



Balancing Community and Commerce

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

## MEETING AGENDA

THURSDAY, SEPTEMBER 12, 2024, 9:00 A. M.  
BOARD OF SUPERVISORS CHAMBERS  
44 NORTH SAN JOAQUIN STREET, 6<sup>TH</sup> FLOOR  
STOCKTON, CALIFORNIA

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

### CONSENT ITEMS

1. SUMMARY OF MINUTES OF AUGUST 8, 2024  
(Possible Discussion and Possible Action by All Members)  
Approve Summary Minutes of the Regular Meeting.

### PUBLIC HEARING

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

### DISCUSSION ITEM

3. BUDGET APPROPRIATION- MOVING EXPENSES  
(Possible Discussion and Possible Action by All Members)

### PUBLIC COMMENTS

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

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

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

5. Comments from the Executive Officer

### **COMMISSIONER COMMENTS**

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

### **ADJOURNMENT**

\* \* \* \*

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

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

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

# Agenda Item 1



Balancing Community and Commerce

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## **SUMMARY MINUTES**

**August 8, 2024**

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

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

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

MEMBERS ABSENT: Commissioner Patti

ALTERNATE MEMBERS PRESENT: Commissioners Dhatt, and Barton

ALTERNATE MEMBERS ABSENT: Commissioner Ding

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

## **CONSENT ITEMS**

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

Chairman Johnson opened the floor to Commissioner Comments.

No Comments were made.

Chairman Johnson opened the floor to Public Comments.

No Comments were made.

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

Chairman Johnson asked for a Roll Call Vote:

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

Noes: None

Abstain: None

### **PUBLIC HEARING**

#### 2. HIGHWAY 12 INVESTORS, LLC/LILVAL PROPERTIES, LTD. ANNEXATION TO SAN JOAQUIN COUNTY COMMUNITY SERVICE AREA 31 (CSA-31), FLAG CITY AND CSA 31-ZONE W

J.D. Hightower, Executive Officer, presented a PowerPoint presentation on the Highway 12 Investors project. The proposed project would provide annexation of 4.96 acres to San Joaquin County Community Service Area 3 CSA 31, Flag City and CSA 31-Zone W. The area is located at 15314 Thorton Road is adjacent to the existing CSA-31 boundaries on two sides, to the southwest (Pilot Travel Center) and southwest (Loves Country Stores California).

Chairman Johnson opened the floor to Commissioners Comments

No Comments were made.

Chairman Johnson opened Public Comments

Bob Benz addressed the Commission.

Chairman Johnson closed Public Comments.

Commissioner Breitenbucher made the motion and Commissioner Villapudua seconded the motion to approve Resolution 24-1539, approving the Highway 12 Investors, LLC/Lilval Properties, LTD. Annexation to Community Service District 31 – Flag City.

Chairman Johnson asked for a Roll Call Vote:

Ayes: Commissioners Barton, Breitenbucher, Diallo, Villapudua, and Chairman Johnson

Noes: None

Abstain: None

### **DISCUSSIONS ITEMS**

3. PRESENTATION ON LAFCO AND WATER SYSTEM CONSOLIDATION  
Presentation will include the bridging the gap between local and state regulators to stop and reverse water system fragmentation.

Dr Kristin Babson Dobbin, Assistant Professor of Cooperative Extension Dept. of Environmental Science, Policy, and Management, UC Berkely, Presenter

Dr. Kristen Babson Dobbin, Professor UC Berkely, presented a PowerPoint presentation on LAFCo's, local and state regulators working together to consolidate water systems.

Chairman Johnson opened the floor to Commissioner Comments and Public Comments.

Bob Benz addressed the Commission.

Kevin Swanson addressed the Commission.

Chairman closed Public Comments.

Chairman Johnson thanked Dr. Dobbin for her presentation.

#### **PUBLIC COMMENTS**

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

No one came forward.

#### **EXECUTIVE OFFICER COMMENTS**

5. Mr. J.D. Hightower, Executive Officer, informed the Commission on the upcoming CSDA conference in November.

#### **COMMISSIONER COMMENTS**

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

#### **ADJOURNMENT**

Chairman Johnson adjourned the meeting at 9:42 a.m.

# Agenda Item 2



Balancing Community and Commerce

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## EXECUTIVE OFFICER'S REPORT

DATE: September 12, 2024  
TO: LAFCo Commissioners  
FROM: J.D. Hightower, Executive Officer  
SUBJECT: **Singh Petroleum Reorganization to the City of Lathrop Including Recommended Alternative**

### Recommendation

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

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

The City proposed territory and reorganization subject to the first resolution includes annexation of two (2) parcels, totaling 22.42 acres, to the City of Lathrop and detachment from County Road District 3. The territory involved with this resolution are 169 W. Manila Road and 11293 S. Manthey Road. The current alignment of Manthey Road bisects 11293 S. Manthey Road (APN 191-250-14) with 1.58 acres being on the east side of Manthey Road r-o-w and 9.28 acres being on the west side. The 10.3 acre 169 W. Manila Road (APN 191-250-06) was included into the City's Sphere of Influence by the City's adopted 2022 MSR.

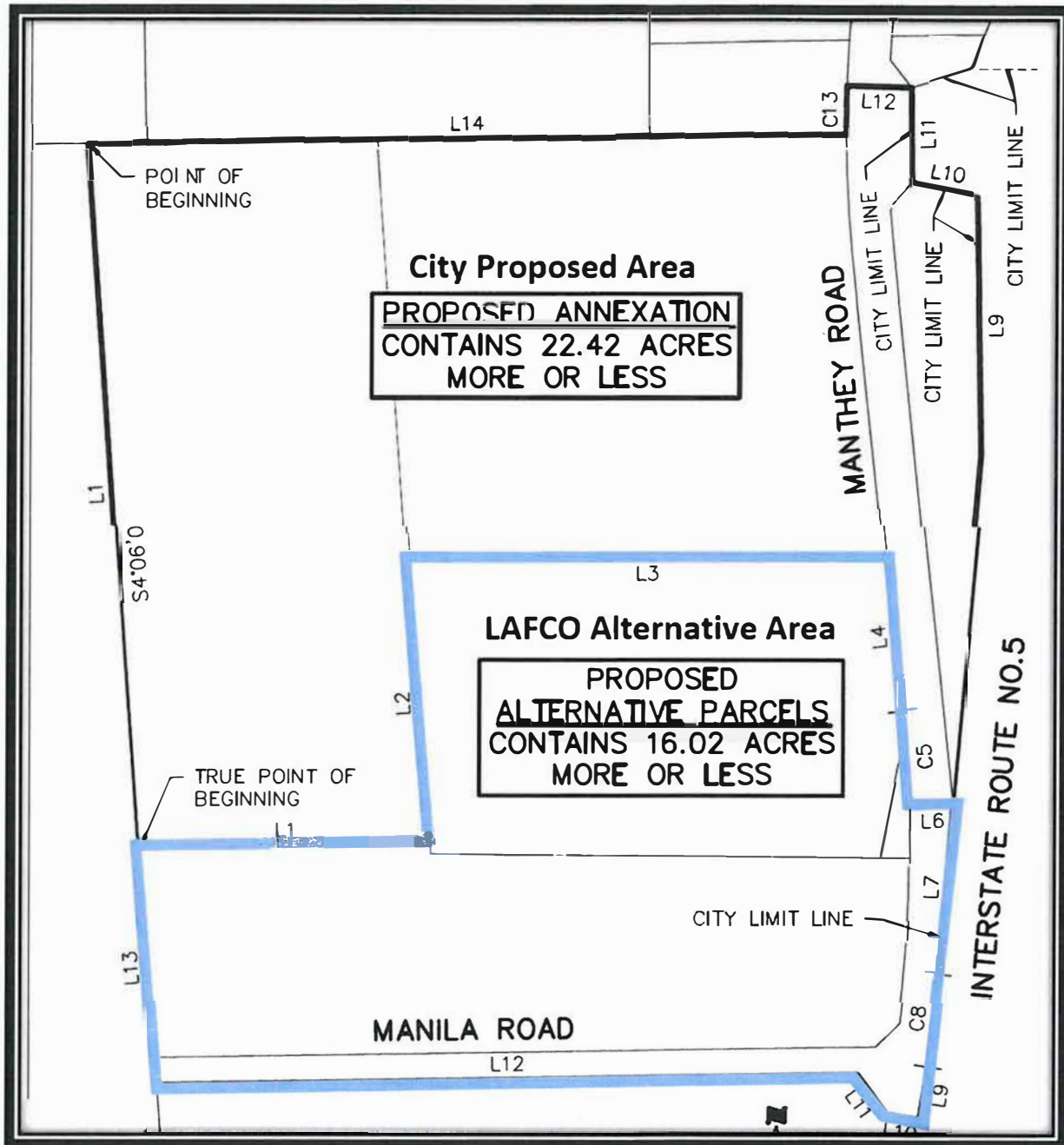
The site development plan associated with the City proposal has a two phase approach to the necessary realignment of Manthey Road. The first phase keeps the current alignment with access from both Manthey Road and the extension of Roth Road. The second phase allows for the realignment of Manthey Road along the western property line then provides for a curvilinear sweep back to the current alignment of Manthey Road. This realignment is much like the current alignment of Harlan Road at Lathrop Road as well as Atherton Road alignment in the City of Manteca.

Upon approval of the request by the City of Lathrop, staff recommends a Sphere of Influence Adjustment of 7.03 acre addition to the City of Lathrop's SOI. This provides for a clear and logical boundary of Lathrop's SOI from W. Roth Road to W. Manila Road. The City of Lathrop has available infrastructure at the intersection of Harlan Road and Roth Road. The infrastructure constructed as a result of the TA Travel Plaza project will be developed in accordance with City standards as well as the necessary utility master plans.

If the Commission decides to include the parcel into the City's SOI, as presented in the second resolution, then approval of a third resolution that pre-zones the LAFCo alternative boundary area to Highway Commercial (CH); and, reorganizes that territory by annexing to the City of Lathrop and detachment from County Road District 3. The LAFCo Alternative Boundary Reorganization territory includes an additional three (3) parcels, totaling 16.02 acres, immediately south of the requested Singh Petroleum reorganization, APN 250-191-07, 09 & 10 as well as fronting right-of-way for both S Manthey Road and W. Manila Road right-of-way.

Address	Assessor Parcel Number	Acres
<b>City Proposed</b>		
169 W. Manila Road	191-250-06	10.30
11293 S. Manthey Road	191-250-14	11.40
Manthey Road r-o-w		0.72
<b>City Proposed Acreage Sub-Total</b>		<b>22.42</b>
<b>LAFCo Alternative Boundary</b>		
11401 S. Manthey Road	191-250-09	6.84
11555 S. Manthey Road	191-250-10	0.08
11591 S. Manthey Road	191-250-07	7.03
Manila/Manthey r-o-w		2.07
<b>LAFCo Alternative Acreage Sub-Total</b>		<b>16.02</b>
<b>Total Recommended Reorganization Acreage</b>		<b>38.44</b>
<b>LAFCo Alternative SOI Adjustment Acreage</b>		<b>9.10</b>

The LAFCo Alternative boundary would make the ultimate reorganization boundary from Roth Road as the northern boundary, Interstate 5 and Manthey Road on the east, Manila Road south, and a commonly aligned property line on the west, please see map below:

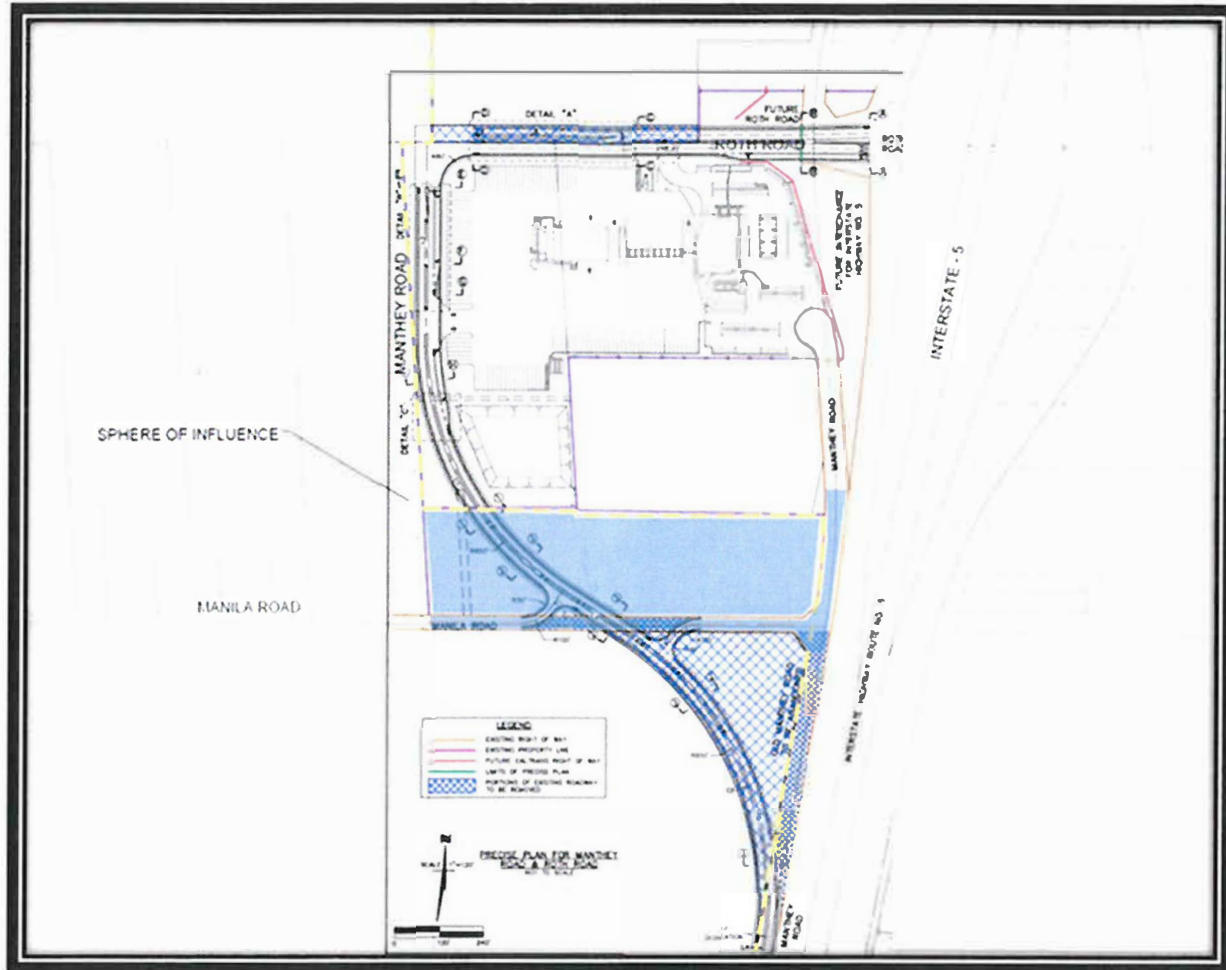


Proposed and Alternative Reorganization Area Map

By providing additional territory to the City's SOI and boundary the Executive Officer's LAFCo Alternative provides more local City land use control within the boundary area. The inclusion of this area is intended to facilitate the delivery of the Manthey Road



