. Certifies that, as a Responsible Agency, the Commission has independently reviewed and considered the Dutra Property Subdivision Project MND (State Clearinghouse No. 2022070148) and concurs with the findings of the CEQA MND and adequacy of the MMRP as certified by the City of Manteca.

Section 3. Finds that the proposal is uninhabited pursuant to State Government Code Section 56079.5.

Section 4. Finds that no written protests were received by any landowner or registered voter within the project area.

Section 5. The Annexing Property is within the scope of the MND for the Dutra Subdivision Project (SCH# 2022070148) as the MND expressly contemplates the annexation to the City proposed by Property Owner and adequately addresses all significant impacts therefrom.

Section 6. Approves the Dutra Reorganization to the City of Manteca with concurrent detachments from the Lathrop Manteca Fire District and the San Joaquin County Resource Conservation District with the boundary description as approved by the County Surveyor, attached hereto as Exhibit A, as amended.

Section 7. Finds, pursuant to Government Code Section 56856.5, the reorganization is necessary to provide services to planned, well-ordered, and efficient urban development patterns that include appropriate consideration of the reservation of open-space lands within those urban development patterns.

Section 8. Directs the Executive Officer to withhold the filing of the Certificate of Completion until the City of Manteca and the Lathrop Manteca Fire Department have executed an agreement to mitigate the loss of revenues to the fire department.

Section 9. Directs the Executive Officer to withhold the filing of the Certificate of Completion until notified by the City of Manteca it's satisfaction with the property tax sharing agreement duly executed at that time.

Section 10. Pursuant to California Government Code Section 56668, the Commission considered all pertinent factors associated with the Dutra Reorganization to the City of Manteca and the reorganization is hereby conditionally approved subject to the conditions of the California Department of Fish and Wildlife, Central Valley Regional Water Quality Control Board, San Joaquin Department of Environmental Health and San Joaquin Department of Public Works.

Section 11. The Commission finds that the proposed annexation, as amended, to the City of Manteca will be for the interest of landowners, present and future residents of the City of Manteca and within the territory proposed to be annexed to the City of Manteca.

PASSED AND ADOPTED this 13<sup>th</sup> day of April 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

**EXHIBIT "A"**  
**DUTRA REORGANIZATION TO THE CITY OF MANTECA**  
**(LAFC 10-23)**  
**LEGAL DESCRIPTION**

ALL that certain real property, being a portion of Lots 8, 14 and 20 and all of Lot 21 of "Map No. 5 California Nile Garden Farms", filed for record May 6, 1913 in Volume 7 of Maps & Plats, at Page 12, San Joaquin County Records and a portion of the South one-half of Section 7, Township 2 South, Range 7 East, Mount Diablo Meridian, County of San Joaquin, State of California, being more particularly described as follows:

**BEGINNING** at the northwest corner of said Lot 8, being also a point on the existing City Limits line;

thence along said existing City Limits line the following three (3) courses:

1. along the North line of said Lots 8, 14 and 20 South 89°03'32" East 1950.13 feet to a point on the West right-of-way line of Oleander Avenue (60 feet wide);
2. thence along said West right-of-way line South 00°14'42" West 660.17 feet to a point on the common line between said Lots 20 and 21;
3. thence along said common line and the easterly extension thereof South 89°03'00" East 60.00 feet to the East right-of-way line of Oleander Avenue;
4. thence leaving said existing City Limits line and proceeding along said East right-of-way line South 00°14'42" West 629.98 feet to the point of intersection of said East right-of-way line and the North right-of-way line of Peach Avenue (60 feet wide);
5. thence continuing South 00°14'42" West 60.00 feet to the point of intersection of said East right-of-way line and the South right-of-way line of Peach Avenue;
6. thence North 89°03'54" West 60.00 feet to the point of intersection of said West right-of-way line and said South right-of-way line;
7. thence continuing along said South right-of-way line North 89°03'54" West 630.05 feet to a point on the southerly extension of the West line of said Lot 21;
8. thence along said southerly extension and the West line of said Lot 21 North 00°14'42" East 60.00 feet to a point on said North right-of-way line;
9. thence continuing along said West line of Lot 21 North 00°14'42" East 600.75 feet to the northeast corner of that certain property described in Grant Deed to

Allen E. Merilles and Larie A. Merilles, Trustees of the Allen E. Merilles and Larie A. Merilles 2015 Trust, filed for record September 10, 2015 as Document 2015-110137, San Joaquin County Records;

10. thence along the northerly line of said Merilles 2015 Trust land and the westerly extension thereof North 83°41'48" West 1327.53 feet to a point on the West line of said Lot 8;
11. thence along last said West line North 00°15'28" East 565.41 feet to the Point of Beginning.

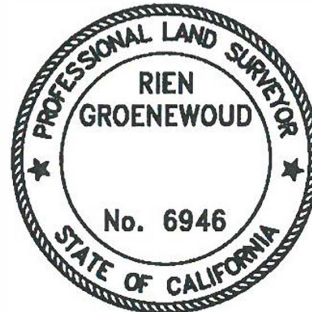
Containing 39.49 acres, more or less.

The Basis of Bearings for this description is South 89°36'41" East between City of Manteca GPS monuments #220 and #230, as calculated from data shown in Book 33 of Surveys, at Page 133, San Joaquin County Records.

This legal description as described is delineated on the accompanying plat titled "Dutra Reorganization to the City of Manteca" and made part hereof for reference purposes.

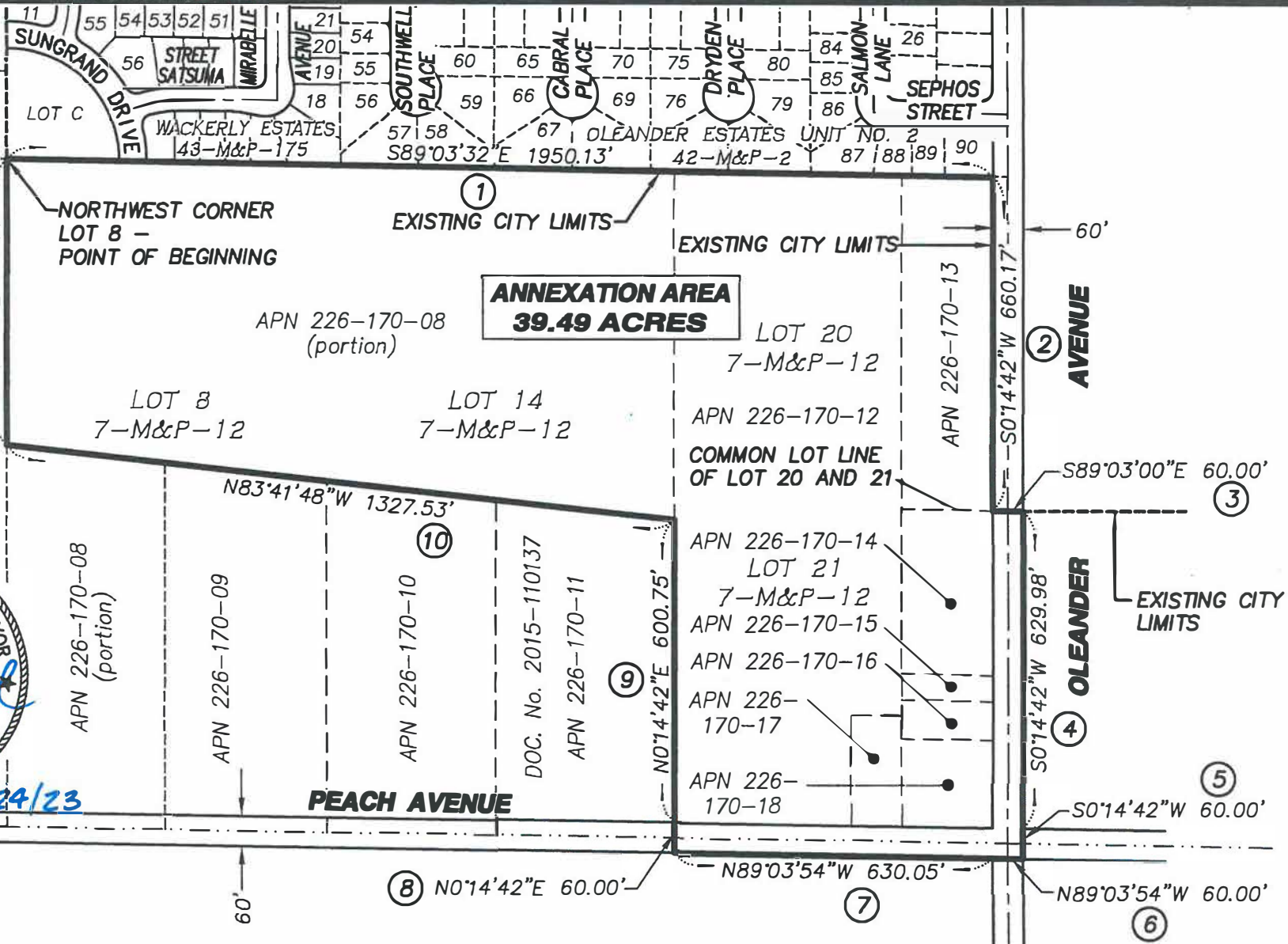


Rien Groenewoud, P.L.S. 6946

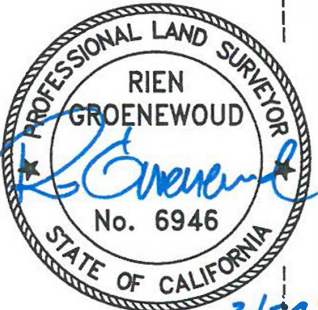


3/24/23

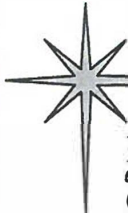
EXISTING CITY LIMITS



**ANNEXATION AREA  
39.49 ACRES**



3/24/23



*North Star*  
Engineering Group, Inc.

• CIVIL ENGINEERING • SURVEYING • PLANNING •  
620 12th Street Modesto, CA 95354  
(209) 524-3525 Phone (209) 524-3526 Fax

**DUTRA REORGANIZATION TO THE  
CITY OF MANTECA  
(LAFC 10-23)**

OF A PORTION OF THE SOUTH ONE-HALF OF SECTION 7, TOWNSHIP 2  
SOUTH, RANGE 7 EAST, MOUNT DIABLO MERIDIAN.