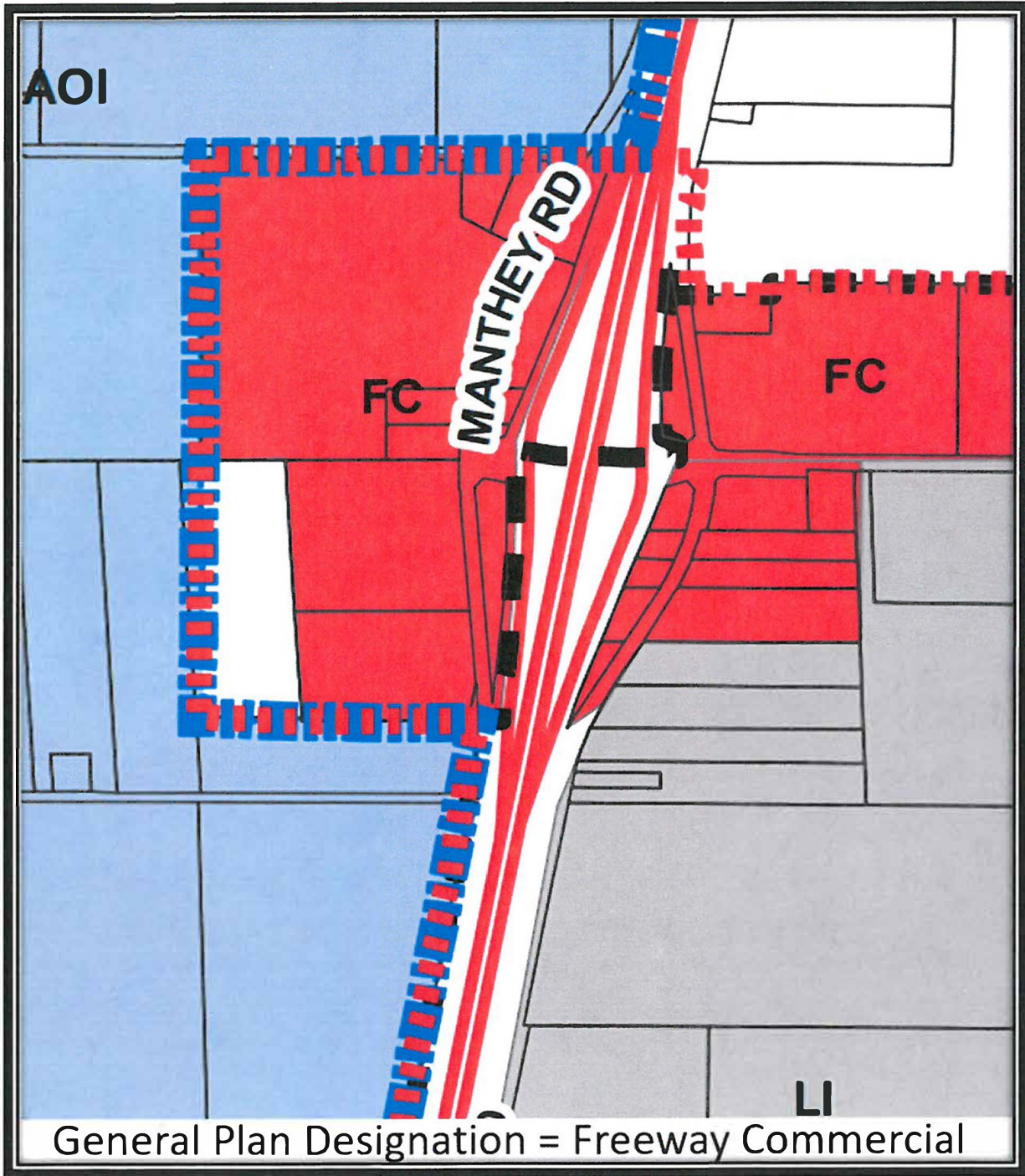
realignment in the Regional Transportation Plan (RTP) pursuant to CKH 56668(g), please see map below. Also supporting the inclusion of this area, the LAFCo Alternative is favored by the Aquino Family, the property owners of all three parcels. The family's representative, Doug Rishwain, has written a letter stating the family's desire to have their properties included in this reorganization.



Precise Manthey Road Realignment Plan

### Required Actions

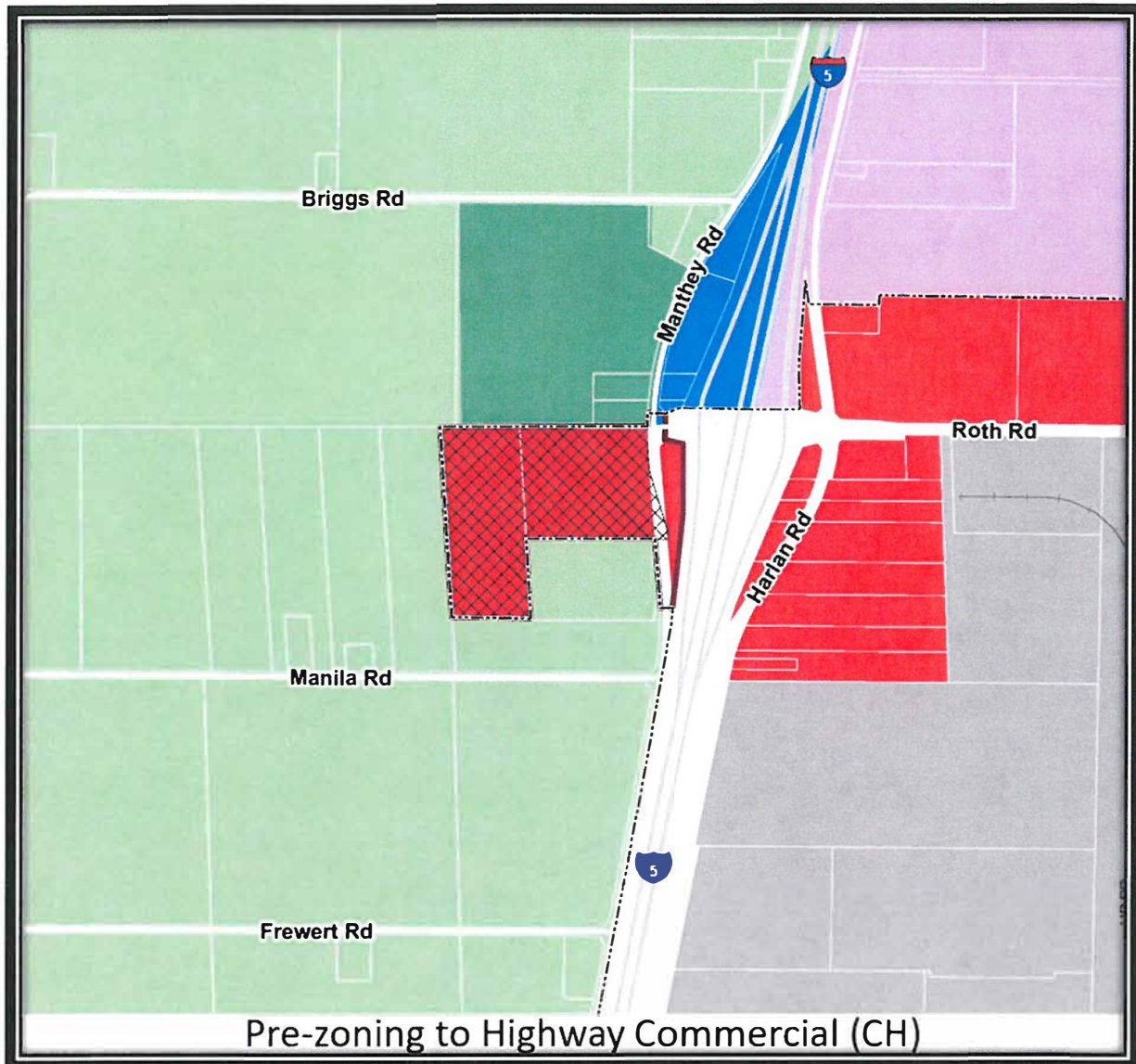
The first sequential resolution is approval of the City's request for reorganization of 22.42 acres. The City has pre-zoned this site to Highway Commercial (CH) consistent with the City's Freeway Commercial general plan land use designation.



General Plan Designation = Freeway Commercial

City of Lathrop General Plan Land Use Map





City of Lathrop Zoning Map

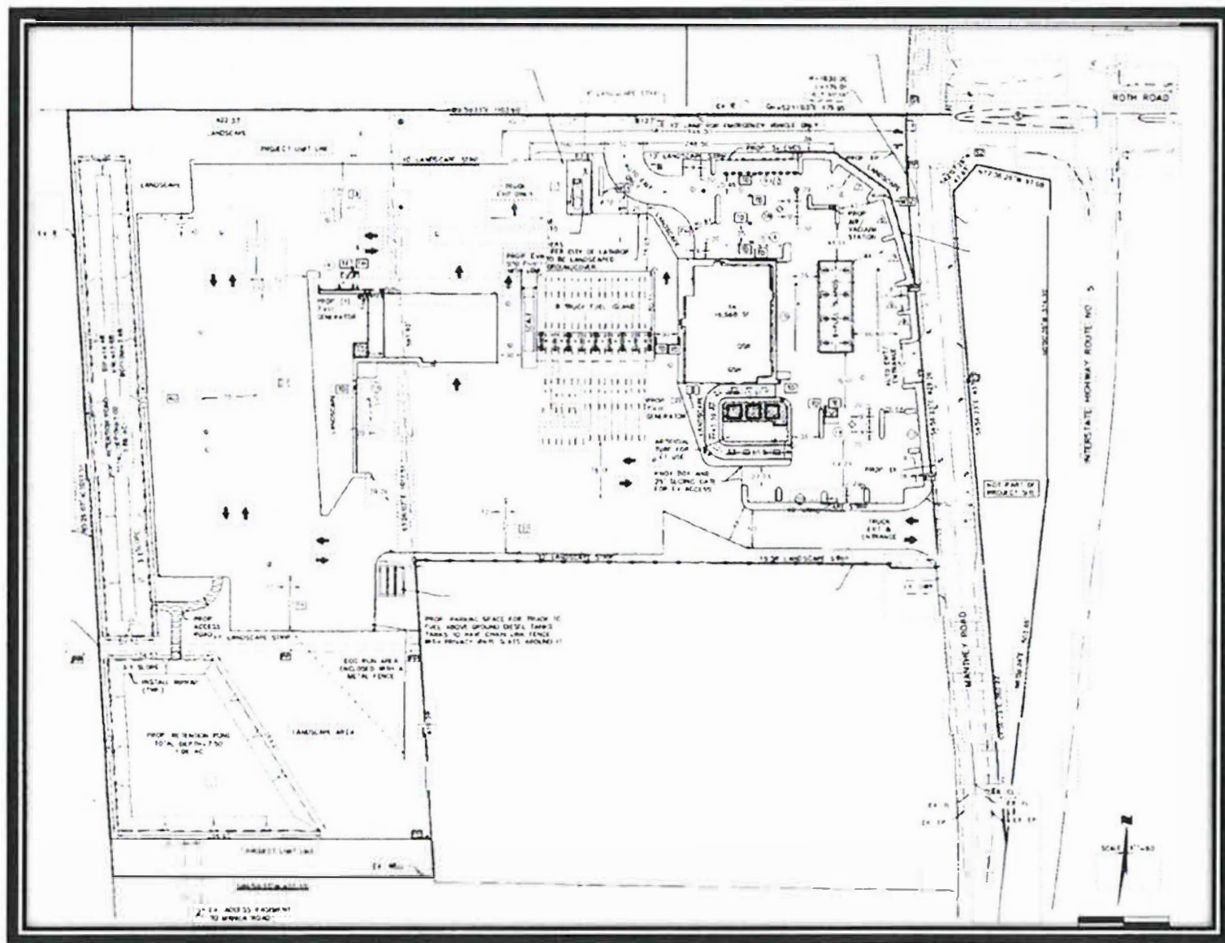
Being at a key intersection of the regional transportation network, the City has worked diligently on a development plan that accommodates both present needs and future needs of the region. The realignment of Manthey Road/Roth Road intersection is identified within the RTP as part of a total \$16,800,000 project within the interchange improvement category. The entire project includes the relocation of intersection at Roth/Harlan Road inclusive of signalization; relocation of intersection at Roth/Manthey Road inclusive of signalization. Widen from 2 to 5 lanes from Roth/Harlan road intersection to Roth/Manthey Road Intersection. I-5. The RTP identifies the City of Lathrop as the lead agency for project delivery.