SAN JOAQUIN COUNTY,

STATE OF CALIFORNIA

JOB NO:	J20-2737
SCALE:	1"=300'
DR BY:	RG
FILE:	20-2737 dutra lafco annex plat.dwg
DATE:	MARCH 24, 2023

# 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:** Dutra Annexation- Project File No. ANX21-55

**TYPE OF PROPOSAL**

<input type="checkbox"/> City Incorporation	<input type="checkbox"/> Sphere of Influence Amendment	<input type="checkbox"/> District Formation
<input type="checkbox"/> Consolidation	<input type="checkbox"/> Sphere of Influence Update	<input type="checkbox"/> Annexation
<input type="checkbox"/> Detachment	<input type="checkbox"/> Addition of Services	<input type="checkbox"/> District Dissolution
<input checked="" type="checkbox"/> Reorganization (involving an Annexation and Detachment(s))		

### AGENCY CHANGES RESULTING FROM THIS PROPOSAL

Agency or Agencies gaining territory: City of Manteca

Agency or Agencies losing territory: San Joaquin County  
Lathrop-Manteca Fire District

### NOTIFICATION

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:

Name	Mailing Address	Telephone
City of Manteca Development Service Department Attn: Lea C. Simvoulakis, Deputy Director-Planning	1215 W. Center Street, Suite 201 Manteca, CA 95337	(209) 456-8516
County of San Joaquin Community Development Department	1810 East Hazelton Avenue Stockton, CA 95205	(209) 468-3121
KDH Group LLC Attn: Michael Kiper 3200 Danville Blvd., Suite 200	3200 Danville Blvd., Suite 200 Alamo, CA 94507	(925) 683-7053
NorthStar Engineering Attn: Mr. Tony De Melo, Director of Engineering	620 12 <sup>th</sup> Street Modesto, CA 95354	(209) 524-3525

**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:

APN No.	Property Owner of Record	Parcel Size (Acres)
226-170-08	Shirley M Dutra Trust	18.18
226-17-12	Shirley M Dutra Trust	12.82
226-170-13	Maria Consuelo Lopez	2.27
226-170-14	Yolanda Villeda	1.35
226-170-15	Charlene Rae Coburn	.21
226-170-16	Shirley M Dutra Trust	.32
226-170-17	Nancy G and James W. Ennes	.51
226-170-18	Shirley J. Goodman Life Estate	.72
Right -of-Way		3.11
<b>Total</b>		<b>39.49</b>

8. Physical Location of Proposal:

The project site includes approximately 39.49 acres located in the southern portion of the City of Manteca, south of State Route (SR) 120, in San Joaquin County, CA. The project site is identified as Assessor’s Parcel numbers (APNs) 226-170-08 (portion), 226-170-12, -13, -14, -15, -16, -17, and -18 by the San Joaquin County Assessor’s Office.

9. Has an application been filed for an underlying project (such as Development Plan, Conditional Use Permit, or Tentative Subdivision Map)?  Yes  No

The approved Tentative Subdivision Map is attached.

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

Water, wastewater, storm drainage, street improvements, electricity, natural gas, fire services, police services, school facilities, parks and recreation, telephone, and internet.



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

Water, wastewater, storm drainage, street and intersection improvements will connect to existing services to the north and west of the Project site.

12. Provide any other justification that will assist the Commission in reviewing the merits of this request. (Attach a separate sheet if necessary)  
Below is a summary of the City's justification of annexing the Project into the City of Manteca.

- A. The new boundaries are contiguous with city boundaries and provide for a logical expansion of the city:

Analysis: The proposed annexation area is immediately south of existing City limit lines. This annexation will help capture right-of way and land that should be within the City limits. Based on the annexation map above, this annexation almost fills in the missing link between the existing city limits to the east and the city limit to the west. This project is east of the recently approved Lumina at Machado Ranch project. This project is also immediately south of the recent Wackerly Annexation, and the build out of this project will expand the Wackerly storm basin. Further, the annexation area is currently located within the 10-year Planning Horizon of Manteca's existing Sphere of Influence, which is a LAFCo-approved boundary. Projects within the 10-year planning horizon are expected to develop between the years of 2015 to 2025, per the Municipal Service Review (MSR) report approved by LAFCo in 2015. This annexation request comes at the later end of this time window, which is important when considering annexation. The pattern of development around this site over the last ten years indicates that annexation of these 39 acres is the next logical expansion of city limits.

- B. Creates clear and reasonable boundaries:

Analysis: The proposed northern boundary of the annexation will bring the City limit line east across East Oleander Avenue down to South Peach Road. This annexation squares off the west block of East Oleander. Bringing this boundary to this corner is a much clearer and logical boundary than what exists today. This is a logical and clear boundary for annexation.

- C. There are adequate municipal services:

Analysis: The Initial Study/Mitigated Negative Declaration for the proposed project indicates that there are adequate municipal services for the proposed annexation area, which includes eight existing homes and 197 future homes in the Dutra Subdivision.

- D. The annexation reflects a long-term fiscal balance to the City and its residents, when reviewed cumulatively with other annexations:

Analysis: A fiscal analysis of the subdivision was prepared by EPS. EPS is the economic firm that the City used for the economic analysis of land use for the General Plan and has background on the City and its fiscal health. EPS analyzed the master tax sharing agreement with San Joaquin County and the City of Manteca, which is ultimately in an 80/20 split agreement for property tax sharing revenue. Under an

80/20 split, the annexation would have a marginal net annual General Fund surplus of approximately \$75,000. The analysis estimated that the project would generate about \$260,000 in net, new annual City General Fund revenues and would require about \$185,000 in annual City General Fund service costs. EPS then analyzed a 60/40 split. Under this split, the project would generate \$160,000 net annual General Fund surplus. With a 60/40 split, the project would generate about \$345,000 in net, new City General Fund revenues and would require the same \$185,000 in annual City General Fund service costs. While either split would provide more revenue than the costs of the new project, staff recommends that the City move the project forward with the assumption that legal counsel will negotiate the 60/40 split to ensure that the City received a larger benefit of the project. The fiscal analysis prepared by EPS is attached to this staff report.

E. The annexation is consistent with State law and San Joaquin LAFCo standards:

Analysis: The proposed annexation is consistent with all State and LAFCo laws in that the annexation is following correct city procedures, it is consistent with the City's General Plan, and the appropriate actions for annexation will be completed by the Council prior to an annexation application is made to LAFCO by the City.

F. The annexation is consistent with the General Plan:

Analysis: Based on the analysis of the above five items, this annexation is consistent with Land Use Policy LU-P-9. In addition to this policy, this annexation is consistent with the overall intent of growth expressed in the General Plan. The General Plan regulates development to preserve Manteca's roots as an agricultural center and to ensure balanced growth. The General Plan acknowledges that agriculture plays an important role in Manteca's economy, but also understands that metered development will ensure economic growth and will allow the city to continue to provide for a quality of life for its current and future residents. Land Use Goal LU-2 discusses the need to provide adequate land in a range of densities to meet the housing needs of income groups expected to reside in Manteca, and to regulate residential growth consistent with the capacities of City facilities and services. This annexation will allow for the construction of 197 units on traditional LDR lots, creating more housing opportunities for current and future residents in Manteca. Without this annexation, these homes would not be constructed in the City. Further, as noted in the MND, the City is able to provide the necessary services to accommodate these new housing units, making this annexation a logical expansion for the city.

## **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 Manteca, California, on February 14, 2023.

APPLICANT

REAL PARTY IN INTEREST  
(If different from Applicant)

Signature: Lea C. Simvoulakis

Signature: \_\_\_\_\_

Title: Deputy Director-Planning

Title: \_\_\_\_\_

**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.

Lea C. Simvoulakis

Date: 02/14/2023

(Signature)

Print or Type Name: Lea C. Simvoulakis

Daytime Telephone: 209-456-8516

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...."

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<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).

## 5. CITY SERVICES PLAN

### Introduction

Pursuant to Section 56653 of the California Government Code, the San Joaquin County Local Agency Formation Commission (LAFCo) requires that any application for a change of organization or reorganization be accompanied by a plan for providing services to the area affected by the requested change of boundary. In accordance with the above cited section, the plan for providing services shall include 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, if new services are proposed;
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 reorganize is completed; and
5. Information as to how the services would be financed.

The proposal being submitted to LAFCo includes the annexation of approximately 39.46 gross acres of land into the City of Manteca. Several related land use entitlement applications have been submitted to the City of Manteca for the development of the Dutra Annexation and Subdivision project.

The Plan for Services described below includes a description of the Proposed Project, and existing and proposed services to be extended to the project area.

### Project Description

The project is located west of Oleander Avenue, just south of the Oleander Estates Unit No. 2 and Wackerly subdivisions. The project is contiguous to the existing City limit line along the northerly project boundary, and on the west side of Oleander Avenue to the common parcel line between APN's 226- 330-08 and 226180-06. The proposed annexation boundary will include the 34.6-acre Development Area, 3.09-acre Non-Development Areas on five (5) inhabited residential lots, and 1.8-acres of existing right-of-way. The subdivision component includes 34.49-acres on three (3) parcels (APN Nos. 226-170-08 (portion), 226-170-12, and - 13, and dedication areas along East Peach Road and Oleander Avenue) intended for the development of 197 residential units, a 2.86-acre park, and public infrastructure. The Non-

Development Area includes five (5) parcels with six (6) existing residential homes. Access to these homes is directly onto Oleander Avenue and East Peach Road.

The project is within the City of Manteca's 10-Year Planning Horizon per the City of Manteca's Sphere of Influence Map, and provides for a logical expansion of the City. The project boundary roughly shaped like two rectangles, creating a backwards "L" shape. The annexation boundary is contiguous with the existing City, and the proposed park will be even be a continuation of the previously annexed Wackerly Subdivision Park/Basin. There are several lots along Oleander that will remain in their original condition and will not be part of the new subdivision, but they will be part of the annexed area, creating a squared boundary at Oleander and Peach Avenue.

At build-out, the project will generate new, annual City General Fund revenues (Property Tax, Property Tax in Lieu of Vehicle License Fees, Real Property Transfer Tax, Sales and Use Tax, Transient Occupancy Tax, etc.), that are anticipated to offset annual City General Fund service costs, as noted in the report prepared by the firm Economic & Planning Systems (EPS). EPS analyzed the master tax sharing agreement with San Joaquin County and the City of Manteca, which is ultimately currently in an 80/20 split agreement for property tax sharing revenue. Under an 80/20 split, the annexation would have a marginal net annual General Fund surplus of approximately \$75,000. The analysis estimated that the project would generate about \$260,000 in net, new annual City General Fund revenues and would require about \$185,000 in annual City General Fund service costs. EPS also analyzed a 60/40 split. The City is currently negotiating a 60/40 with San Joaquin County and a final agreement is anticipated to be in place prior to this project going before the LAFCo Board. Under a 60/40 split, the project would generate \$160,000 net annual General Fund surplus. With a 60/40 split, the project would generate about \$345,000 in net, new City General Fund revenues and would require the same \$185,000 in annual City General Fund service costs. While either split would provide more revenue than the costs of the new project, the 60/40 split to ensure that the City will be able to provide services required by Section 56668(k) of the CHK Act. The project is consistent with all state law, San Joaquin County LAFCo standards as noted above, and the City of Manteca's low-density residential General Plan designation.