To accomplish the project in the RTP, the City's proposal for the reorganization is a two (2) phase approach. First extend Roth Road westward while allowing r-o-w for a



future Manthey Road, second, construct Manthey Road when funding for the RTP identified project becomes available.

The initial phase of the project includes the construction of the fueling islands both truck and auto, TA Travel Plaza including travel conveniences and restaurants, repair facility and fast food (QSR) drive-thru pad. Access management plan calls for customers to enter on a driveway on Manthey Road and exit on a driveway on Roth Road. The first phase of development will extend Roth Road west to the exit driveway. During Phase I Roth Road direction flow will be limited to one-way east-bound via two lanes. Right lane for customers to proceed south on Manthey Road, left lane to access the Roth Road interchange.

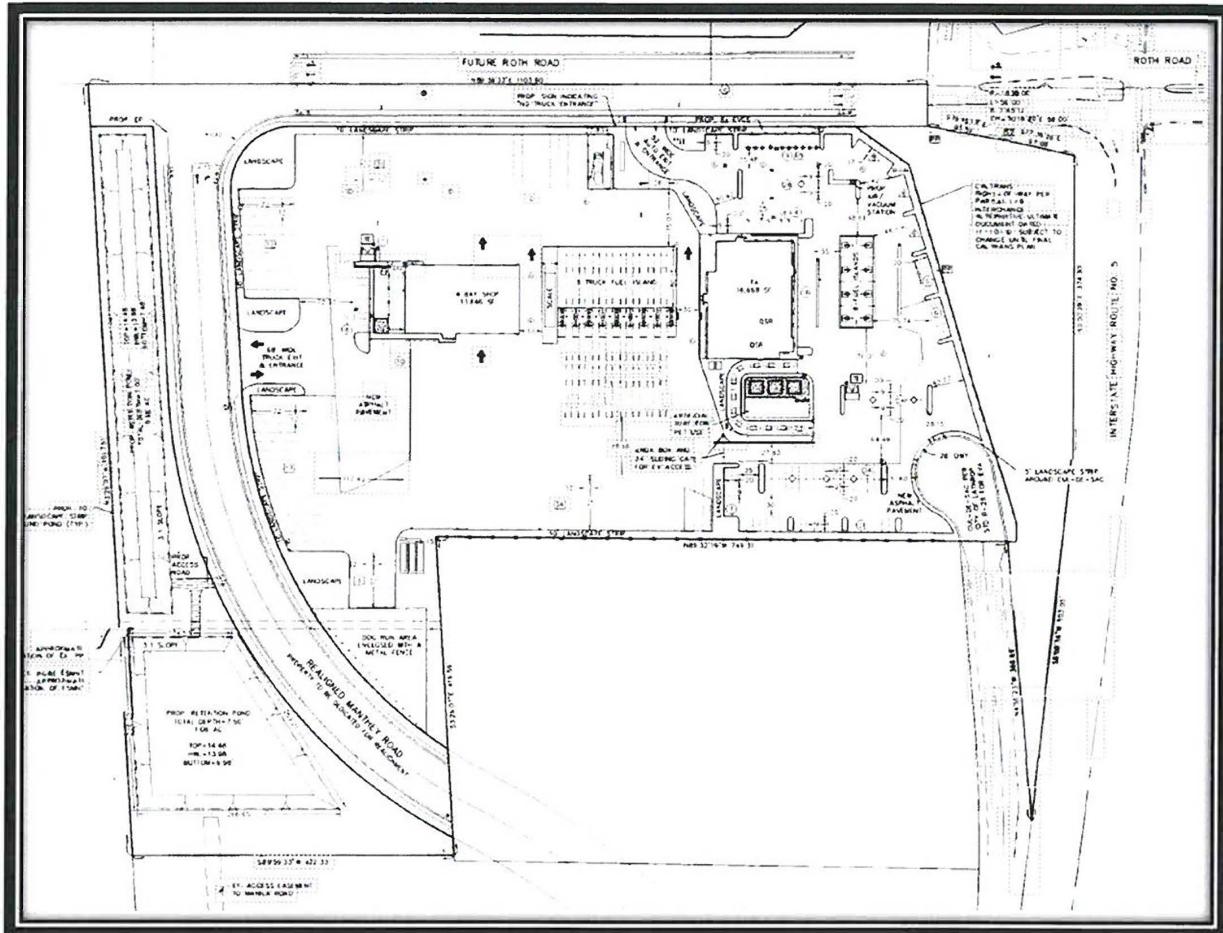


**First Phase Development Plan for Singh Petroleum Reorganization**

The second phase of development is anticipated when funding is available for the RTP project for the widening and signalization of Roth Road/S. Manthey Road intersection. The curvilinear alignment of Manthey Road, as a west frontage road for I-5, will be similar to the alignment of Harlan Road. Harlan Road has a curvilinear design to the east to provide adequate spacing for both the Lathrop Road and Louise Avenue I-5 interchanges. The City's development plan also extends Roth Road to the intersection



with Manthey Road. The current alignment of Manthey Road will terminate with a cul-de-sac at the TA Travel Plaza site.



**Second Phase Development Plan for Singh Petroleum Reorganization**

### LAFCO ALTERNATIVE BOUNDARY

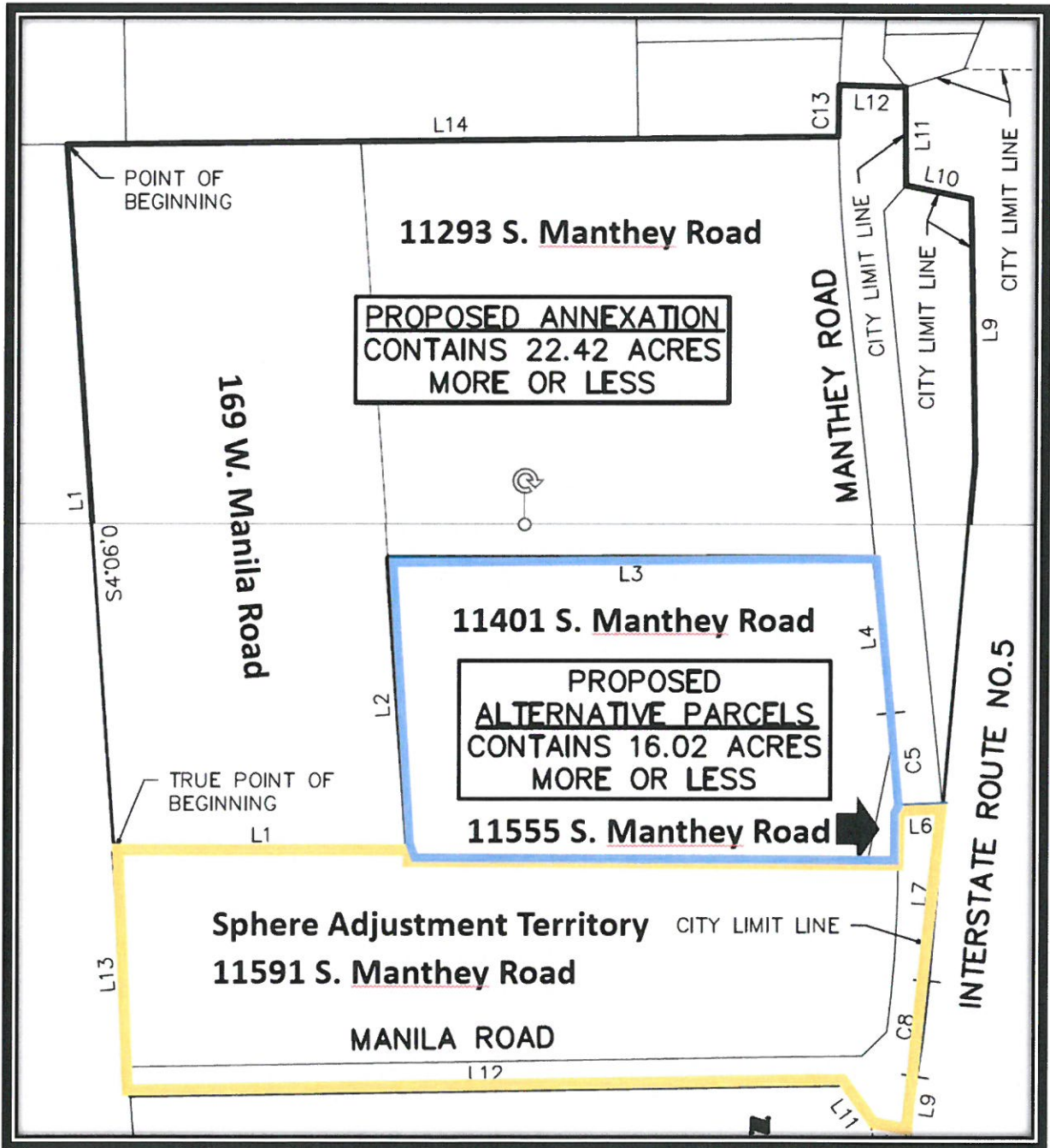
The LAFCo alternative boundary requires two actions, in sequential order, that are reflected in two separate resolutions.

1. Amending the City of Lathrop SOI to include approximately 8.73 acres consisting of 7.03 acres at 11591 S. Manthey Road (APN 191-250-07) and 1.7 acres of r-o-w of associated frontage on both S. Manthey Road and W. Manila Road.
2. Pre-zoning to Highway Commercial (CH) and annexing to the City of Lathrop and simultaneously detaching from County Road District 3 approximately 13.95 acres consisting of 11401, 11555 and 11591 S. Manthey Road (APNs 191-250-07, 191-250-09 and 191-250-10) and 2.07 acres of associated S. Manthey Road and W. Manila Road r-o-w.

The Commission may approve the SOI adjustment and depending on that decision, the Commission may then approve the pre-zoning and annexation of the LAFCo alternative to the City of Lathrop.

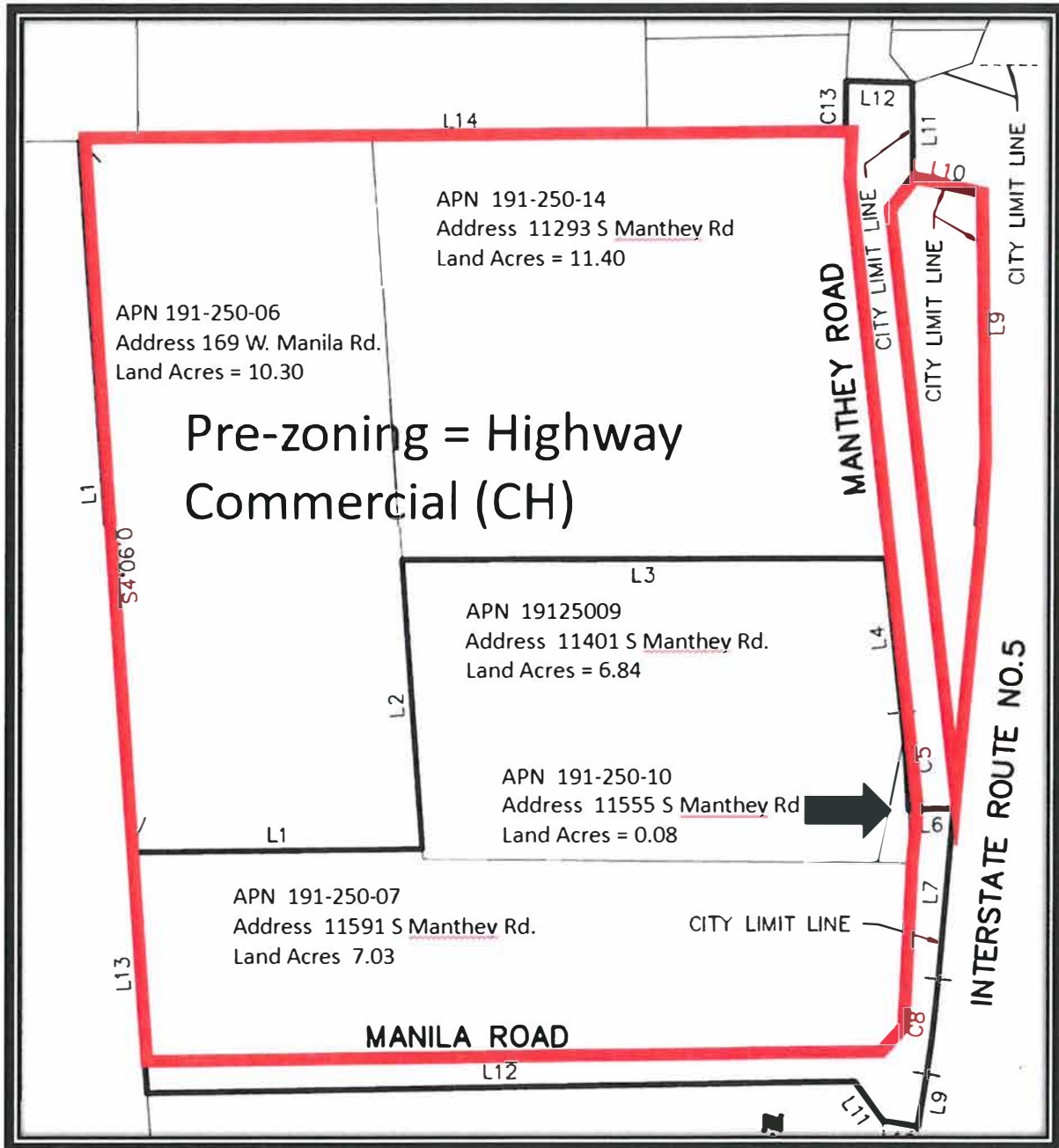


Below are maps showing the requested actions for the LAFCo Alternative Boundary.