### **Existing and Surrounding Land Uses**

The existing land uses within the Annexation Area include vacant land, rural homes, single-family homes, agricultural land, barns/sheds, dirt/gravel roads, and a dryland levee. None of the parcels involved with the annexation are under Williamson Act contracts. The surrounding land uses are depicted in Table 2 below:



**Table 2: Surrounding Land Uses**

	<b>EXISTING LAND USE</b>	<b>ZONING (City/County)</b>	<b>MANTECA GENERAL PLAN</b>
<b>Project Site</b>	Vacant land, Rural homes, Single-family Residential, Agricultural Land, Out structures	Agriculture-Urban Reserve (AU-20) (SJ County)	Low Density Residential (LDR); Open Space (OS);
<b>North</b>	Single-family Residential	One-Family Dwelling (R-1)	Low Density Residential (LDR); Open Space (OS);
<b>South - County</b>	Rural homes, Agriculture/Orchards	General Agriculture (AG-40) (SJ County)	Very Low Density Residential (VLDR)
<b>East – County</b>	Single-family Residential, Agricultural Land	Agriculture-Urban Reserve (AU-20) (SJ County)	Low Density Residential (LDR);
<b>East - City</b>	Single-family Residential	One-Family Dwelling (R-1) (Manteca);	Low Density Residential (LDR);
<b>West-County</b>	Sikh Temple, Pasture, Vacant Land, and Agriculture	Agriculture-Urban Reserve (AU-20) (SJ County); General Agriculture (AG-40) (SJ County)	Low Density Residential (LDR); Open Space (OS)

**Fire Protection and Emergency Services**

As part of the proposed annexation, the Proposed Project will be detached from the Lathrop Manteca Fire District and receive fire protection and emergency services from the City of Manteca Fire Department. The Manteca Fire Department serves approximately 83, 498 people over 17.2 square miles within the City limits. The Manteca Fire Department operates out of five facilities that are strategically located in the City of Manteca. The Manteca Fire Department is headquartered in Station 242 located at 1154 S. Union Road. This building serves as the Fire Department headquarters and the Fire Prevention Bureau. Fire training and emergency medical services are managed out of Station 241. Apparatus includes three engines, three reserve engines, one ladder truck, one medium rescue unit, one USAR rescue trailer, eight staff vehicles, two pick-up trucks, and a public education trailer.

The Manteca Fire Department maintains a goal for the initial company of three firefighters to arrive on scene for fire and emergency medical service (EMS) incidents within five minutes 90% of the time (Response Effectiveness). In 2016, the Department averaged a response time for Code 3 emergencies such as fires, medical calls or auto accidents at 4:20 minutes City-wide. In 2017, the Department averaged a 4:22 response time City-wide. In 2017, the MFD on an average

handled 7,579 emergency calls and 6,737 in 2016. In 2021, the Department had a goal of a 5 minute response time, with 83.24% of the calls meeting this goal with the 90<sup>th</sup> percentile response time being 285 seconds. In 2021, the MFD handled 7,647 emergency calls with 6,365 calls meeting the 5 minute response time goal.

The Insurance Services Office (ISO) Public Protection Classification Program currently rates the Fire Department as a 2 on a scale of 1 to 10, with 1 being the highest possible protection rating and 10 being the lowest. The ISO rating measures individual fire protection agencies against a Fire Suppression Rating Schedule, which includes such criteria as facilities and support for handling and dispatching fire alarms, first-alarm response and initial attack, and adequacy of local water supply for fire-suppression purposes. The recent construction and staffing of Fire Station No. 4 and Fire Station No. 5 has had a positive impact on the City's ISO rating. The ISO ratings are used to establish fire insurance premiums. With the completion of Fire Station 5, the Department still has an ISO rating of 2, surpassing the General Plan Safety Element goal of an ISO rating of 3.

The Manteca Fire Department currently operates five fire stations within its service area, each are listed below:

- Station 241 - 290 S. Powers Ave. Manteca CA 95336 (operational)
- Station 242 - 1154 S. Union Road Manteca CA 95337 (operational)
- Station 243 - 399 W. Louise Ave. Manteca CA 95336 (operational)
- Station 244 - 1465 W. Lathrop Rd. Manteca CA 95336 (operational)
- Station 245, 1675 E. Woodward Ave. Manteca CA 95337 (operational)

Development of the Proposed Project will require payment of all applicable fire service fees and assessments required to fund its fair share of the City of Manteca Fire Department. In addition, all development is required to conform to the California Fire Code, the City's Fire Sprinkler Ordinance, fire flow standards, and other applicable requirements.

The City of Manteca General Plan 2023 includes policies that support the Fire Departments continued provision of adequate facilities and staffing levels. Relevant polices with respect to the Proposed Project include the following:

**Policies: Fire Protection**

PF-P-42. The City shall endeavor to maintain an overall fire insurance (ISO) rating of 4 or better.

PF-P-43. The City shall endeavor through adequate staffing and station locations to maintain the minimum feasible response time for fire and emergency calls.

PF-P-44. The City shall provide fire services to serve the existing and projected population.

PF-P-45. The City will establish the criteria for determining the circumstances under which fire service will be enhanced.

**Implementation: Fire Protection**

PF-I-24. The Fire Department shall continuously monitor response times and report annually on the results of the monitoring.

PF-I-25. The Planning Commission and City Engineer will review proposed residential street patterns to evaluate the accessibility for fire engines and emergency response.

Medical services are provided by the Manteca District Ambulance Service, which covers a 100-square-mile area and has two stations: one in Manteca and the other in Lathrop. The ambulance service has 36 employees and has eight ambulances. Two 24-hour ambulances and one 12-hour ambulance respond out of the Manteca station 7 days per week. One 24-hour ambulance responds out of the Lathrop station 7 days per week. The ambulance service has mutual aid agreements with the cities of Ripon, Tracy, and Escalon. The Manteca District Ambulance Service has 20 paramedics and 16 emergency medical technicians.

The Manteca Fire Department maintains a goal for the initial company to three (3) firefighters to arrive on scene for fire and emergency medical services (EMS) incidents within five (5) minutes 90% of the time (Response Effectiveness). In 2016, the Department averaged a response time for Code 3 emergencies such as fires, medical calls or auto accidents at 4:20 minutes City-wide. In 2017, the Department averaged a 4:22 response time City-wide. The Department is currently meeting the Response Effectiveness goal. These average response times are not anticipated to increase beyond the Response Effectiveness goal for providing fire and emergency services to the Annexation Area. As such, with build-out of the Annexation Area, average response times will be within the Response Effectiveness goal established by the City. The Proposed Project would not require the construction of additional fire department facilities.

Impact fees from new development are collected based upon projected impacts from each development. The adequacy of impact fees is reviewed on an annual basis to ensure that the fee is commensurate with the service. Payment of the applicable impact fees by the Project applicant, and ongoing revenues that would come from property taxes, sales taxes, and other revenues generated by the Proposed Project, help fund capital and labor costs associated with fire protection services. However, based on the fiscal analysis completed for the project, under the current Master Tax-Sharing scenario, the project yields a marginal net fiscal surplus for the City. Additionally, over time, the project as proposed will produce a negative fiscal impact associated with police protection, fire suppression and road maintenance service. As such, in

addition to the project impact fee, property taxes, and sales taxes, the project will be required to annex into the recently create City-wide CFD to account for additional fiscal needs in the names area.

The City recognizes expansion through annexations can create financial and service impacts on the Lathrop Manteca Fire Protection District (LMFD). Consequently, the City will enter into an agreement with LMFD prior to annexation to keep the same revenue (not increment) going to LMFD. Preferably, a sum equal to the current tax revenue received by LMFD at time of annexation, multiplied by ten years, will be paid in a lump sum to LMFD. The lump sum payment shall be paid by the developer prior to the issuance of the first building permit in the annexed area. The City will continue having a regular dialogue with LMFD in an effort to create efficiencies and better serve the community. Fire protection, emergency, and medical services will be provided by the City to the Annexation Area upon annexation.

### **Police Protection Services**

Police protection services in the City of Manteca are provided by the Manteca Police Department. The Police Department operates out of its headquarters located at 1001 W. Center Street. The Police Department is organized into two divisions: Operations, and Services. Additionally, the Police Department operates a Public Affairs Unit. For budgeting purposes, the Police Department is organized into the following programs: administration, patrol, investigations, support services, dispatch, code enforcement, jail services, and animal services.

The department classifies calls for service as Priority 1, Priority 2 or Priority 3. Priority 1 calls are calls where a threat is posed to life or a crime of violence. Priority 2 calls are calls for service where there is an urgency or suspicious behavior. Priority 3 calls are calls for service where no emergency or serious problem is involved. In 2020, there were 180 Priority 1 calls, 24,720 Priority 2 calls, and 8,325 Priority 3 calls, totaling 33,225 calls. In 2021 there were 127 Priority 1 calls, 26,694 Priority 2 calls, and 9,145 Priority 3 calls, totaling 35,966 calls. Calls increased 2,741 total calls between 2020 and 2021.

The department's average response times for 2020 for the 3 priorities were as follows:

- Priority 1 calls: 2020, 1 minute and 15 seconds.
- Priority 2 calls: 2020, 10 minutes and 26 seconds.
- Priority 3 calls: 2020, 21 minutes and 10 seconds.

The department's average response times for 2021 for the 3 priorities were as follows:

- Priority 1 calls: 2021, 1 minute and 12 seconds.
- Priority 2 calls: 2021, 13 minutes and 6 seconds.
- Priority 3 calls: 2021, 27 minutes and 7 seconds.

Staffing levels are assessed by the City on an annual basis, based on a variety of factors including response times for the three priorities listed above. The City currently has 76 sworn officers. With a population of 83,498, that equates to a staffing level of 0.91 officers per 1,000 residents. Additional officers are planned to be hired, as the City population grows. The addition of 197 housing units could increase the population of the city by an estimated 617 persons. This would change the staffing level to 0.9 officers per 1,000, bringing the ratio down by 1/10 with this new subdivision. The City's per capita officer goal is 1 officer per 1,000 residents and currently and with the proposed annexation, the Policy Department is only slightly below that. In discussions with the Police Department, while the physical metric to measure the ability to provide safety to a community is the number of officers per resident ratio, there are indicators of perceived public safety that can't necessarily be measured by this number. While the amount of calls between 2020 and 2021 have increased, the population in the City has increased, and to say that the increase in calls means the City is less safe, is not an accurate picture of the community.

The FY 2019-2020 budget for the Police Department is \$ 18,627,912, which is sufficient to cover the current staffing levels. The need for additional personnel in the future will be addressed by the Chief of Police, the City Manager, and the City Council as response times are reassessed annually and as budget allows.

The City of Manteca General Plan 2023 includes policies that support the Police Department's continued provision of adequate facilities and staffing levels. Relevant policies with respect to the Proposed Project include the following:

**Policies: Police Protection**

PF-P-39. The City shall endeavor through adequate staffing and patrol arrangements to maintain the minimum feasible police response times for police calls.

PF-P-40. The City shall provide police services to serve the existing and projected population.

PF-P-41. The City will establish the criteria for determining the circumstances under which police service will be enhanced.

**Implementation: Police Protection**

PF-I-22. The Police Department shall continuously monitor response times and report annually on the results of the monitoring.

PF-I-23. The Planning Commission and City Engineer will review proposed residential developments to evaluate the accessibility for police patrols and emergency response.

Based on the current adequacy of existing response times and the ability of the MPD to serve the City, it is anticipated that the existing police department facilities are sufficient to serve the Proposed Project and the construction of new or expanded police department facilities would not be required. A 1/10 decrease in the per capita officer goal will not hinder the Department's ability to provide service to this newly annexed area.

### **Road Maintenance**

Currently, road maintenance within the vicinity of the Annexation Area is provided by San Joaquin County. After annexation, all roadways within the Annexation Area will be dedicated to the City of Manteca. Road maintenance will be provided by the City of Manteca's Public Works Department. The City of Manteca will use local and regional funds to maintain roadways throughout the project site and throughout the project area.

The Proposed Project will also be required to pay a Public Facilities Improvements Plan (PFIP) fee for transportation which is charged to provide the necessary improvements to the transportation facilities that is needed to support new growth. PFIP fees are calculated utilizing cost estimates prepared for each street segment, intersection, and interchange included in the PFIP Plan. Detailed cost estimates will be required to determine to comply with the cross sections and intersection exhibits specified in Appendix E of the PFIP Plan. The PFIP fee is approximately equal to the total cost of all improvements divided by the total number of dwelling unit equivalents (DUEs). The construction costs for the anticipated improvements have been combined into one single zone to balance fees throughout the City of Manteca. The development fee for construction and maintenance of roadways and improvements for single-family residential is \$8,300 per dwelling unit, or \$1,635,100 for the proposed project. The PFIP Plan is in the process of being updated, and this fee could increase by the time the applicant is required to pay this fee.

In addition, the Proposed Project will be required to pay the San Joaquin County Regional Transportation Impact Fee (RTIP), which is a county-wide, multi-jurisdictional capital improvement funding program intended to cover a portion of the cost for new transportation facilities required to serve new development within the County. The funding from the RTIP program is used in combination with other funding available to complete needed transportation and transit improvements.

## Solid Waste Service

The City of Manteca Public Works Department, Solid Waste Division provides solid waste collection services for the Manteca area. The Solid Waste Department works to meet commercial and residential demands in a low cost and environmentally conscious manor. The Department's team of drivers, yard personnel, superintendent, and office staff help residents and businesses reduce waste generation and utilize diversion techniques. Manteca provides the following solid waste services:

- Residential recycling picked up on a bi-weekly schedule
- Residential bi-weekly curbside pickup of compost materials
- Residential weekly curbside pickup of trash
- Leaf and Christmas tree pick up
- Oil collection containers picked up on a weekly basis
- Commercial recycling
- Household Hazardous Waste collection

Lovelace Transfer Station, owned and operated by San Joaquin County, is used to process and ship collected waste to its final destination. Recyclables are transported to a small Transfer Station adjacent to Forward Landfill where they are loaded onto larger trucks and taken to Sacramento Recycling. The majority of Manteca's solid waste is landfilled at the Forward Sanitary Landfill, located north of French Camp Road. Foothill Sanitary Landfill and North County landfill are also employed, but to a much lesser degree.

The permitted maximum disposal at the Forward Landfill is 8,668 tons per day. The total permitted capacity of the landfill is 51.04 million cubic yards. Forward Sanitary Landfill has a remaining capacity of 23,700,000 cubic yards and has a current maximum permitted throughput of 8,668 tons per day. This landfill originally had a cease operation date in the year 2020. Solid waste generated by the Proposed Project was estimated based on CalRecycle generation rate estimates by use (discussed below).

The Development Area is estimated to generate roughly 10 pounds per day per household. It is estimated that the proposed 197 residential units would generate 1,970 pounds, or .96 tons of waste per day of solid waste.

Forward Landfill was projected to close in 2020 at current acceptance rates due to reaching its permitted size parameters. To increase the lifespan of the landfill, Forward, Inc. is planning to

expand its disposal footprint. The City's projected increase in solid waste generation associated with future buildout of the General Plan is within the permitted capacity of the Forward Sanitary Landfill expansion. As noted previously, the vast majority of landfill disposed from the City of Manteca went to Forward Sanitary Landfill. Other landfills that received waste from the City of Manteca include:

- Lovelace Materials Recovery Facility and Transfer Station
- San Joaquin County Hazardous Waste
- Foothill Sanitary Landfill
- North County

Forward Sanitary Landfill has a remaining capacity of 23,700,000 cubic yards and has a current maximum permitted throughput of 8,668 tons per day. This landfill originally had a cease operation date in the year 2020. A 17.3-acre expansion was approved in January of 2020 inside the landfill's existing boundaries along Austin Road east of Stockton Metropolitan Airport. The lifespan of the landfill will extend from 2030 to 2036 and an additional 8.2 million cubic yards of waste will be processed on two sites, an 8.7-acre parcel in the northeast corner and an 8.6-acre parcel on the south end of the property. The City will need to secure a new location or expand existing facilities when the Forward Landfill is ultimately closed. There are several options that the City will have to consider for solid waste disposal at that time which is estimated to be 2036, including the construction of new facilities or expansion of existing facilities.

At the closure of the Forward Landfill, the City can potentially utilize the Foothill Landfill and the North County Landfill as locations for solid waste disposal. The permitted maximum disposal at the Foothill Landfill is 1,500 tons per day and the North County Landfill is 825 tons per day. The remaining capacity of these landfills include 125 million cubic yards of solid waste at the Foothill Landfill, with an estimated cease operation date of 2054, and 35.4 million cubic yards of solid waste at the North County Landfill, which has an estimated cease operation date of 2035. The addition of solid waste associated with the Proposed Project to the Foothill Landfill and North County Landfill would not exceed the combined landfills' remaining capacity of 160.4 cubic yards. Therefore, solid waste services will be available to the Annexation Area upon annexation and development. The Project applicant shall pay the City's waste connection fee which equates to the Project's fair share contribution, consistent with section 13.02.050, Charges for Solid Waste Collection Services, of the City's municipal code.



## **General Government Services**

Currently, existing governmental services, including issuance of building permits and inspections, enforcement of zoning regulations and similar development services are provided to the Project Area by San Joaquin County. All County services are provided out of the various offices located in Stockton.

Upon annexation, the subject properties would be under the jurisdiction of the City of Manteca, including enforcement of building and zoning codes.

## **Parks and Recreation**

The City's General Plan identifies a park standard based on a goal of five acres of developed parkland per 1,000 residents within the city limits. However, Manteca Municipal Code Chapter 3.20.080, Neighborhood parks, requires in all new subdivisions, the developer to build and dedicate a neighborhood park that meets the required three acres per 1,000 people per the adopted park acquisition and improvement fee. Within those three acres, one acre must be provided as upland. Based on 617 residents, the Project would require approximately 1.88 acres of parkland. The Project proposes approximately 2.86 acres of Park/Basin with an acre of upland, which would provide the park land needed to meet the three acres per 1,000 people. The City's Storm Drain Master Plan allows for dual use basins assuming the max slope of the dual use basin is 6:1. All LID areas are excluded from the overall calculation of parkland. Municipal Code Chapter 3.20, Park Acquisition and Improvement Fees, allows the parks and recreation director to determine whether or not a development would be required to build and dedicate a neighborhood park or pay the neighborhood park in-lieu fee. In accordance with the Municipal Code, fees are deposited in specific funds that shall be used solely for the acquisition, improvement and expansion of public parks and recreation facilities as outlined in the park acquisition and improvement fee update.

The City of Manteca General Plan 2023 includes policies that support the development of parks and recreation facilities. Relevant policies with respect to the Proposed Project include the following:

### **Policies: Parks and Recreation**

PF-P-47. The City shall use joint development of park and drainage detention basins in the development of neighborhood parks.

PF-P-53. All new residential development will be required to pay a park acquisition and improvement fee, based on providing 5 acres per 1,000 residents, to fund system-wide improvements.

PF-P-54. The City shall require the provision of private open space and recreational facilities as part of new residential developments.

Based on the information above and the Proposed Project's plan for 2.86 acres of parkland, parks and recreation services will be provided to the annexation area upon completion of development.

### **School Services**

The Proposed Project is located within the service boundaries of the MUSD. Specifically, the Project site is within the attendance boundaries of Nile Garden School located approximately .8 miles northeast of the Project site, the Nile Garden Elementary School located approximately 1.5 miles southeast of the Project site, and the Sierra High School located approximately 2.5 mile north of the Project site.

The Proposed Project would include the development of 197 dwelling units, which would directly cause population growth, including school-aged children that would attend the schools that serve the Project site and surrounding area. Utilizing the student generation rates provided by the MUSD in the School Mitigation Fee Justification Calculation of Cost per Student for School Facilities (dated March 2017), the Proposed Project would be expected to generate roughly 123 new students, broken down by grades as follows:

- K–8: 82 students
- 9–12: 41 students

MUSD has previously indicated that there is a need for a new elementary and a new high school in the city and MUSD has purchased a 17-acre school site. Until new school facilities are developed, students within the Project site would most likely attend Nile Garden School and Sierra High School, subject to MUSD's determination.

The MUSD collects impact fees from new developments under the provisions of SB 50. Payment of the applicable impact fees by the Project applicant, and ongoing revenues that would come from taxes, would fund capital and labor costs associated with school services. The adequacy of fees is reviewed on an annual basis to ensure that the fee is commensurate with the service.

Payment of the applicable impact fees by the Project applicant, and ongoing revenues that would come from property taxes, sales taxes, and other revenues generated by the Proposed Project, would fund improvements associated with school services. According to Government Code Section 65996, the development fees authorized by SB 50 (1998) are deemed to be “full and complete school facilities mitigation” for any demands or impacts on school facilities caused by new development. It is noted that the Applicant has agreed to enter into a Mitigation Agreement with MUSD which allows them to annex into the District’s Community Facilities District (CFD). This provides the MUSD with a longer-term stream of revenue paid through annual property taxes, and reduced impact fee in the near term.

The Applicant will pay the applicable impact fees and has entered into an agreement which will allow them to annex into the District’s Community Facilities District (CFD). Therefore, school services will be provided to the Annexation Area upon annexation.

## **Wastewater Services**

### Existing Wastewater Treatment Facilities

The City’s sewer service area is contiguous with City Limits, and is divided into north, south, and central sewer sheds. The municipal wastewater collection system includes 242 miles of sewer mains and 19 pump stations. The collection system includes gravity flow pipes ranging from 6-inch to 60-inch diameter, and force mains from 6-inch to 24-inch diameter.

The existing collection system generally serves the developed portions of the City, with major trunk sewers located in the core of the City (the central sewer shed), approximately bounded by State Route 120 to the south, Austin Road to the east, Lathrop Road to the north, and Airport way to the west.