LAFCo Alternative Boundary Map





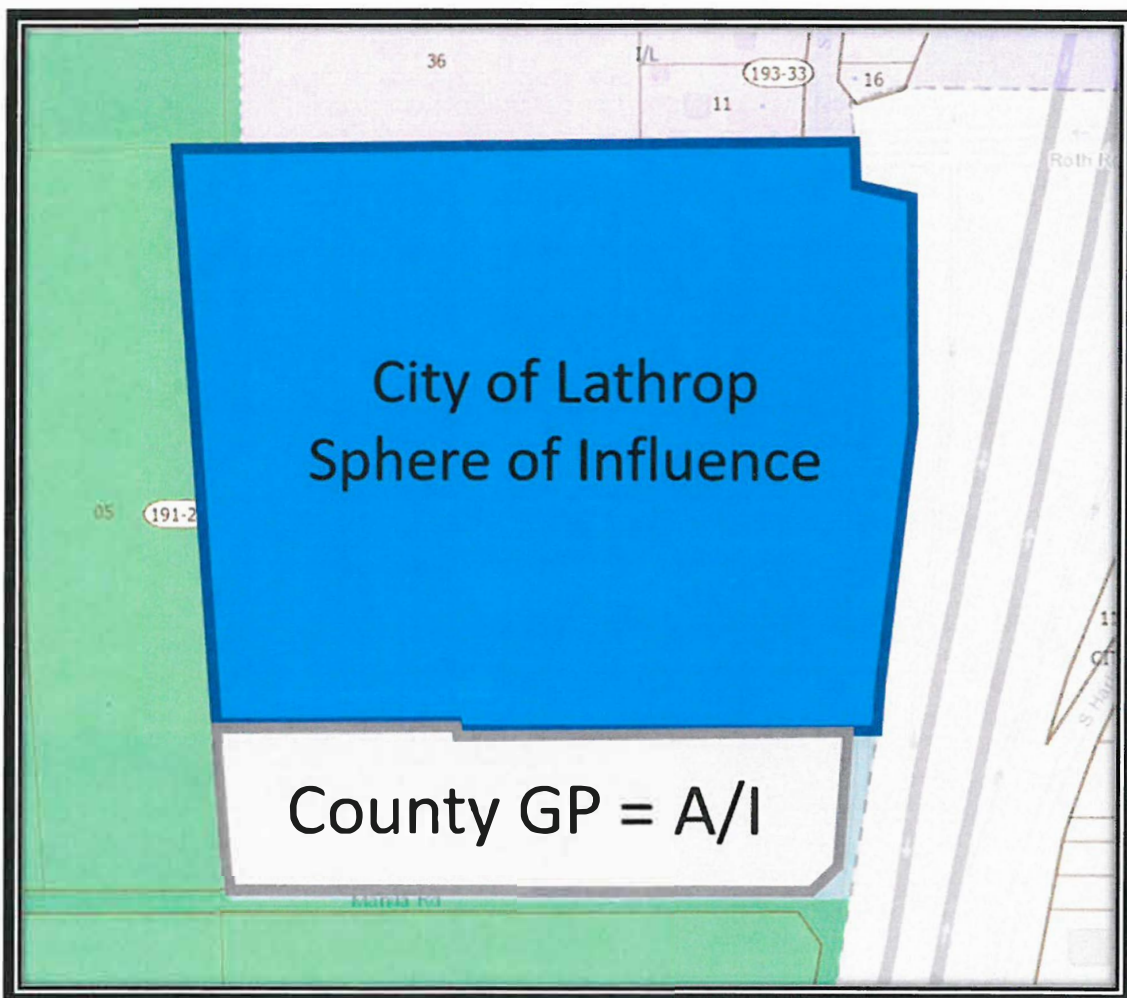
LAFCo Alternative Boundary Pre-Zoning Map

### SOI Amendment:

Currently, 11491 S. Manthey Road (APN 191-250-07) is within the City of Lathrop's Area of Interest. The 7.03 acres is part of the approximately 2,101 acres within the City's "Area of Interest" (AOI). The City's AOI is included in the Delta Protection Plan Secondary Zone.

The Delta's Secondary Zone, which includes the cities of Lathrop, Tracy and Stockton, is defined as that part of the Delta where development can occur if already designated for residential, commercial or industrial uses in the City and County General Plans in effect as of the date of the Delta Plan's adoption.

The County General Plan designation for the 7.03-acre site is Agricultural Industrial. This General Plan designation allows for, "uses benefiting from direct access to major interstates and highways". As such, inclusion of 11491 S. Manthey Road into the City's Sphere of Influence in anticipation of future Highway Commercial land uses that with direct access to I-5 is consistent with the Delta Protection Plan.



**Delta Plan Consistency Map**

The LAFCo Alternative Boundary, first requires that 11591 S. Manthey (APN 191-250-07) be brought into the City's Sphere of Influence (SOI). The SOI is a plan for the probable physical boundaries and service area of the City, as determined by the Commission. In establishing the SOI the Commission needs to find that the boundary



advantageously provides for the present and future needs of San Joaquin County and its communities.

The City of Lathrop's Municipal Services Review was adopted two (2) years ago at the September 2022 Commission meeting establishing the City's SOI. The City's SOI includes 197 acres. The addition of 7.03 acres to the adopted SOI is a 3.7% increase to the SOI and is de minimis to all findings made in the MSR.

### **Pre-Zoning:**

If the Commission decides to bring 11591 S. Manthey Road into the City's Sphere, the next step would be to pre-zone the property to Highway Commercial (CH). The City describes this zone as, "for application to areas along major highway entrances to the city in accord with policies of the general plan, where controlled access to the highway is afforded for the convenience of patrons traveling the highway by the provision of frontage roads, interchanges, channelized intersections and control over driveway spacing." The proposed LAFCo Alternative Boundary pre-zoning to Highway Commercial is consistent with this description.

The application of the CH zoning to the LAFCo Alternative Boundary would make the three (3) existing single family detached dwellings legal non-conforming land uses. The property owners are aware of this status and have agreed to their property being subject to the provisions of the CH zoning district. being applied to their property.



## Legal Non-Conforming Land Uses within CH Zoning District

### Annexation:

Simultaneously with the pre-zoning of the property within the LAFCo Alternative Boundary area is annexation of the property to the City of Lathrop. Annexation of the LAFCo Alternative Boundary area would make the boundary of the City of Lathrop's incorporated limits from Roth Road to W. Manila Road along the west side of S. Manthey Road. The LAFCo Alternative Area provides for an orderly and logical boundary consistent with Commission policies. For annexations, Commission's policy states that "LAFCo will modify irregular annexations, to include additional territory in order to promote orderly annexation and logical boundaries, while maintaining a viable proposal. In such cases, detailed development plans may not be required for those additional areas but compliance with CEQA is required."

The LAFCo alternative implements this policy by utilizing both Roth Road and Manila Road as the north and south boundaries for the City. A development plan for the additional parcels will be reviewed by the City consistent with the City's General Plan Freeway Commercial land use policies and zoning administration for CH district. This annexation will allow the City to have planning and land use authority for more of the area included in the precise plan for the S. Manthey Road realignment project.

The inclusion of 7.03 acres into the City of Lathrop SOI and annexation of 16.02 acres to the City is exempt from further environmental review pursuant to Section 15061(b)(3) of the State Code of Regulations (CEQA Guidelines). The inclusion of 7.03 acres into a city's SOI and annexation of 16.02 acres with development plan is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where 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. Currently, there are no plans for development within the territory of the LAFCo Alternative Boundary. The SOI amendment and annexation will allow the City of Lathrop, as lead agency, to conduct appropriate environmental review of any proposed development(s) within the territory of the boundary area when an application is filed and deemed complete.

### ANALYSIS

The required factors to be considered pursuant to CKH Section 56668 are the very similar between the City application and LAFCo alternative boundary. The discussion of factors in this report will be for the combined City and LAFCo alternative boundary.

- (a) **... land area and land use; ... natural boundaries, and drainage basins... and the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.**

There is a extremely high likelihood of significant growth in the area during the next 10 years. Lathrop was the fifth fastest growing city in the U.S. with a



growth rate of 13.6%. The city had nearly 10,400 homes at the beginning of 2023, according to data from the California Department of Finance. A decade ago, the City had just over half that, about 5,700 homes.

<b>Fastest-growing U.S. cities from 2022 to 2023</b>		
Among cities with at least 20,000 people in 2022		
<b>City</b>	<b>2023 population</b>	<b>Increase</b>
Celina, Texas	43.3K	26.6%
Fulshear, Texas	42.6K	25.6%
Princeton, Texas	28K	22.3%
Anna, Texas	27.5K	16.9%
<b>Lathrop, Calif.</b>	<b>39.9K</b>	<b>13.6%</b>

### 2023 City of Lathrop National Growth Ranking

The land is generally flat and under agricultural production of hay and alfalfa. The dominant features of the immediate area are I-5 and the Roth Road interchange as well as local streets. Currently the Roth Road alignment terminates at Manthey Road forming a tee intersection.

From Manthey Road, Roth Road runs east to Airport Road and provides access to the UPRR intermodal transfer station. At full buildout, the facility capacity would increase from 280,000 cargo container transfers (to or from a rail car) per year to 730,000 cargo container transfers per year. This increase in truck traffic is anticipated to use the I-5/Roth Road interchange to gain access to the interstate freeway system. Thus the area of the annexation is anticipated to have a 260% increase in truck traffic within the next 10 years.

The development plan for the City Proposed Reorganization includes the TA Travel Plaza that is a complementary and supportive land use for the increase in both passenger and freight movement traffic expected over the next 10 years in the area. The LAFCo Alternative Boundary includes additional area to make a more logical city boundary. This alternative area also includes more of the area identified within the precise alignment plan for S. Manthey Road that implements the Regional Transportation Plan.

**(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 ... annexation, ... and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.**

The City has adequate governmental services and controls to support both the Singh Petroleum Reorganization and the LAFCo Alternative Boundary. The infrastructure required for the TA Travel Plaza proposed by the Singh Petroleum Reorganization includes the full array of community services that the City of Lathrop provides as well as other special districts, including the Lathrop Manteca Fire Protection District. There are City utilities at the intersection of Roth Road and Harland Road that can be extended along Road to the reorganized area.

The City has adequate capacity to serve both the City Proposed and LAFCo Alternative properties. The MSR estimates that City's projected 2050 population is 72,347. All City of Lathrop infrastructure planning is being conducted based on a City Build Out population of 95,391. This allows the City to have approximate contingency reserve of 32% of planned capacity. The 3.7% increase in the City's SOI proposed by the LAFCo Alternative Boundary is well within the planned contingency reserve. Thus, the City has the capacity to serve both the City proposed and LAFCo Alternative Boundary.

In addition to capacity, the City has adequate governmental controls to ensure continued service to the both the city proposed reorganization as well as the LAFCo Alternative Boundary. On September 8, 2022, the Commission adopted the City of Lathrop Municipal Service Review (MSR). The MSR determined that, "The City receives funds for the provision of public services through development fees, property taxes, and connection and usage fees. As land is developed within the City or annexed into the City from the SOI, these fees apply. The cost of providing on-going services for annexed land is offset by the increased tax base provided by new development. The City has budgeted for current and future expenses, debts and revenues. The City's financial statements show that they are fiscally sound."

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

The reorganization development plan calling for the construction of a TA Travel Plaza on the corner of both the existing and planned Manthey Road/Roth Road intersection provides planned, orderly and efficient pattern of urban development. The Roth Road corridor and interchange is expected to experience both tremendous passenger as well as goods and freight movement traffic. The LAFCo Alternative Boundary will give the City of Lathrop land use and planning control necessary to accommodate the foreseeable highest and best uses within this key area.

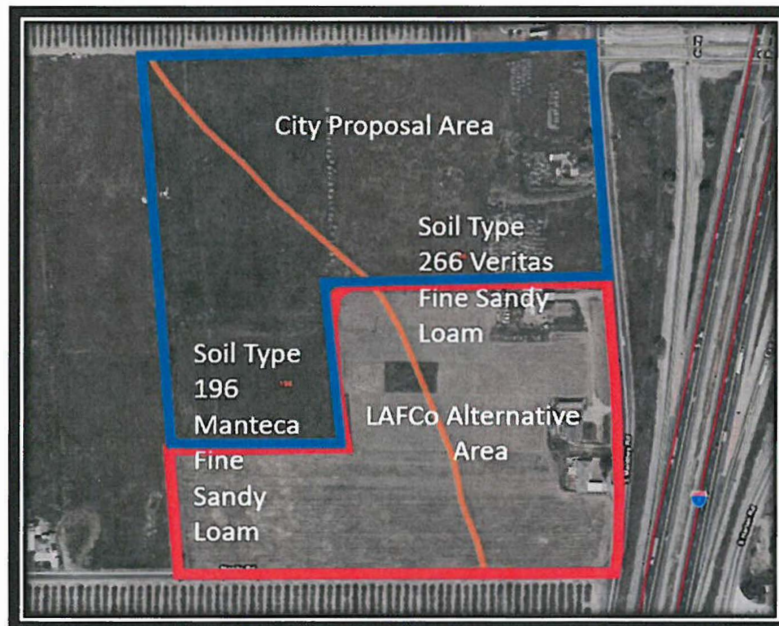


Pursuant to Government Code Section 56377, development of both the City proposed will promote the planned, orderly, efficient development of the area in accordance with the approved site plan and EIR (SCH# 2002120596). The pre-zoning and annexation of 16.02 acres of territory within the City as proposed by the LAFCo Alternative boundary will give the City land use and planning control of the area. This will facilitate the City to integrate environmental review and project design development for the S. Manthey Road RTP project.


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

Territory within the City Proposed and LAFCo Alternative Boundary are mapped as Farmland of Local Importance by the State Department of Conservation, Farmland Mapping Unit. Such lands are defined as, "All farmable land within San Joaquin County not meeting the definitions of 'Prime Farmland', 'Farmland of Statewide Importance', and 'Unique Farmland'.