The Wastewater Quality Control Facility (WQFC) is located southwest of downtown Manteca on 22-acres owned by the City. The WQCF treats municipal wastewater from the City of Manteca and the City of Lathrop, and seasonally accepts industrial food processing waste effluent from Eckert Cold Storage. The facility has a current capacity of 9.87 mgd and is planning to increase the capacity to 27 mgd by buildout. The various WQCF facilities are designed to be expanded in phases, based on future growth. Proposed treatment improvements identified in the 2006 WQCF Master Plan Update include expansion of the primary, secondary, and tertiary treatment facilities, expansion of the solids handling systems and expansion of the co-generation system to generate electricity from methane produced during the treatment process.

The City is currently undertaking 10 projects as part of the City's WQCF Phase IV Expansion that would enable the WQCF to meet the monthly average effluent limit of 10 milligrams per liter (mg/L) for nitrite and nitrite nitrogen currently set forth by the treatment plant's updated National Pollutant Discharge Elimination System (NPDES) discharge permit. As detailed in the City of Manteca WQCF 2021 Capacity Assessment, the City of Manteca has been expanding rapidly, which has resulted in increased wastewater flows and loadings to the WQCF. To accommodate the population growth and adapt to changing permit requirements, the City completed various projects over the previous two decades to expand the WQCF and improve control of the treatment processes.

The most recent major expansion was the Phase III Expansion that was designed from 2001 to 2002 and constructed in a series of schedules (A, B, C, and D) over a period of several years. Schedule D was completed in 2007. The Phase III Expansion separated the main treatment processes into North and South Plants, resulting in an average flow capacity of 9.87 million gallons per day (mgd). However, subsequent to the completion of the Phase III Expansion, updated NPDES permit requirements established the aforementioned 10 mg/L monthly average effluent limit on nitrite and nitrite nitrogen discharges from the WQCF. As such, the Phase III designs did not consider or provide the necessary facilities to meet the currently permitted effluent limit as part of the 9.87 mgd design flow.

Pursuant to the WQCF 2021 Capacity Assessment, which evaluated the Phase III Expansion's ability to meet current NPDES permit requirements, the North and South Plants are challenged to meet the 10 mg/L monthly average nitrite and nitrite nitrogen effluent limit and modifications to existing facilities and/or operations were found to be necessary to improve nitrogen removal performance for existing flows and loads. To ensure compliance with current permit requirements, the WQCF 2021 Capacity Assessment identified the following 10 wastewater treatment improvements, which the City is currently in the process of undertaking as part of the Phase IV Expansion:

1. New Glycerin Injection Systems in the North and South Plants;
2. Waste Activated Sludge Pump Replacements in the North and South Plants;
3. Return Activated Sludge Pump Replacement in the South Plant;
4. Internal Mixed Liquor Recycle Pump Replacements in the North and South Plants;
5. Fix Flow Split to the North Plant Aeration Basins;
6. New Zone B Mixing Systems in the North and South Plants;
7. New Process Aeration Control in the North and South Plants;
8. Centrate Side Stream Treatment;
9. Installation of Centrifuge No. 3; and

10. Installation of Dissolved Air Floatation Thickener (DAFT) No. 2.

Of the 10 improvement projects identified in the WQCF 2021 Capacity Assessment, the first seven projects listed above are already funded and will be designed in the near future. Considering that the remaining three projects will also require funding and development in order for the WQCF to meet the 10 mg/L monthly average nitrite and nitrite nitrogen effluent limit, the City of Manteca anticipates all 10 projects will secure funding and be developed.

As previously discussed, the 10 improvement projects identified in the WQCF 2021 Capacity Assessment are distinct from and not induced by the proposed project. Regardless of the City's approval of the proposed project, the City would require implementation of the Phase IV Expansion improvements in order to meet increased wastewater flows and loadings experienced in Manteca in compliance with the current requirements set forth by the WQCF's NPDES permit. As such, while completion of the Phase IV Expansion improvements will influence the timing of construction and operation of the proposed project, the 10 improvement projects do not affect the analyses or conclusions presented in the EIR.

Wastewater Treatment Projected Demand

The 2006 Wastewater Master Plan Update projected a capacity requirement of 27 mgd ADWF at buildout for the WQCF at buildout. Expansion of the WQCF to buildout would occur in multiple phases, which would increase the ADWF capacity to 17.5 mgd, then to 27 mgd. The Wastewater Master Plan projected a potential reclaimed water use of 3.28 mgd. The 2005 Urban Water Management Plan projected a reclaimed water usage of 2 mgd by 2030. All of these flows may be adjusted based on historical reductions in water usage as part of a new Wastewater Master Plan which will start in 2021 and finish in 2023. According to the City's 2012 Wastewater Collection System Master Plan Update, Low Density Residential uses are estimated to generate 1,338 gallons per acre per day or 160 gallons per day per equivalent dwelling unit (edu). The Project site includes 197 Residential Lots of Low Density Residential. Using this rate, the proposed Low Density Residential uses would generate approximately 52,205 gallons per day of wastewater. The Project does not propose to develop the non-development area of the project site; however, the Project will provide sewer points of connection for the 5 non-development parcels which will generate approximately 1,325 gallons per day (gpd) for a total sewer discharge of 53,530 gpd. The following list provides the anticipate sewer discharge from the respective non-development parcels based on the proposed land uses:

- Project Site (197 edu) – LDR – Generation Factor 265 gpd/edu = 52,205 gpd
- 226-170-14 (2 edu) – LDR – Generation Factor 265 gpd/edu = 530 gpd

- 226-170-15 (1 edu) – LDR – Generation Factor 265 gpd/edu = 265 gpd
- 226-170-16 (1 edu) – LDR – Generation Factor 265 gpd/edu = 265 gpd
- 226-170-17 (1 edu) – LDR – Generation Factor 265 gpd/edu = 265 gpd
- 226-170-18 (1 edu) – LDR – Generation Factor 265 gpd/edu = 265 gpd
- **Total discharge = 52,205 gpd**

The Proposed Project would increase the amount of wastewater requiring treatment. The wastewater would be treated at the WQCF. Occupancy of the Proposed Project would be prohibited without sewer allocation.

The City of Manteca’s wastewater treatment system is currently in compliance with the WDR requirements of Order No. R5-2021-0003 NPDES NO. CA0081558. The projected flows of the Proposed Project are not expected to exceed the treatment capacity available for treatment. Full buildout of the Proposed Project would slightly increase the existing treatment demand at the WQCF. As described above the City must also periodically review and update their WQCF Master Plans, and as growth continues to occur within the City, the City will identify necessary system upgrades and capacity enhancements to meet growth, prior to the approval of new development.

The City’s Existing General Plan designated the Development Area as LDR and Park and therefore anticipated development and potential annexation into the City. Projected wastewater generation volumes associated with the buildout of the Development Area would not exceed the projected wastewater generation volumes described in the WQCF Master Plan, therefore, the Proposed Project will be able to be provided with wastewater treatment services.

### Wastewater Collection System Improvements

As Manteca continues to develop in the future, there will be an increased need for water and wastewater services, including a reliable source of recycled water. These needs have been addressed in the WQCF master plan and will require that the City continue to implement phased improvements to some pump stations, sewer mains, and the various wastewater treatment plants when triggered by growth. The overall collection sewer strategy for the City of Manteca, including the Proposed Project, consists of a combination trunk sewer gravity collection system with pump or lift stations located along the collection system to convey wastewater to an influent pump station located at the City WQCF. The South Manteca Collection Shed (SMCS) both collect flows from areas where future growth is expected. The Central Manteca Collection Strategy (CMCS) connects the existing collection system to the SMCS. The Development and Non-Development Areas are located within the SMCS. The backbone of the SMCS is the South

Manteca Trunk Sewer (SMTS) along Woodward Avenue. Existing facilities for conveying effluent from the South Manteca Collection Area include:

1. The existing 36-inch trunk sewer facility in Woodward Avenue which extends to Galleria Drive.
2. The existing 54-inch and 60-inch truck sewer facilities that extend north from Woodward Avenue and traverses the existing Dutra Estates Subdivision, highway 120, and the future Family Entertainment Zone eventually connecting to the existing WQCF.

Wastewater from the Project site will be collected and conveyed via a network of gravity flow sewer main lines serving the development. An internal pipe collection system having various diameters will be installed within the Project site. These future on-site effluent collection facilities will discharge into the City system at various locations. The Proposed Project will connect to the existing City of Manteca collection and treatment system at Oleander Avenue (existing 12-inch sewer facility) and at Airport Way (proposed 12-inch sewer facility). The proposed 12-inch sewer facility in Airport Way is a requirement of the Machado Ranch Annexation project. If this line has not been constructed prior to the development of the Dutra Project Site, this line will be required to be constructed in accordance with City Standards and Specifications. The wastewater collection and conveyance system that will serve the Proposed Project will consist of engineered infrastructure consistent with the City's existing infrastructure requirements. Sizing of existing infrastructure in the City varies based on location, but generally includes gravity sewers and force mains ranging in size from 8 to 24 inches, and pump stations. The existing facilities have undergone environmental review and have waste discharge permits from the State.

New wastewater collection and conveyance infrastructure needed for the Proposed Project will require trenching/excavation of earth, and placement of pipe within the trenches at specific locations, elevations, and gradients. The applicant will refine the wastewater collection/conveyance infrastructure design through the development of improvements plans which undergo review by the Public Works Department to ensure consistency with the City's engineering standards. This improvement plan process will include full engineering design (i.e. location, depth, slope, etc.) of all conveyance infrastructure as well as a review of new sewer pump stations and new force mains if needed. Ultimately, the sanitary sewer collection system will be an underground collection system installed as per the City of Manteca standards and specifications.

Wastewater collection and conveyance system infrastructure will be installed to serve the Proposed Project, and the wastewater generation volumes associated with the buildout of the

Development Area would not exceed the projected wastewater generation volumes described in the WQCF Master Plan. The wastewater treatment plant would not require upgrades or improvements to serve the Proposed Project.

## **Water Services**

### Existing Water Supply

The City's existing water system delivers water to residential, commercial, and industrial areas within Manteca. The City's two primary supply sources of surface water is water purchased from the South San Joaquin Irrigation District's South County Water Supply Program. On September 20, 2016, the City Council adopted the City's 2015 Urban Water Management Plan. As stated in the 2015 Urban Water Management Plan, the City operates fifteen (15) potable groundwater wells and thirty-two (32) irrigation wells. In 2015, the City supplied 11,235 acre-feet (AF) of potable water to 21,400 active connections.

In addition to groundwater wells, the City's water system is a single pressure zone with approximately 250 miles of distribution pipelines and appurtenances, 5.7 million gallons (MG) of storage, and boosting pump stations. The Water service area is divided into two pressure zones due to changes in topography.

### **Storm Drainage Services**

The City of Manteca operates and maintains its storm drainage system, which consists of approximately 170 miles of pipeline, 36 pump stations, and 35 detention basins. The runoff flows through this system, into South San Joaquin Irrigation District (SSJID) drains and laterals, and eventually into the San Joaquin River. Additionally, the City enforces storm drain regulations established by the US Environmental Protection Agency (EPA) and the State of California.