Although similar, there are differences between the definitions of Prime Farmland and Prime Agricultural lands as defined by Government Code Section 56016. Both the City proposed and LAFCo Alternative Boundary for the Singh Petroleum Reorganization will not have an effect on maintaining the physical and economic integrity of agricultural lands. Pursuant to 56016 the soils within area are Manteca Fine Sandy Loam and Veritas Fine Sandy Loam.



**Soil Map for Singh Petroleum Reorganization Area**

San Joaquin County, California (CA077)			
San Joaquin County, California (CA077) 			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
196	Manteca fine sandy loam, 0 to 2 percent slopes	15.2	43.1%
266	Veritas fine sandy loam, 0 to 2 percent slopes	20.1	56.9%
<b>Totals for Area of Interest</b>		<b>35.3</b>	<b>100.0%</b>

#### Soil Types Singh Petroleum Reorganization Area

The productivity of the soil types are a key in determining if the territory is considered prime agricultural lands. Overall, there is a stark contrast in the potential productivity between Manteca and Veritas soils with Veritas having the characteristics to be considered Prime Agricultural Land while Manteca fine sandy loam is somewhat more limited in agricultural productivity.

The City Proposed Boundary has a development plan and therefore complies with Government Code Section 56377. That section directs that development be guided away from existing prime agricultural lands unless that action promotes the planned, orderly, efficient development of an area. I

The LAFCo Alternative Boundary has nearly a 50/50 split of two (2) soils types with vastly different potential productivity. Within the LAFCo Alternative Boundary 6.88 acres (49.3%) of the boundary area has Manteca Fine Sandy Loam while 7.07 acres (50.7%) of the site has the more productive Veritas Fine Sandy Loam. Balancing the loss of approximately 7 acres of prime agricultural land is the need for the realignment of Manthey Road associated with the Roth Road signalization project. This is an important project because of both the foreseeable increase in freight movement and population growth in the area.

Section 56064 defines prime agricultural lands. Below is a discussion of those characteristics:

**Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.**

The weighted average of the USDA land use capability classification of the two soils found on the total site (City Proposed + LAFCo Alternative boundary) is 2.43. Therefore, the total site does not meet this criteria to be considered prime agricultural land.

Tables – Irrigated Capability Class – Summary By Map Unit				
Summary by Map Unit – San Joaquin County, California (CA077)				
Summary by Map Unit – San Joaquin County, California (CA077)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
196	Manteca fine sandy loam, 0 to 2 percent slopes	3	15.2	43.1%
266	Veritas fine sandy loam, 0 to 2 percent slopes	2	20.1	56.9%
<b>Totals for Area of Interest</b>			<b>35.3</b>	<b>100.0%</b>

**Overall USDA Land Use Capability Weighted Average = 2.431.**

### Land that qualifies for rating 80 through 100 Storie Index Rating

Storie Index ratings have been combined into six grade classes as follows: Grade 1 (excellent), 100 to 80; grade 2 (good), 79 to 60; grade 3 (fair), 59 to 40; grade 4 (poor), 39 to 20; grade 5 (very poor), 19 to 10; and grade 6 (nonagricultural), less than 10. The area with Veritas Fine Sandy Loam is Grade 1 while the area with Manteca Fine Sandy Loam is Grade 4, Poor. The mid-point score for Excellent is 90 and for Poor 29.5. The weighted Storie grade is 66.1025, with an overall Grade 2, Good. Hence, the total site does not meet the Storie index criteria to be considered prime agricultural land.

Tables – California Revised Storie Index (CA) – Summary By Map Unit					
Summary by Map Unit – San Joaquin County, California (CA077)					
Summary by Map Unit – San Joaquin County, California (CA077)					
Map unit symbol	Map unit name	Rating	Component name (percent)	Acres in AOI	Percent of AOI
196	Manteca fine sandy loam, 0 to 2 percent slopes	Grade 4 - Poor	Manteca (85%)	14.5	39.5%
266	Veritas fine sandy loam, 0 to 2 percent slopes	Grade 1 - Excellent	Veritas (85%)	22.2	60.5%
<b>Totals for Area of Interest</b>				<b>36.8</b>	<b>100.0%</b>

**Overall Storie Index Rating = 66.1025, Grade 2, Good**

**Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Range and Pasture Handbook, Revision 1, December 2003.**

The site is not being used for livestock grazing.

**Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars (\$400) per acre for three of the previous five calendar years.**

According to the County Agricultural Commissioner, the expected production from the production of hay and alfalfa is approximately \$2,346.08. Therefore, the land comprising the territory within both the City Proposed and LAFCo Alternative boundaries is considered prime agricultural land. The routine implementation of Chapter 15.48, Agricultural Land Preservation of the City's Municipal Code is expected to minimize potential land use conflicts with adjacent agricultural operations.

CROP	YEAR	PRODUCTION			GROSS VALUE			
		HARVESTED ACREAGE	PER ACRE	TOTAL	UNIT	PER UNIT	SUBTOTAL	TOTAL
HAY, ALL	2022	48,300	6.82	329,000	TON	\$344.00		\$113,322,00
	2021	46,700	6.28	294,000	TON	\$234.00		\$68,617,00
ALFALFA	2022	40,200	7.0	282,000	TON	\$373.00	\$105,052,000	
	2021	41,100	6.41	263,000	TON	\$238.00	\$62,646,000	
OTHER	2022	8,030	5.92	47,500	TON	\$174.00	\$8,270,000	
	2021	5,670	5.34	30,300	TON	\$197.00	\$5,971,000	

#### San Joaquin County Agricultural Commissioner Report

**(f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.**

The City Proposed Boundary follows the lines of assessment and ownership of 169 W. Manila Road (APN's 191-250-06) and 11293 S. Manthey Road (APN 191-250-14). The LAFCo Alternative boundary follows the lines of assessment and ownership of 11401, 11471 and 11555 S. Manthey Road (APN's 191-250-07, 09 & 10). LAFCo Alternative boundary also includes S. Manthey Road fronting r-o-w. Taken together the two proposals would make the city limits of the City west side of S. Manthey Road from the future extension of Roth Road to W. Manila Road.

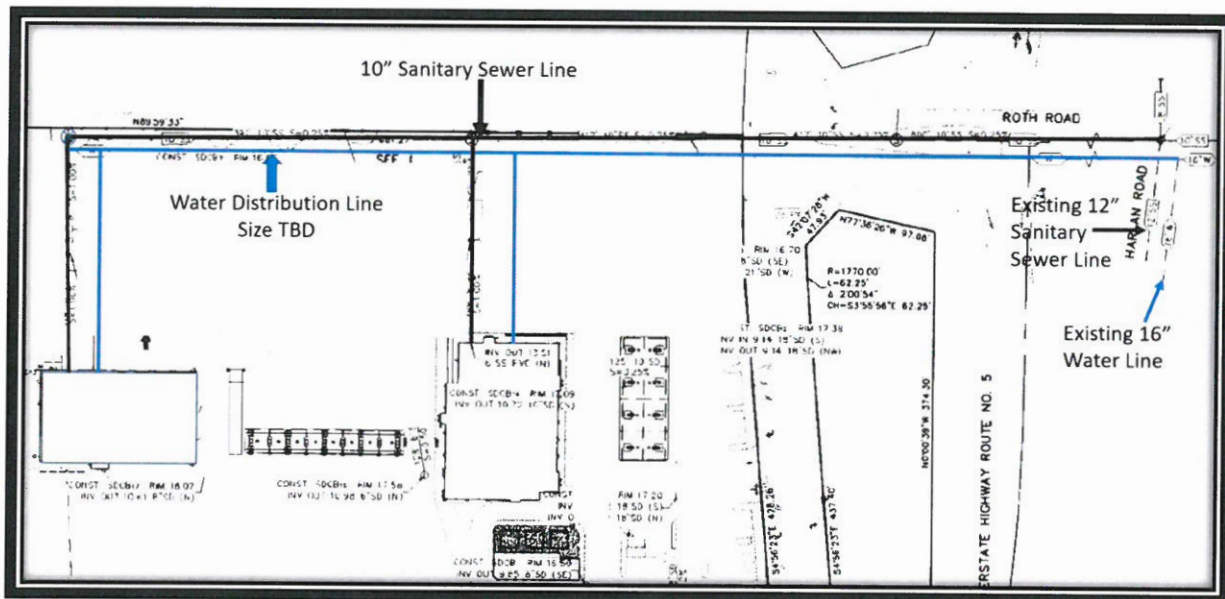
**(g) A regional transportation plan adopted pursuant to Section 65080**

Both the City Proposed and LAFCo Alternative boundaries are consistent with the 2022 San Joaquin Regional Transportation Plan adopted by the San Joaquin Council of Governments. Both boundaries accommodate the necessary r-o-w to realign S. Manthey Road needed for the signalization with Roth Road.



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

The City Proposed Reorganization will extend a 10" sanitary sewer line and water line from the intersection of Harland Road and Roth Road. Currently there is a 12" sanitary sewer line and 16" water line at that intersection where the lines serving the reorganization area will connect as conditioned as part of the City approved development plan.



City Services Diagram

Complementing the existing services to be extended is the strong financial position of the City's public services. The 2022 City of Lathrop MSR found that, "the City has recently begun to enjoy a strong economic base from years of smart growth and planning initiatives resulting in stable property tax revenue, modest transient occupancy taxes and diverse sales tax revenues. The City's sales tax revenues remain stable and, over the past several years, have continued to experience annual increases. The City's sales tax revenues are expected to show modest annual increases as population and consumer activity continue to rise and businesses continue to view Lathrop as an attractive location." This coupled with the MSR findings that the City services are well financed, the City has the ability to provide needed services for both the City Proposed as well as the LAFCo Alternative Boundary.

#### FINDINGS:

It is recommended that the Commission make the following findings Singh Petroleum Reorganization to amend the SOI and reorganize to the City of Lathrop both the City

Proposed and LAFCo Alternative boundaries. Specifically, that proposals have adequately documented and demonstrated:

- (1) The present and planned land uses in the area, that include the TA Travel Plaza Project as described and evaluated in the City of Lathrop certified EIR (SCH# 2022120596) as well as the foreseeable land uses allowed within the Highway Commercial (CH) zoning district, the impacts and mitigation monitoring are most efficiently provided by the City of Lathrop.
- (2) Both the City Proposed and LAFCo Alternative Boundary for the Singh Petroleum Reorganization comply with all applicable provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
- (3) There will be the need for public water and sewer needed to support the TA Travel Plaza and other Highway Commercial land uses that the City of Lathrop has the ability to serve in accordance with the City's adopted standards, specifications and conditions.
- (4) The present capacity of public facilities and adequacy of public services that the City of Lathrop provides that have been found adequate within the 2022 City of Lathrop Municipal Services Review and all master plans have provisions for a reserve contingency capacity.
- (5) There is not the existence of any social or economic communities of interest in the area other than the City of Lathrop.
- (6) There is not a disadvantaged unincorporated community mapped on the CALAFCo Statewide DUC Map within the City of Lathrop's SOI.
- (7) There are a total of 7 active voters within the both the City Proposed and LAFCo Alternative boundaries, making the territory uninhabited pursuant to State Government Code Section 56079.5 and waives protest proceedings pursuant to Government Code Section 56663.

#### **ATTACHMENTS:**

1. Resolution approving City Proposed Singh Reorganization
2. Map and Legal Description for City Proposed Singh Reorganization
3. Resolution amending the City of Lathrop Sphere of Influence
4. Resolution Pre-zoning approving the LAFCo Alternative Boundary for the Singh Reorganization.
5. Map and Legal Description for the LAFCo Alternative Boundary
6. Letter from the Aquino Family requesting to be included in the Singh Reorganization.
7. Email from Aquino Family agreeing to the Highway Commercial



**RESOLUTION NO. 24-1541**

**BEFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION  
APPROVING THE SINGH PETROLEUM REORGANIZATION TO THE CITY OF  
LATHROP INCLUDING APPROXIMATELY 22.42 ACRES OF TERRITORY AT  
169 W. MANILA ROAD (APN 191-250-06) AND 11293 S. MANTHEY ROAD (APN  
191-250-14), PREZONING OF TERRITORY TO HIGHWAY COMMERCIAL (CH)  
ANNEXATION TO THE CITY OF LATHROP AND DETACHMENT FROM  
COUNTY ROAD DISTRICT 3 (LAFC 20-24)**

WHEREAS, the above entitled proposal was authorized to be filed by the City of Lathrop City Council Resolution 24-5597 on July 8, 2024 and filed on July 9, 2024 with a Certificate of Filing issued on July 31, 2024 by the Executive Officer for processing in accordance with the Local Government Reorganization Act; and

WHEREAS, the Singh Petroleum Reorganization boundary filed by the City of Lathrop is co-terminus with the boundaries of two (2) parcels of land, 11293 South Manthey Road (APN 191-250-14) and 169 West Manila Road (APN 191-250-06); and

WHEREAS, the parcels included within the Singh Petroleum Reorganization are currently with County Road District 3; and

WHEREAS, County Road District 3 is defined as, “shall include all that portion of the County embraced within the unincorporated territory within the Third Supervisorial District”; and

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

WHEREAS, within the territory of the boundaries of the City proposed Singh Petroleum Reorganization, there are no registered voters; and

WHEREAS, the City of Lathrop Municipal Services Review (MSR) was approved by the Commission on September 8, 2022 that evaluated and amended the City’s Sphere of Influence consistent with the provisions of Government Code 56430; and

WHEREAS, both parcels were included in the adopted MSR and included within the City’s Sphere of Influence (SOI); and

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

WHEREAS, the proposal by the City of Lathrop includes the entirety of both 169 W. Manila Road (APN 191-250-06) and 11293 S. Manthey Road (APN 191-250-14); and