The City maintains a dynamic computer model of its storm drainage system. The model was formulated as an XP-SWMM model originally developed by the US EPA. The current version was advanced by a private sector organization, XP Software, Inc. The model provides analysis over time and offers the ability to maximize the efficiency of detention basin and pump operations along with the ability to monitor and control downstream water levels to minimize flooding problems with a minimum of new capital improvements. The SSJID owns a complex network of irrigation Laterals and Drains that run throughout the City limits. These facilities deliver irrigation water to various farming operations in the region, and they convey excess irrigation water and field runoff to downstream receiving waters, specifically the San Joaquin River. The City relies on



SSJID's facilities to convey its storm water runoff to the San Joaquin River. The City and SSJID have a long-standing agreement that authorizes the City to discharge its storm water runoff into SSJID facilities for ultimate disposal to the San Joaquin River.

In 1975 the City first entered into a storm drainage agreement with SSJID, and in 2006 the City renewed its drainage agreement with SSJID. Of the many requirements in the 2006 Agreement, the two most significant new requirements are that all storm water discharges into SSJID facilities must be monitored and controlled such that the capacity of SSJID's facilities is not exceeded, and that storm water quality must be controlled such that it complies with all applicable laws. The City meets the first requirement by requiring all new development to attenuate its runoff in a storage facility before pumping it into SSJID's facilities. In addition, the City uses real-time water level monitoring stations at critical low points in the conveyance system complete with SCADA (Supervisory Control and Data Acquisition) facilities. Regarding the water quality requirement, the City is classified as a Phase II city by the State Water Resources Control Board. As such, the City, and consequently new development, is required to comply with the State Board's storm water National Pollution Discharge Elimination System (NPDES) permit for Phase II cities. Per the City/SSJID Master Drainage Agreement, SSJID prohibits the direct discharge of storm water runoffs into its facilities. Accordingly, the City requires all new developments to attenuate its runoff in a storage facility before pumping it into SSJID's facilities. For surface attenuation facilities, there are two allowable basin types that may be used: Interim Percolation Basin or a Permanent Detention Basin. Percolation basins may be used as an interim measure for retention and disposal of storm water runoff in those areas that will not receive storm drainage service from a major storm drain system by the time development occurs. When discharge capability to a major storm drain system becomes available, the basins are to be exchanged for or converted to detention basins with pumped discharge facilities. Interim percolation basins are to be sized to store two, 10-year, 48-hour duration storm runoff volumes over the entire contributing area.

#### Permanent Detention Basin: Residential Applications

Permanent detention basins in residential areas are designed as multi-purpose facilities, when practical, and are sized to hold a 10-year, 48-hour duration storm runoff volume resulting from 3.56 inches of rainfall occurring over the entire contributing area. Regional detention basins are preferred over smaller, individual basins, as they are designed to serve several developments. All basins are required to have positive shut-off controls and treat stormwater to meet NPDES permit requirements. The Volume of proposed detention basins are determined with no allowance for percolation or outlet facilities. As previously described, SSJID owns a complex network of irrigation Laterals and Drains that run throughout the City's limits. The hydraulic connectivity of SSJID's system is as follows: 1) irrigation water is conveyed to farming operations via a vast network of Laterals; 2) the Laterals carry excess irrigation water and field runoff to

several Drains; 3) the Drains convey water to a large central drain called the French Camp Outlet Canal (FCOC); and 4) the FCOC conveys water to the San Joaquin River. A fundamental goal of previous storm drain master plans was to minimize the use of SSJID's Laterals for conveyance of storm water runoff to SSJID's Drains. Accordingly, previous master plans specified the construction of a separate storm water conveyance network that by-passed the Laterals and transported storm drainage directly to the Drains. Once the City's storm water reached the Drains, the Drains would continue to provide conveyance to the FCOC and to the San Joaquin River. In the 2013 Storm Drain Master Plan (2013 SDMP), however, the City recognizes the opportunity to minimize infrastructure costs for all parties by abandoning the concept of separate conveyance systems and instead expanding the use of SSJID's Laterals. Laterals that are targeted to convey both storm water and irrigation water to Drains are called dual-use facilities. This concept was determined to be viable since SSJID's Laterals are: 1) found virtually everywhere in the existing and undeveloped areas of the City, 2) most of these Laterals are already 42-inch diameter pipe, which is a sufficient size for the City's drainage needs, and 3) SSJID already requires new development projects that disturb their Laterals to remove, realign and replace that infrastructure with an equal or larger diameter pipeline. For situations where the existing Lateral is 36-inch diameter, and SSJID does not require a 42-inch or larger pipe to be installed as a replacement, the City will require a minimum 42-inch diameter pipeline to be installed, and the developer will be reimbursed the upsizing cost for the larger diameter pipe via the Public Facilities Implementation Fee (PFIP) program.

### Future Storm Water Drainage Demand and System Improvements

The City's 2013 Storm Drain Master Plan (SDMP) provides a comprehensive planning document to guide improvement and expansion of the City's storm drainage system to meet current and future needs in a safe and reliable manner while maintaining compliance with all applicable regulations. Five planning zones have been identified to define the capital improvements needed to serve future growth: Zones 30, 32, 34, 36 and 39. With the exception of drainage Zone 39, all drainage zones are located in the SSJID service area. The Project site is located in Zone 36 and is currently served by the SSJID.

### Project Storm Drainage System

Development of the Proposed Project would include construction of a new storm drainage system, including a drainage collection system, and detention basin. The proposed public storm drainage and water quality system is planned to function independently from surrounding developments although the park area will expand upon the recently constructed Wackerly basin. An internal layout of stormwater collection pipes with various sizes, as necessary, will be installed within the Project site. It is noted that the locations of the proposed detention basins are

conceptual and will be finalized during the design of Improvement Plans. A system of drainage swales may be included to treat and convey collected stormwater. All on-site storm drainage runoff will be collected through drain inlets in the landscaped areas and catch basins along the streets and within properties and conveyed via surface swales and underground trunk lines to detention and water quality basins. The conveyance systems and detention basins may include facilities designed to address water quality standards and requirements. Discharge from the basins will be conveyed through controlled flow pumping facilities to existing City of Manteca and SSJID dual use main storm drain laterals. The duration of the discharge will comply with City of Manteca standards. The water quality detention basins will be designed to comply with SWRCB and City of Manteca specifications and standards.

Conveyance of the detained storm drainage runoff from the proposed on-site dual use detention basins may be via either gravity flow drainage lines or pumped to existing realigned and upgraded City and SSJID dual use Laterals. Stormwater quality standards imposed and monitored by the Environmental Protection Agency (EPA) and the SWRCB through the City's NPDES permit require treatment of stormwater runoff prior to its release into natural drainage features or dual use South SSJID and City Laterals. Stormwater quality is an integral part of the City's stormwater management system.

The ongoing operational phase of the Proposed Project requires the final discharge of stormwater into the on-site detention basins. The discharge of stormwater must be treated through BMPs prior to its discharge. The City of Manteca implements best management practices to the extent they are technologically achievable to prevent and reduce pollutants.

The following mitigation measure from the CEQA document ensures that a drainage plan be submitted to the City of Manteca for review and approval.

*Mitigation Measure UTIL-1: Prior to the issuance of a building or grading permit, the Project applicant shall submit a drainage plan to the City of Manteca for review and approval. The plan shall include an engineered storm drainage plan that demonstrates attainment of pre-Project runoff requirements prior to release at the outlet canal and describes the volume reduction measures and treatment controls used to reach attainment consistent with the Manteca Storm Drain Master Plan.*

The Development Area would include construction of a new storm drainage system, including a drainage collection system, storm drain pump stations, and detention basins that meet the requirements of the City and SSJID. Therefore, storm drainage service will be provided for the Annexation Area upon development.

The project is partially located within the City of Manteca's F-200 zone, which makes it at risk for a 200-year flood. As such, the Project is subject to the Manteca Municipal Code Section 17.30.040 Subsection C which places construction limitations on development proposed in areas that are at risk from the 200-year flood. As conditioned, the project applicant shall contribute the fair share fee to provide the urban level of flood protection for the Project site. In addition, there shall be no construction of a new residence or other structure that is located within the F-200 Zone unless the City finds, based on substantial evidence in the record, that the Project is consistent with the requirements of Manteca Municipal Code Section 17.30.040 Subsection C which is specifically in place to protect people and property from a 200-year flood. This review is conducted by the Department of Engineering at the time of Final Map.

### **Dry Utility Services**

Electrical service is currently provided to the Annexation Area by Pacific Gas and Electric (PG&E). Electricity will continue to be provided to the Dutra Subdivision Project when developed by PG&E.

Natural Gas service is currently provided to the Annexation Area by Pacific Gas and Electric (PG&E). The Annexation Area will tie into existing natural gas lines located in Peach and Oleander Avenue, therefore natural gas will continue to be provided to the proposed project by PG&E.

Telephone service, cable television, and possibly high-speed data lines to the Annexation Area are to be provided by the appropriate utility companies. Telecommunication systems will be located underground in a joint trench with gas and electric facilities.

## RESOLUTION R2022-182

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANTECA, STATE OF CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE DUTRA ANNEXATION PROJECT, IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED (FILE NOS. GPA22-060; SPP22-061; and SDJ21-44; SCH2022070148)

WHEREAS, the Dutra Annexation Project ("Project") consists of the Annexation of 39.51 acres of unincorporated land in San Joaquin County, Pre-Zoning of the annexation area, and a Tentative Subdivision Map for a 197-unit, single-family residential subdivision known as the Dutra Tentative Subdivision; and

WHEREAS, approval of the Project constitutes a project as defined under the provisions of the California Environmental Quality Act of 1970, together with related state and local implementation guidelines and policies promulgated thereunder, all as amended to date (collectively, "CEQA"); and

WHEREAS, the City of Manteca (City), as the lead agency, has prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the Project pursuant to and in accordance with CEQA; and

WHEREAS, the IS/MND was made available for the statutory 30-day public review period from July 9, 2022 to August 9, 2022, and public comments received were posted and responded to, attached as Exhibit "A"; and

WHEREAS, on September 15, 2022, the Planning Commission of the City of Manteca reviewed the IS/MND prepared for the Dutra Annexation Project and recommended to the City Council that it find the environmental clearance for the proposed Project was complete and in accordance with the requirements of CEQA and further recommended the City Council adopt a Resolution certifying the IS/MND and the mitigation monitoring and reporting program, all in accordance with CEQA; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Manteca that:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution.
2. That the City Council does hereby find and certify that the IS/MND has been prepared and completed in compliance with CEQA.
3. The City Council was presented with, and has independently reviewed and analyzed the IS/MND and other information in the record and has considered the information contained therein, including the written and oral comments received at the public hearings on the IS/MND and the Project, attached as Exhibit "A", prior to acting upon or approving the Project, and has found that the IS/MND represents the independent judgment of the City of Manteca ("City") as lead agency for the Project, and designates the Director of Development Services, at his office at 1215 W. Center Street, Manteca, California 95337, as the custodian of documents and record of proceedings on which the decision of the City is based.
4. The City Council does hereby find and determine that recirculation of the IS/MND for further public review and comment is not warranted or required under the provisions of CEQA.
5. The City Council does hereby find that the IS/MND identified all potentially significant adverse environmental impacts and feasible mitigation measures or standard conditions of approval that would reduce these impacts to a less-than-significant level. All of the mitigation measures identified in the IS/MND, including those in the Mitigation Monitoring and Reporting Program, attached as Exhibit "A", are adopted and incorporated into the Conditions of Approval.
6. This Resolution shall take effect on the effective date immediately.