WHEREAS, State Government Code Section 56668(g) that amongst others a factor to be considered in the review of a proposal shall include the adopted Regional Transportation Plan (RTP); and

WHEREAS, the San Joaquin RTP identifies the need for \$16,800,000 for the, “relocation of intersection at Roth/Manthey Road inclusive of signalization and widen from 2 to 5 lanes from Roth/Harlan road intersection to Roth/Manthey Road Intersection”; and

WHEREAS, the development plan approved by the City of Lathrop calls for a phased development that takes into account both the current alignment of Manthey Road and in anticipation of the realignment needed to signalize the Manthey Road/Roth Road intersection when funding becomes available; and

WHEREAS, properties within the City of Lathrop application area are mapped as Farmland of Local Importance by the State Department of Conservation, Farmland Mapping Unit and are defined as, “All farmable land within San Joaquin County not meeting the definitions of ‘Prime Farmland’, ‘Farmland of Statewide Importance’, and ‘Unique Farmland’; and

WHEREAS, State Government Code Section 56064(a) defines Prime Agricultural Land as, “Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible”; and

WHEREAS, approximately 57% of the site, 20.1 acres, has Veritas fine sandy loam soils that have a USDA Irrigated Capability Classification (ICC) of 2; and 43% of the site, 15.2 acres, has Manteca fine sandy loam soils that are classified as 3; and

WHEREAS, overall the annexation area, including the LAFCo alternative has a ICC weighted average of 2.43 and does not meets the threshold to be considered Prime Agricultural Land pursuant to Government Code Section 56064(a); and

WHEREAS, State Government Code Section 56064(b) defines Prime Agricultural Land as, “Land that qualifies for rating 80 through 100 Storie Index Rating”; and

WHEREAS, Veritas fine sandy loam soils have a California Revised Storie Index (CRSI) grade of 1, excellent; and Manteca fine sandy loam soils have a CRSI grade of 4, poor; and

WHEREAS, overall the annexation area, including the LAFCo alternative has a CRSI grade of 2.29, good and does not meet the threshold to be considered Prime Agricultural Land pursuant to Government Code Section 56064(b); and

WHEREAS, State Government Code Section 56064(b) defines Prime Agricultural Land as “ Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars (\$400) per acre for three of the previous five calendar years”; and

WHEREAS, the land within the annexation area, including the LAFCo alternative, has returned from the production of hay and alfalfa an annual gross value of approximately \$2,346.08 per acre in 2022 according to the latest Agricultural Commissioners report; and

WHEREAS, on July 8, 2024, the City of Lathrop, as the lead agency for the Project, has certified a Final Environmental Impact Report (EIR)(SCH# 2022120596) for the project pursuant to and in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, the Draft EIR was made available for the statutory 45-day public review period from February 7, 2024 through March 25, 2024 and public comments received were posted and responded to by the City of Lathrop within the Final EIR; and

WHEREAS, the City of Lathrop a Mitigation Monitoring and Reporting Program (MMRP) with the certification of the Final EIR (SCH#2022120596); and

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

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

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

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

WHEREAS, the Commission specifically considered the factor described in Government Code Section 56668(g), consistency with the San Joaquin Regional Transportation Plan (RTP); and

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

WHEREAS, the CEQA Commission held a public hearing on the proposed reorganization on September 12, 2024 in the Board of Supervisors Chambers, 44 North San Joaquin Street, 6<sup>th</sup> Floor, Stockton, CA, pursuant to notice of hearing which was published, posted and mailed in accordance with State law; and

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

WHEREAS, the Commission has, in evaluating the proposal considered the report submitted by the Executive Officer, the factors set forth in Section 56668 of the California Government Code and testimony and evidence presented at the public hearing held before and on September 12, 2024.

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

Section 1. The Singh Petroleum Reorganization is as shown on Attachment 1 of this resolution.

Section 2. The Reorganized Property is within the scope of the FEIR for the Singh Petroleum Project (SCH# 2022120596) as the FEIR expressly contemplates the reorganization of 22.42 acres to the City of Lathrop proposed by Property Owner and adequately addresses all significant impacts therefrom.

Section 3. Certifies that, as a Responsible Agency, the Commission has independently reviewed and considered the Final Environmental Impact Report (State Clearinghouse No. 2022120596) and concurs with the findings of the CEQA FEIR and adequacy of the MMRP as certified by the City of Lathrop.

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

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

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

Section 7. Pursuant to California Government Code Section 56668.3, the Commission considered all pertinent factors associated with the Singh Petroleum reorganization to the City of Lathrop and the reorganization is hereby conditionally approved subject to the conditions of the San Joaquin Department of Environmental Health.

Section 8. The City of Lathrop, shall defend, indemnify, and hold harmless SJLAFCo, its agents, officers, and employees, from any claim, action, or proceeding against SJLAFCo, its agents, officers, and employees, to attack, set aside, void or annul SJLAFCo's approval of the Annexation, adoption of this Resolution, or any of the terms and conditions set forth herein.

Section 9. As allowed under Government Code Section 56107 and Government Code Section 56883, the Commission authorizes the Executive Officer to make non-substantive corrections to this Resolution to address any technical defects, clerical errors, mistakes, irregularities, or omissions.

Section 10. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable.

Section 13. The Commission finds that the proposed reorganization, as amended, to the City of Lathrop will be for the interest of landowners within the Singh Petroleum reorganization area.

PASSED AND ADOPTED this 12<sup>th</sup> day of September 2024 by the following roll call vote:

AYES:

NOES:

ABSENT:

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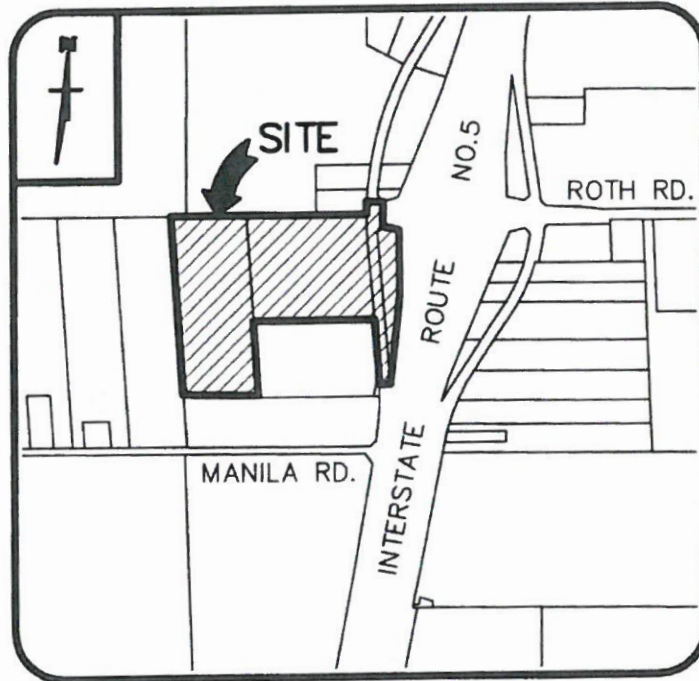
PETER M. JOHNSON, CHAIRMAN  
San Joaquin Local Agency  
Formation Commission

ATTEST:

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MITZI STITES, COMMISSION CLERK  
San Joaquin Local Agency Formation Commission

# ATTACHMENT 2



VICINITY MAP  
NOT TO SCALE

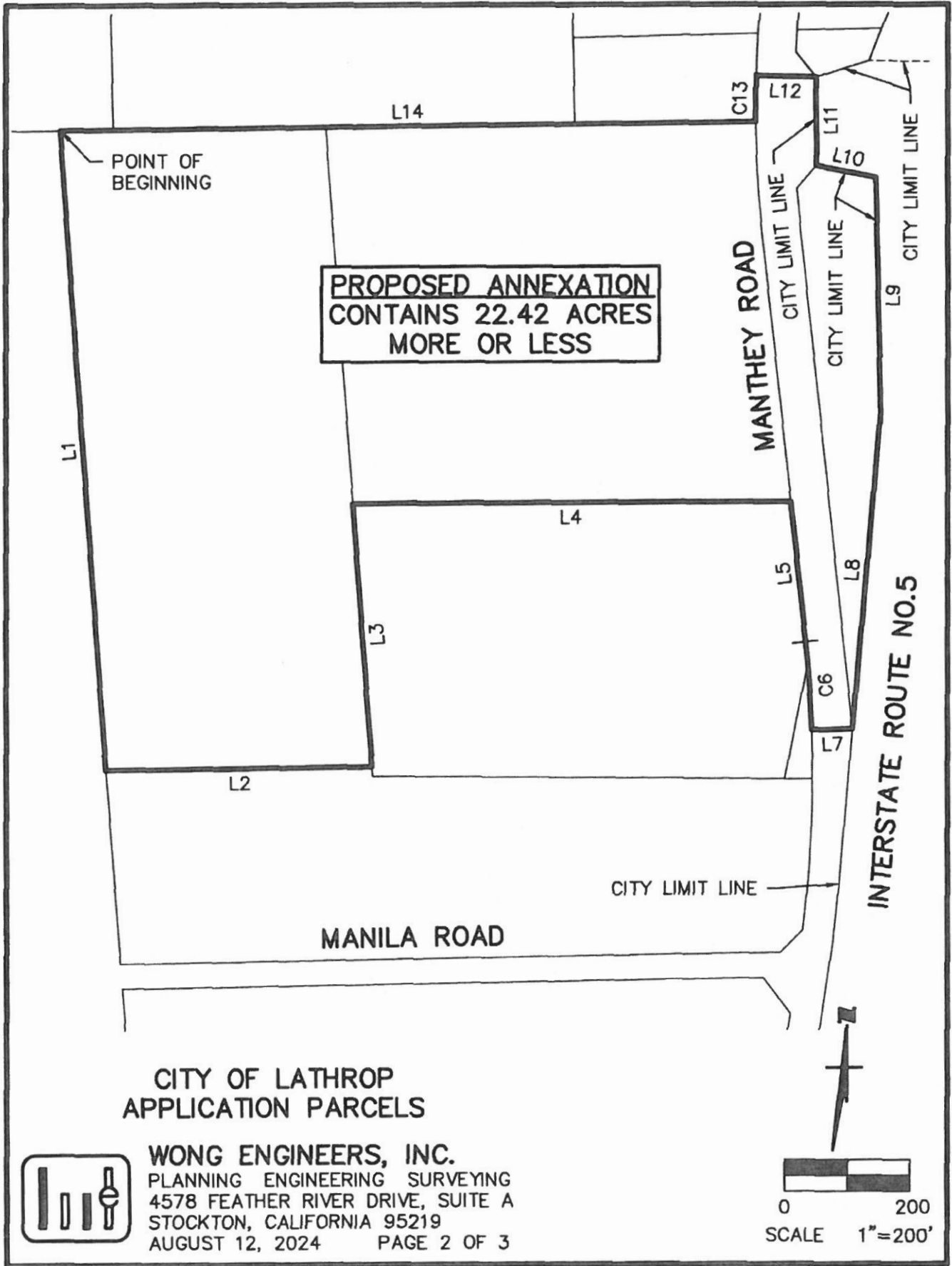
CITY OF LATHROP  
APPLICATION PARCELS



**WONG ENGINEERS, INC.**  
PLANNING ENGINEERING SURVEYING  
4578 FEATHER RIVER DRIVE, SUITE A  
STOCKTON, CALIFORNIA 95219  
AUGUST 12, 2024      PAGE 1 OF 3





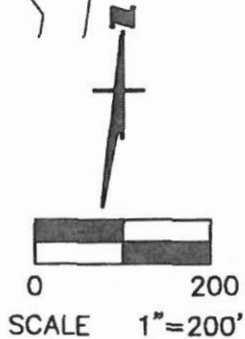


**PROPOSED ANNEXATION  
CONTAINS 22.42 ACRES  
MORE OR LESS**

**CITY OF LATHROP  
APPLICATION PARCELS**



**WONG ENGINEERS, INC.**  
 PLANNING ENGINEERING SURVEYING  
 4578 FEATHER RIVER DRIVE, SUITE A  
 STOCKTON, CALIFORNIA 95219  
 AUGUST 12, 2024 PAGE 2 OF 3



LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S4°06'00"E	1017.51'
L2	N89°23'00"E	422.33'
L3	N4°06'00"W	419.25'
L4	N89°51'00"E	696.09'
L5	S6°03'35"E	224.51'
L7	N88°01'23"E	65.16'
L8	N5°01'22"E	503.05'
L9	N1°07'51"W	374.30'
L10	N78°43'38"W	97.08'
L11	N0°33'09"W	140.00'
L12	N88°18'22"W	93.75'
L14	S89°23'00"W	1105.59'

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH-BEARING	CH-DISTANCE
C6	140.40'	1970.00'	4°05'00"	S4°01'07"E	140.37'
C13	73.80'	1830.00'	2°18'38"	S0°32'19"W	73.79'

**CITY OF LATHROP  
APPLICATION PARCELS**



**WONG ENGINEERS, INC.**  
 PLANNING ENGINEERING SURVEYING  
 4578 FEATHER RIVER DRIVE, SUITE A  
 STOCKTON, CALIFORNIA 95219  
 AUGUST 12, 2024 PAGE 3 OF 3

**DESCRIPTION OF PROPOSED  
SINGH PETROLEUM INVESTMENTS INC.  
ANNEXATION TO THE CITY OF LATHROP,  
SAN JOAQUIN COUNTY, CALIFORNIA**

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, BEING A PORTION OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 6 EAST, MOUNT DIABLO BASE AND MERIDIAN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF PARCEL NO. 1 AS DESCRIBED IN THAT CERTAIN TRUST TRANSFER DEED TO LEX A. CORRALES AND MARILYN J. WONG-CORRALES, CO-TRUSTEES OF THE LEX A. CORRALES AND MARILYN J. WONG-CORRALES LIVING TRUST, RECORDED MARCH 16, 2004 AS DOCUMENT NO. 2004-052973, SAN JOAQUIN COUNTY RECORDS;

THENCE ALONG THE WESTERLY, SOUTHERLY & EASTERLY LINES OF SAID TRUST TRANSFER DEED TO THE FOLLOWING THREE (3) COURSES:

COURSE #1: SOUTH 4°06'00" EAST 1017.51 FEET,

COURSE #2: NORTH 89°23'00" EAST 422.33 FEET,

COURSE #3: NORTH 4°06'00" WEST 419.25 FEET

TO THE SOUTHWESTERLY CORNER OF PARCEL OF LAND, AS DESCRIBED IN THAT CERTAIN GRANT DEED TO SINGH PETROLEUM INVESTMENTS INC., RECORDED MAY 17, 2019 AS DOCUMENT INSTRUMENT NO. 2019-050576, SAN JOAQUIN COUNTY RECORDS;

THENCE ALONG THE SOUTHERLY LINE OF SAID GRANT DEED,

COURSE #4: NORTH 89°51'00" EAST 696.09 FEET

TO THE WESTERLY RIGHT OF WAY LINE OF MANTHEY ROAD (60 FEET IN WIDTH);

THENCE ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID MANTHEY ROAD TO THE FOLLOWING TWO (2) COURSES:

COURSE #5: SOUTH 6°03'35" EAST 224.51 FEET,

COURSE #6: ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1970.00 FEET, THROUGH A CENTRAL ANGLE OF 4°05'00", THE LONG CHORD OF WHICH BEARS SOUTH 4° 01' 07" EAST 140.37 FEET, AND AN ARC LENGTH OF 140.40 FEET;

THENCE LEAVING WESTERLY RIGHT OF WAY LINE OF SAID MANTHEY ROAD,

COURSE #7: NORTH 88°01'23" EAST 65.16 FEET

TO THE EASTERLY RIGHT OF WAY LINE OF SAID MANTHEY ROAD AND A POINT ON THE LATHROP CITY LIMIT LINE ESTABLISHED BY LATHROP INCORPORATION/REORGANIZATION, LAFC 19.88, RECORDED IN INSTRUMENT NO. 89055167, SAN JOAQUIN COUNTY RECORDS;

THENCE ALONG SAID CITY LIMIT LINE TO THE FOLLOWING FOUR (4) COURSES:

COURSE #8: NORTH 5°01'22" EAST 503.05 FEET,

COURSE #9: NORTH 1°07'51" EAST 374.30 FEET,

COURSE #10: NORTH 78°43'38" WEST 97.08 FEET,

COURSE #11: NORTH 0°33'09" WEST 140.00 FEET;

THENCE LEAVING SAID CITY LIMIT LINE,

COURSE #12: NORTH 88°18'22" WEST 93.75 FEET

TO THE WESTERLY RIGHT OF WAY LINE OF SAID MANTHEY ROAD;

THENCE ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID MANTHEY ROAD,

COURSE #13: ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1830.00 FEET, THROUGH A CENTRAL ANGLE OF 2°18'38", THE LONG CHORD OF WHICH BEARS SOUTH 0°32'19" WEST 73.79 FEET, AND AN ARC LENGTH OF 73.80 FEET;

THENCE LEAVING WESTERLY RIGHT OF WAY LINE OF SAID MANTHEY ROAD AND ALONG THE NORTHERLY LINES OF SAID GRANT DEED AND SAID TRUST TRANSFER DEED,

COURSE #14: SOUTH 89°23'00" WEST 1105.59 FEET TO THE POINT OF BEGINNING.

CONTAINING 22.42 ACRES, MORE OR LESS

**END OF DESCRIPTION**

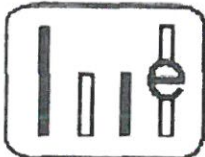
PREPARED BY:



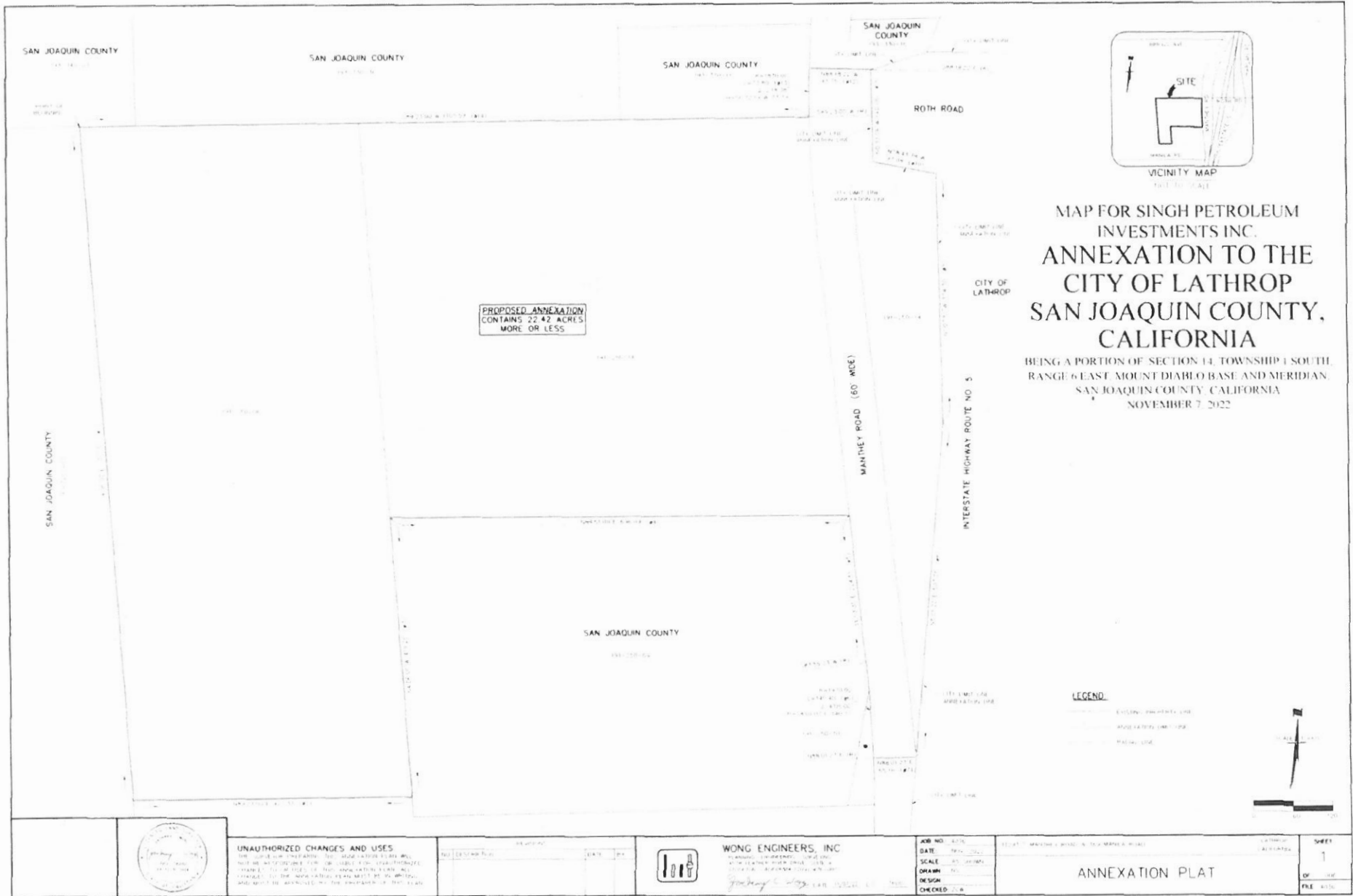
*ZC Wong*

ZACHARY C. WONG  
LICENSED PROFESSIONAL LAND SURVEYOR No. 7600  
(EX. DECEMBER 31, 2024)  
STATE OF CALIFORNIA

*11-7-2022*  
DATE



**Wong Engineers, Inc.**  
4578 Feather River Drive. Suite A  
Stockton, California 95219  
Phone (209) 476-0011



MAP FOR SINGH PETROLEUM INVESTMENTS INC.  
 ANNEXATION TO THE CITY OF LATHROP  
 SAN JOAQUIN COUNTY, CALIFORNIA

BEING A PORTION OF SECTION 14, TOWNSHIP 1 SOUTH,  
 RANGE 6 EAST, MOUNT DIABLO BASE AND MERIDIAN,  
 SAN JOAQUIN COUNTY, CALIFORNIA  
 NOVEMBER 7, 2022

PROPOSED ANNEXATION  
 CONTAINS 22.42 ACRES  
 MORE OR LESS

LEGEND  
 --- EXISTING BOUNDARY LINE  
 --- PROPOSED BOUNDARY LINE  
 --- RAILROAD LINE

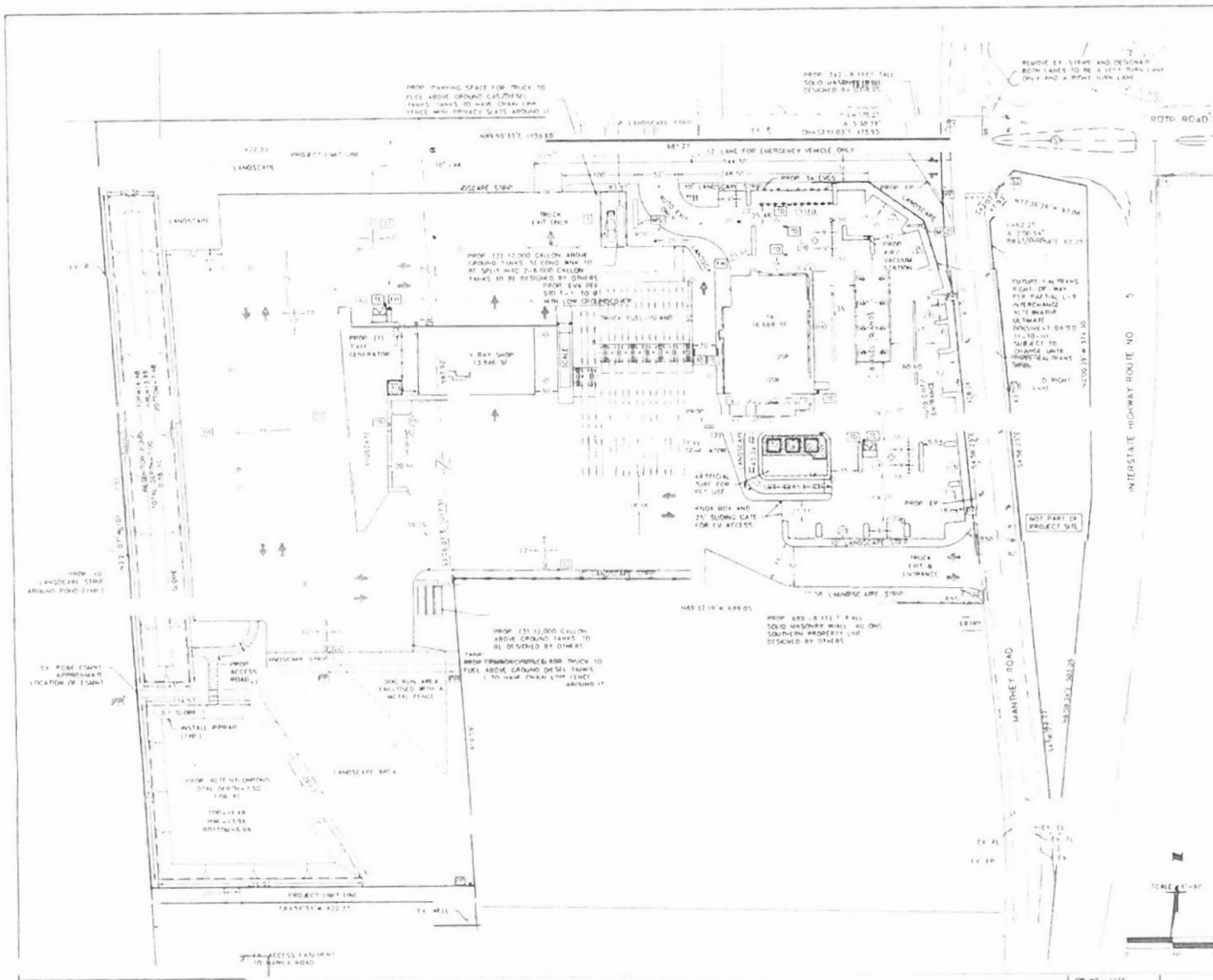
UNAUTHORIZED CHANGES AND USES  
 THE USER OF THIS PLAN, THE USER'S AGENT OR ANY OTHER PARTY SHALL BE RESPONSIBLE FOR ANY CHANGES TO THE WORK SHOWN HEREON THAT MAY BE MADE WITHOUT THE APPROVAL OF THE ENGINEER OF THIS STATE.