I HEREBY CERTIFY that the foregoing Resolution was introduced and passed at a regular meeting of the City Council of the City of Manteca at a duly noticed public hearing meeting of said City Council held on the 18<sup>th</sup> day of October, 2022, by the following vote:

AYES: Breitenbucher, Halford, Nuño, Singh, Cantu

NOES: None

ABSENT: None

ABSTAIN: None

MAYOR:   
BENJAMIN J. CANTU  
Mayor

ATTEST:

  
\_\_\_\_\_  
CASSANDRA CANDINI-TILTON  
City Clerk

**Exhibits:**

Exhibit "A"- Response to Comments

Exhibit "B"- Mitigation Monitoring and Reporting Program (MMRP)



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

## Environmental Health Department

**Jasjit Kang, REHS, Director**

**Muniappa Naidu, REHS, Assistant Director**

**PROGRAM COORDINATORS**

Jeff Carnesco, REHS, RDI

Willy Ng, REHS

Steven Shih, REHS

Michelle Henry, REHS

Elena Manzo, REHS

Natalia Subbotnikova, REHS

14 March 2023

To: San Joaquin Local Agency Formation Commission  
Attention: JD Hightower, Executive Officer

From: Francisco Garcia Ruiz (209) 616-3032  
Registered Environmental Health Specialist

RE: **L AFC 10-23, Referral, SU0015443**  
**DUTRA REORGANIZATION TO THE CITY OF MANTECA**

The following requirements have been identified as pertinent to this project. Other requirements may also apply. These requirements cannot be modified.

1. Prior to the issuance of any building permits, sewer facilities shall either be bonded for or be in place, as evidenced by a letter from the serving entity (San Joaquin County Development Title, Section 9-600.020(d)).
2. This project shall be provided with public water service at the time of building permit issuance. A letter shall be submitted from the purveyor stating that these services either are bonded for or are in place, prior building permit approval. (San Joaquin County Development Title, Section 9-602.010).
3. Any existing wells or septic systems to be abandoned shall be destroyed under permit and inspection by the EHD (San Joaquin County Development Title, Section 9-605.010 & 9-601.020)
4. Any geotechnical drilling shall be conducted under permit and inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9-601.010(b) and 9-601.020(i)).



Fritz Buchman, Director

Alex Chetley, Deputy Director - Development  
David Tolliver, Deputy Director - Operations  
Najee Zarif, Deputy Director - Engineering  
Kristi Rhea, Business Administrator



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



March 21, 2023

MEMORANDUM

TO: J.D. Hightower, Executive Officer  
LAFCo

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

SUBJECT: DUTRA REORGANIZATION TO THE CITY OF MANTECA (LAFc 10-23)  
To annex approximately 39.49 acres to City of Manteca with concurrent detachment from the San Joaquin County Resource Conservation District and Lathrop-Manteca Fire District.

LOCATION: Southern portion of City of Manteca, south of State Route 120

COMMENTS:

- **Back in December 2021, a Notice of Lot Line Adjustment was recorded (Doc# 2021-204061) which matches the proposed annexation boundary for APN's: 226-170-08 and -12, but according to the current records APN's 226-170-08 is still matching its old parcel configuration. Ensure the Lot Line Adjustment is completed, prior to finalizing the annexation, in order to match proposed annexation boundary.**
- **The County currently has 35MPH signs posted on Peach Avenue and Oleander Avenue. Any County signage removed by City construction must be reestablished at the new City/County Boundary. This includes a southbound 35MPH sign on Oleander Avenue that was previously removed and not replaced as a result of a previous annexation.**
- **City shall mitigate all impacts to County roads.**

SR:SC

X:\LAFCO\LAFCo Referrals\Dutra Reorganization to the City of Manteca (LAFc 10-23)\Comments to LAFCo (LAFc 03-23).doc



**SJMSCP RESPONSE TO LOCAL JURISDICTION (RTLJ)  
ADVISORY AGENCY NOTICE TO SJCOG, Inc.**

**To:** JD Hightower, Executive Officer, Local Agency Formation Commission  
**From:** Laurel Boyd, SJCOG, Inc. Phone: (209) 235-0574 Email: boyd@sjcog.org  
**Date:** March 1, 2023  
**-Local Jurisdiction Project Title:** Dutra Reorganization to the City of Manteca (LAFC 10-23)  
**Assessor Parcel Number(s):** 226-170-08, -12 to -18; Right-of-Way  
**Local Jurisdiction Project Number:** LAFC 10-23  
**Total Acres to be converted from Open Space Use:** Unknown  
**Habitat Types to be Disturbed:** Agricultural Habitat Land  
**Species Impact Findings:** Findings to be determined by SJMSCP biologist.

Dear Mr. Hightower:

SJCOG, Inc. has reviewed the project referral for the Dutra Reorganization to the City of Manteca Project (LAFC 10-23). The proposed annexation boundary of this project will include the 34.6 acre Development Area, 3.09 acres of Non-Development Areas on five inhabited residential lots, and 1.8 acres of existing right-of-way. The subdivision includes 34.49 acres on three (3) parcels (APNs: 226-170-08 (portion), 226-170-12 and -13, and dedication areas along East Peach Road and Oleander Avenue) intended for the development of 197 residential units, a 2.86-acre park, and public infrastructure. The Non-Development Area includes five (5) parcels with six (6) existing residential homes.

The City of Manteca is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP. Although participation in the SJMSCP is voluntary, Local Jurisdiction/Lead Agencies should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP.

***This Project is subject to the SJMSCP.*** This can be up to a 30 day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package. <http://www.sicog.org>

Please contact SJMSCP staff regarding completing the following steps to satisfy SJMSCP requirements:

- Schedule a SJMSCP Biologist to perform a pre-construction survey ***prior to any ground disturbance***
- SJMSCP Incidental take Minimization Measures and mitigation requirement:
  1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
  2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
  3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
    - a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
    - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
    - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
    - d. Purchase approved mitigation bank credits.
  4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
    - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or

- b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
- c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

- Receive your Certificate of Payment and release the required permit

*It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would be required from each of these resource agencies prior to grading the project site.*

If you have any questions, please call (209) 235-0600.



# S J C O G , I n c .

*San Joaquin County Multi-Species Habitat Conservation & Open Space Plan*

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

## **SJMSCP HOLD**

**TO:** Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department, Other: \_\_\_\_\_

**FROM:** Laurel Boyd, SJCOG, Inc.

**DO NOT AUTHORIZE SITE DISTURBANCE  
DO NOT ISSUE A BUILDING PERMIT  
DO NOT ISSUE \_\_\_\_\_ FOR THIS PROJECT**

The landowner/developer for this site has requested coverage pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In accordance with that agreement, the Applicant has agreed to:

- 1) SJMSCP Incidental Take Minimization Measures and mitigation requirement:
  1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
  2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
  3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
    - a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
    - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
    - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
    - d. Purchase approved mitigation bank credits.
  4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
    - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
    - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
    - c. Purchase approved mitigation bank credits.
 Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

**Project Title:** Dutra Reorganization to the City of Manteca (LAFC 10-23)

**Assessor Parcel #s:** 226-170-08, -12 to -18; Right-of-Way

**T \_\_\_\_\_, R \_\_\_\_\_, Section(s): \_\_\_\_\_**

**Local Jurisdiction Contact:** JD Hightower

**The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.**



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**SAN JOAQUIN**

**LOCAL AGENCY FORMATION COMMISSION**

**AGENDA ITEM NO. 5**

**LAFCo**

44 N SAN JOAQUIN STREET      SUITE 374      STOCKTON, CA 95202

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**EXECUTIVE OFFICER'S REPORT**

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

**PROPOSAL:** Approve a resolution adopting the 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 preliminary budget.

**BACKGROUND**

On March 22, 2023, LAFCo budget ad-hoc committee of Chairperson Patti, Commissioner Johnson and Executive Officer Hightower met and reviewed the proposed FY2023/2024 operating budget. At the meeting the sub-committee conditionally approved the preliminary budget with direction to the Executive Officer to further refine the presented budget using February close-out auditor fund (57101) balance. The preliminary budget has been refined accordingly.

Section 56381 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) provides direction on the annual operating budget for LAFCo's. Section 56381 states that:

- a) *The commission shall adopt annually, following noticed public hearings, a proposed budget by May 1 and final budget by June 15. 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 of this chapter. The commission shall transmit its proposed and final budgets to the board of supervisors, to each city, and to each independent special district.*

*b) 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...*

CKH 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.

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.

The proposed FY 2023/2024 LAFCo operating budget is a balanced budget (please see Attachment 1 – Proposed Budget Spreadsheet). Revenues and costs reflect an adjustment of 4.6%, in accordance with the the San Francisco, Oakland, Hayward Area All Urban Consumers Consumer Price Index. The proposed budget for LAFCo reflects this adjustment with the County one-half cost of \$259,638 and the cities being apportioned the remaining \$259,638 according to population by the Auditor's Office. Projected application processing fees for LAFCo are projected at \$65,165.33, and interest of \$13,359.68 for a total revenues of \$597,801.00.

The proposed operating budget likewise reflects a total expenditures of \$597,801.00. Staff costs represent 64% of the proposed expenditures with services and supplies representing 36% of the proposed expenditures. These expenditures reflect a work program that includes website improvements, an update to the 2011 Fire District Municipal Service Review, project evaluations and overhead costs.

The proposed operating cost for FY2023/2024 reflects a reduction of \$68,510.51 from the FY2022/2023 budget. The cost reductions area primarily associated with personnel costs that were unique to FY2022/2023. Therefore, the budget complies with minimum CKH requirement that the proposed and final budget shall be equal to the budget adopted for the previous fiscal year. A finding for that the reduced staffing or program costs will allow the commission to fulfill the purposes and programs of LAFCo is included in the attached resolution.

The ad-hoc budget subcommittee also reviewed and approved a new fee schedule that increases fees by the CPI of 4.6% for applications filed by the County and cities and in an effort to encourage special district a participation in LAFCo, assesses a charge equal to twice the member agency filing fee (please see attached).

**Attachments:**

- 1) FY2023/2024 Proposed Budget Spreadsheet
- 2) FY 2023/2024 Application Filing Fee Schedule
- 3) Resolution Approving FY2023-2024 Budget

Fiscal Year 23-24  
Local Agency Formation Commission  
Preliminary Budget

	Activities for :		Balance		FY 23-24
	Current Month	Year to Date	28-Feb-23	Projected 6/30	
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	\$ 8,063.00	\$ 13,353.00	\$ 13,353.00	\$ 17,812.90	\$ 13,359.68
USE OF MONEY AND PROPERTY	\$ 8,063.00	\$ 13,353.00	\$ 13,353.00	\$ 17,812.90	\$ 13,359.68
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	\$ -	\$ 73,458.00	\$ 73,458.00	\$ 97,699.14	\$ 65,165.33
* Total Revenues	\$ 7,774.00	\$ 569,898.00	\$ 569,898.00	\$ 594,139.14	\$ 584,441.33
MISCELLANOUS REVENUES	\$ 7,774.00	\$ 569,898.00	\$ 569,898.00	\$ 594,139.14	\$ 584,441.33
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>\$ 15,837.00</b>	<b>\$ 583,251.00</b>	<b>\$ 583,251.00</b>	<b>\$ 611,952.04</b>	<b>\$ 597,801.00</b>
<b>Expenditures</b>					
<b>Salaries</b>					
SALARIES & WAGES-REGULAR	\$ 18,332.16	\$ 213,356.92	\$ 213,356.92	\$ 284,618.13	\$ 306,028.53
SALARIES-CAFETERIA	\$ 2,370.06	\$ 12,930.91	\$ 12,930.91	\$ 17,249.83	\$ 18,547.45
SALARIES-CAR ALLOWANCE	\$ 540.00	\$ 2,970.00	\$ 2,970.00	\$ 3,961.98	\$ 4,260.02
SALARIES-LEAVE TIME PAYOFF	\$ -	\$ 182,346.19	\$ 182,346.19	\$ 182,346.19	\$ -
<b>TOTAL SALARIES</b>	<b>\$ 21,242.22</b>	<b>\$ 411,604.02</b>	<b>\$ 411,604.02</b>	<b>\$ 488,176.14</b>	<b>\$ 328,836.00</b>
<b>Fringe Benefits</b>					
UNEMPLOYMENT COMP INSURANCE	\$ 9.23	\$ 109.96	\$ 109.96	\$ 146.25	\$ 157.25
RETIREMENT-EMPLOYER SHARE	\$ 4,192.11	\$ 22,325.06	\$ 22,325.06	\$ 29,692.33	\$ 31,925.94
RETIREMENT-EMPLOYER ADDTL CONT	\$ 522.12	\$ 2,767.24	\$ 2,767.24	\$ 3,680.43	\$ 3,957.29
SOCIAL SECURITY-OASDI	\$ 1,222.12	\$ 7,901.75	\$ 7,901.75	\$ 10,509.33	\$ 11,299.89
SOCIAL SECURITY-MEDICARE	\$ 285.81	\$ 5,969.18	\$ 5,969.18	\$ 7,939.01	\$ 8,536.22
LIFE INSURANCE	\$ 12.54	\$ 68.97	\$ 68.97	\$ 91.73	\$ 98.63
<b>TOTAL FRINGE BENEFITS</b>	<b>\$ 6,243.93</b>	<b>\$ 39,142.16</b>	<b>\$ 39,142.16</b>	<b>\$ 52,059.07</b>	<b>\$ 55,975.22</b>
<b>TOTAL STAFF COST</b>	<b>\$ 27,486.15</b>	<b>\$ 450,746.18</b>	<b>\$ 450,746.18</b>	<b>\$ 540,235.21</b>	<b>\$ 384,811.22</b>
<b>Services and Supplies</b>					
PROFESSIONAL SERV-PROGRAMS	\$ -	\$ 21,405.50	\$ 21,405.50	\$ 21,405.50	\$ 112,111.30
OFFICE EXPENSE-GENERAL	\$ 628.28	\$ 15,200.29	\$ 15,852.09	\$ 21,083.28	\$ 22,116.36
OFFICE SUPPLIES-PURCHASING-ISF	\$ -	\$ 426.54	\$ 594.50	\$ 790.69	\$ 822.31
GENERAL OFFICE SUPPLIES	\$ -	\$ 18.00	\$ 18.00	\$ 27.00	\$ 28.32
OFFICE EXPENSE-POSTAGE	\$ 29.00	\$ 675.28	\$ 724.78	\$ 963.96	\$ 1,011.19
COMMUNICATIONS	\$ 484.96	\$ 1,697.36	\$ 1,697.36	\$ 1,697.36	\$ 3,108.06
MEMBERSHIPS	\$ -	\$ 11,287.00	\$ 11,287.00	\$ 12,094.00	\$ 12,686.61
TRANS AND TRAVEL-GENERAL	\$ -	\$ 6,309.89	\$ 6,309.89	\$ 6,309.89	\$ 6,619.07
TRANS/TRAVEL-STAFF	\$ -	\$ 1,331.00	\$ 1,331.00	\$ 1,597.20	\$ 1,675.46
AUDITOR SERVICES	\$ 1,168.00	\$ 1,168.00	\$ 1,168.00	\$ 1,168.00	\$ 1,225.23

BOB MURRAY AND ASSOCIATES	\$	-	\$	15,074.49	\$	15,074.49	\$	15,074.49	\$	-
PUBLICATIONS & LEGAL NOTICES	\$	316.00	\$	1,450.25	\$	1,450.25	\$	1,928.83	\$	2,023.35
RENTS-STRUCTURES & GROUNDS	\$	1,848.75	\$	12,941.25	\$	12,941.25	\$	22,185.00	\$	22,185.00
RENTS/LEASES-AUTO EQUIP-ISF	\$	157.13	\$	1,099.91	\$	1,099.91	\$	1,462.88	\$	1,534.56
DATA PROCESSING CHARGES	\$	455.67	\$	3,738.89	\$	3,738.89	\$	4,972.72	\$	11,914.94
INSURANCE-WORKER'S COMP	\$	-	\$	378.00	\$	378.00	\$	567.00	\$	593.08
INSURANCE-CASUALTY	\$	-	\$	8,499.00	\$	8,499.00	\$	12,748.50	\$	13,334.93
<b>TOTAL SERVICES AND SUPPLIES</b>	\$	<b>3,148.12</b>	\$	<b>98,911.33</b>	\$	<b>98,911.33</b>	\$	<b>126,076.30</b>	\$	<b>212,989.78</b>

OTHER CHARGES	\$	-	\$	-	\$	-
OTHER FINANCING USES	\$	-	\$	-	\$	-
CAPITAL EXPENDITURES	\$	-	\$	-	\$	-
COST REIMBURSEMENTS	\$	-	\$	-	\$	-
TRANSFERS OUT	\$	-	\$	-	\$	-
PROVISION FOR CONTINGENCY	\$	-	\$	-	\$	-
LOAN TO OTHER FUNDS	\$	-	\$	-	\$	-
CLEARING ACCOUNTS	\$	-	\$	-	\$	-
PUBLIC WORKS PROJECT EXP	\$	-	\$	-	\$	-
LIABILITY INSURANCE ISF EXP	\$	-	\$	-	\$	-
MEDICAL & DENTAL INSUR ISF EXP	\$	-	\$	-	\$	-
RETIREMENT FUND EXP	\$	-	\$	-	\$	-
AGENCY FUND DISBURSEMENT	\$	-	\$	-	\$	-

<b>Total Operating Cost</b>	\$	<b>29,088.35</b>	\$	<b>522,098.75</b>	\$	<b>549,657.51</b>	\$	<b>666,311.51</b>	\$	<b>597,801.00</b>
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Revenues - Operating Costs	\$	(13,251.35)	\$	61,152.25	\$	33,593.49	\$	(54,359.46)	\$	0.00
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<b>Fund Balance</b>	\$	<b>(13,251.35)</b>	\$	<b>61,152.25</b>	\$	<b>1,350,389.48</b>	\$	<b>1,296,030.01</b>	\$	<b>1,296,030.01</b>
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Memo item	\$	-	\$	-	\$	-
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#### FOR INFORMATION ONLY

Designated Net Assets	\$	-	\$	-	\$	-				
Voucher/AP payables	\$	-	\$	-	\$	-				
Receivables	\$	-	\$	-	\$	-				
Inventories	\$	-	\$	-	\$	-				
Pre-paid Expenses	\$	-	\$	-	\$	-				
Cash In Bank -Treasury	\$	(27,955.59)	\$	51,201.56	\$	1,350,500.02	\$	1,296,030.01	\$	1,296,030.01
Cash Clearing BOW-AP	\$	14,704.24	\$	9,950.69	\$	(110.54)				
Cash Clearing Outstanding Warrants	\$	14,704.24	\$	9,950.69	\$	(110.54)				
					\$	1,350,389.48	\$	1,296,030.01	\$	1,296,030.01

#### Balance Sheet

\$	1,350,500.02	\$	1,296,030.01	\$	1,296,030.01
\$	(110.54)				
\$	1,350,389.48	\$	1,296,030.01	\$	1,296,030.01
\$	-				
\$	-				
\$	1,350,389.48	\$	1,296,030.01	\$	1,296,030.01
\$	-				
\$	1,350,389.48	\$	1,296,030.01	\$	1,296,030.01
\$	1,350,389.48	\$	1,296,030.01	\$	1,296,030.01



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 ( <i>Make Check out to San Joaquin County Department of Public Works</i> )	\$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
Checking Sufficiency of Petition (per signature)	Fee set by Registrar of Voters	Fee set by Registrar of Voters
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.

**RESOLUTION NO. 23-1520****BEFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION  
APPROVING THE FISCAL YEAR 2023 – 2024 PRELIMINARY 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”

WHEREAS, it is San Joaquin LAFCo policy that, “the cities share is apportioned in proportion to each city’s population.”; 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, 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 Proposed FY 2023 – 2024 LAFCo Operating Budget will have a significant effect on the environment.

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

Section 3. There were unique staffing costs incurred during FY 2022 – 2023 that are not anticipated during FY 2023 – 2024 and that the Proposed 2023 – 2024 LAFCo Operating budget will allow the Commission to fulfill it's purpose and work programs.

PASSED AND ADOPTED this 13<sup>th</sup> day of April 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

**EXECUTIVE OFFICER'S REPORT**

April 13, 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 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 to present to the Commission. Staff contacted each of the top three (3) applicants inviting them to attend the April 13<sup>th</sup> Commission Meeting. 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 the interview. At conclusion of the third interview, the Commission will appoint an applicant for the Alternate Public Member.

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.

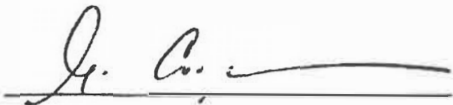
Please state briefly your experience which you feel will be helpful when you serve on this Commission:

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



## 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 JURISDICTIONAL 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 LAND OWNER 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

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

Name: Alexander Levy

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

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

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

Occupation: Commercial and Residential Real Estate

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

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

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

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.

Alexander Levy  
SIGNATURE

3/15/23  
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.