WONG ENGINEERS, INC.  
 15000 UNIVERSITY AVENUE, SUITE 100  
 SAN JOAQUIN, CALIFORNIA 95233  
 (916) 486-1111  
 www.wongengineers.com

JOB NO.	2022-001
DATE	11/07/22
SCALE	1" = 200'
DRAWN	WJ
DESIGN	WJ
CHECKED	WJ

ANNEXATION PLAT

SHEET	1
OF	1
FILE	2022-001



**PHASE I & PHASE II  
SITE PLAN FOR  
SINGH PETROLEUM  
INVESTMENTS, INC**  
11293 S. MANTHEY RD  
LATHROP, CA 95330

**OWNER**  
SINGH PETROLEUM INVESTMENTS, INC A CALIFORNIA CORPORATION  
13000 SUMMIT PARKWAY  
LATHROP, CA 95330  
PHONE 544-5300

APN	18-250-14 & 18-250-100
LANDSCAPE	1.86 ACRES (209)
TRAVEL AMERICA AREA	
TRUCK/TRAILER PARKING (12-127)	(18) SPACES
FULLING & CATERING PARKING (12-127)	7 SPACES
PASSENGER VEHICLES	(12) REGULAR (18-103) (2) RESERVED ACCESS (2) TRUCKS (18-127)
EV PARKING	(1) EV ACCESSIBLE (12-127) (1) STANDARD ACCESSIBLE (18-201)

**LEGEND**

BLDG	BUILDING	FP	PROPERTY LINE
CL	CLIMBING	HP	HOPE MARK
EP	EDGE OF PAVEMENT	IS	INTERSECTION SIGN
FA	FENCE	LS	LANDSCAPE SIGN
EA	ELECTRIC	SS	STREET SIGN
EV	ELECTRIC VEHICLE	TE	TOP OF CURB
EV	ELECTRIC VEHICLE	TV	TRUCK TRAILER
ES	ELECTRIC STATION	UP	UTILITY ENCLOSURE
FL	FOOT LINE	UT	UTILITY PAVEMENT
MS	MANHOLE SIGN	VP	VEHICLE
MS	DESIGNED BY OTHERS		
MS	FREEWAY PAVEMENT SIGN		
MS	DESIGNED BY OTHERS		

**NOTE:**  
PLAN IS CONCEPTUAL AND IS SUBJECT TO CHANGE BASED ON FINAL DESIGN.

**SHEET INDEX**

1	SITE PLAN PHASE I	
2	TRAFFIC TURNING PHASE I	
3	SITE PLAN PHASE II	
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5	REALIGNED MANTHEY ROAD	
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**UNAUTHORIZED CHANGES AND USES**  
THE ENGINEER PREPARING THIS SITE PLAN WILL NOT BE RESPONSIBLE FOR OR LIABLE FOR UNAUTHORIZED CHANGES TO OR USES OF THIS SITE PLAN. ALL CHANGES TO THE SITE PLAN MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THIS PLAN.

NO. DESCRIPTION	DATE	BY



**WONG ENGINEERS, INC.**  
11750 LINDSEY BUCKER DRIVE, SUITE 200  
LATHROP, CALIFORNIA 95330-4740 (916) 447-1122

JOB NO. 4116 DATE: APRIL 2022 PROJECT: MANTHEY ROAD

SCALE: AS SHOWN  
DRAWN: JG/CA/VS  
CHECKED: JG/CA/VS  
DATE: 4/11/22

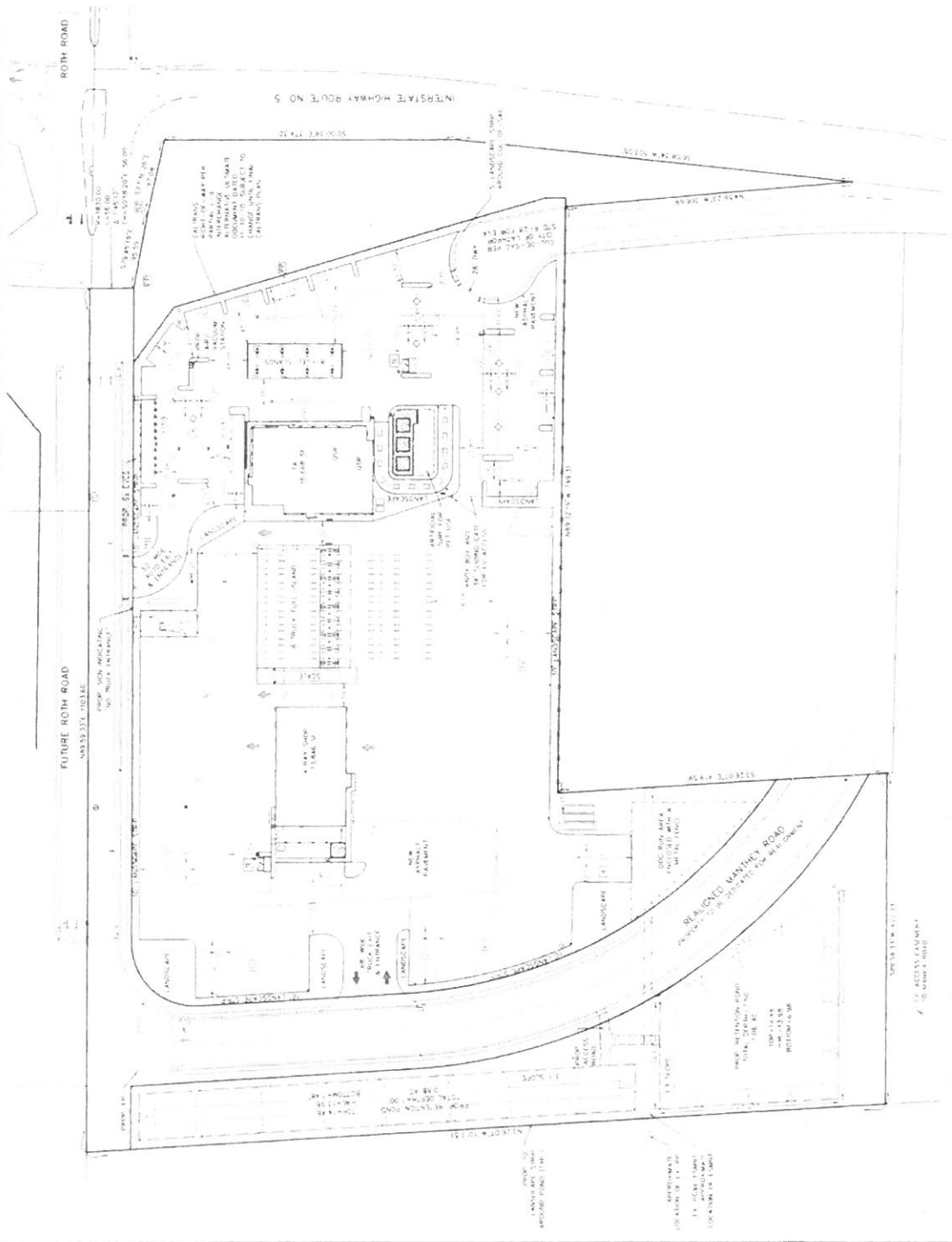
**SITE PLAN PHASE I**

OF SEVENTEEN  
FILE 404

PHASE II SITE PLAN FOR  
**SINGH PETROLEUM  
 INVESTMENTS, INC**  
 11293 S. MANTHEY RD  
 LATHROP, CA 95330

APN	191-29074 & 191-29076
LANDSCAPE	TRANS. AMERICA, INC.
TRUCK TRAILER PARKING (12' X 27')	18 SPACES
LOADING & GASOLINE PARKING (12' X 27')	2 SPACES
PASSENGER VEHICLES	150 VEHICLES (10' X 20') 20 (CONTRACT (8' X 12'))
T.V. PARKING	3 (CAN ACCOMMODATE 12' X 20') 1 (STANDARD ACCESSIBLE (8' X 20'))

PROPOSED		EXISTING	
DESCRIPTION	SYMBOL	DESCRIPTION	SYMBOL
LANDSCAPE	(Symbol)	LANDSCAPE	(Symbol)
TRUCK TRAILER PARKING	(Symbol)	TRUCK TRAILER PARKING	(Symbol)
LOADING & GASOLINE PARKING	(Symbol)	LOADING & GASOLINE PARKING	(Symbol)
PASSENGER VEHICLES	(Symbol)	PASSENGER VEHICLES	(Symbol)
T.V. PARKING	(Symbol)	T.V. PARKING	(Symbol)
STORM DRAINAGE	(Symbol)	STORM DRAINAGE	(Symbol)
WATER LINE	(Symbol)	WATER LINE	(Symbol)
SEWER LINE	(Symbol)	SEWER LINE	(Symbol)
UTILITY LINE	(Symbol)	UTILITY LINE	(Symbol)
STORM DRAINAGE BASIN	(Symbol)	STORM DRAINAGE BASIN	(Symbol)
MANHOLE	(Symbol)	MANHOLE	(Symbol)
WATER TOWER	(Symbol)	WATER TOWER	(Symbol)
LANDSCAPE	(Symbol)	LANDSCAPE	(Symbol)
EXISTING TREES	(Symbol)	EXISTING TREES	(Symbol)



		UNAUTHORIZED CHANGES AND USES THIS PLAN IS THE PROPERTY OF WONG ENGINEERS, INC. ANY CHANGES TO THIS PLAN MUST BE APPROVED BY THE COMPANY IN WRITING.	PROJECT NO. 191-29074 & 191-29076 SHEET 3 OF 3 SHEETS FILE NO. 191-29076
		WONG ENGINEERS, INC. 11293 S. MANTHEY RD. LATHROP, CA 95330 TEL: (916) 434-1111 FAX: (916) 434-1112 WWW.WONGENGINEERS.COM	JOB NO. 191-29074 & 191-29076 DATE: APRIL 2013 SCALE: AS SHOWN DESIGNER: WONG CHECKED: WONG



**RESOLUTION NO. 24-1542**

**BEFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION  
APPROVING A SPHERE OF INFLUENCE AMENDMENT ADDING 7.03 ACRES  
TO THE CITY OF LATHROP'S SPHERE OF INFLUENCE AT 11591 S.  
MANTHEY ROAD (APN 191-250-07)**

WHEREAS, State Government Code Section 56425 states that in order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies to advantageously provide for the present and future needs of San Joaquin County and its communities, the Commission shall develop and determine the Sphere of Influence (SOI) of each city and enact policies designed to promote the logical and orderly development of areas within the SOI; and

WHEREAS, the City of Lathrop Municipal Services Review was approved by the Commission on September 8, 2022 that evaluated and updated the City's Sphere of Influence consistent with the provisions of Government Code 56430; and

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

WHEREAS, West Manila Road will form a definite and certain boundary for the City of Lathrop SOI on the west side of Manthey Road; and

WHEREAS, in accordance with State Government Code Section 56428, the Commission received correspondence from the representative of the property owners of 11591 S. Manthey Road stating their desire to have the property included in the City of Lathrop SOI; and

WHEREAS, Commission did study the request to include the property within the City of Lathrop SOI and for compliance with all factors listed in Government Code Section 56425(e); and

WHEREAS, there is no development plan associated with the request to include in the City of Lathrop SOI; and

WHEREAS, 11591 S. Manthey Road (APN 191-250-07) is within the City's Area of Interest that includes 2,101 acres within the San Joaquin/Sacramento River Delta Plan Area Secondary Zone; and

WHEREAS, the Delta Plan Secondary Zone is defined as that part of the Delta where development can occur and primarily subject to local land use decisions; and

WHEREAS, the detachment of 7.03 acres from the City's Area of Interest represents 0.33% of the City's Area of Interest; and

WHEREAS, current City of Lathrop SOI is 197 acres in size and the addition of 7.03 acres represents a 3.6% increase to the City's SOI; and

WHEREAS, both the detachment from the City of Lathrop's Area of Interest and addition to its Sphere of Influence (SOI) are considered de minimis and is exempt from further environmental review pursuant to CEQA Guidelines 15061(b)(3) in that the incremental change to the City of Lathrop SOI will not change any findings of the City's adopted 2022 Municipal Services Review and CEQA only applies only to projects which have the potential for causing a significant effect on the environment; and

WHEREAS, the CEQA Commission held a public hearing on the proposed Sphere of Influence Amendment on September 12, 2024 in the Board of Supervisors Chambers, 44 North San Joaquin Street, 6<sup>th</sup> Floor, Stockton, CA, pursuant to notice of hearing which was published, posted and mailed in accordance with State law; and

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

WHEREAS, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer, the factors set forth in the Cortese-Knox-Hertzberg Act and testimony and evidence presented at the public hearing held before and on September 12, 2024.

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

Section 1. The City of Lathrop's Sphere of Influence is Amended to include an additional 7.03 acres located at 11591 S. Manthey Road (APN 191-250-07) and approximately 1.7 acres of associated W. Manila Road and S. Manthey Road right-of-way as shown on Attachment 1 of this resolution.

Section 2. The addition of 7.03 acres currently within the City of Lathrop Area of Interest to the City's Sphere of Interest is de minimis in nature and is covered by the State Code of Regulations Section 15061(b)(3) common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

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

Section 4. In updating the sphere of influence of for the City of Lathrop, the commission makes the following statement of determinations in accordance with Government Code Section 56425(e):

- (1) The present and planned land uses in the area, including agricultural and open-space lands in that the planned land use in the area will be commercial land uses complementary to the motoring public and freight movement. The amended SOI will facilitate the City of Lathrop's planning for the Manthey Road/Roth Road signalization project identified in the San Joaquin Regional Transportation Plan in which the City is the lead agency. The overall the soils within the amended SOI are not considered prime agricultural land.
- (2) The present and probable need for public facilities and services in the area in that the planned commercial land uses within the territory of the amended SOI will require the

facilities and services that the City of Lathrop provides, including law enforcement, water, and wastewater services.

- (3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide in that the City of Lathrop has designed all City of Lathrop public facilities are designed to serve a City Build-Out population of 95,391 while population projections show a 2050 population of 72,347.
- (4) There is no other identified social or economic communities of interest in the area other than the City of Lathrop.
- (5) There are no disadvantaged unincorporated communities within the existing City of Lathrop SOI.

Section 5. Finds that no written protests were received by any landowner within the territory of the amended SOI.

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

Section 7. Pursuant to California Government Code Section 56425(f), the Commission considered all pertinent factors associated with amending the City of Lathrop SOI and 11591 S. Manthey Road (APN 191-250-07) is hereby included in the City's SOI.

Section 8. The City of Lathrop, shall defend, indemnify, and hold harmless SJLAFCo, its agents, officers, and employees, from any claim, action, or proceeding against SJLAFCo, its agents, officers, and employees, to attack, set aside, void or annul SJLAFCo's approval of the Annexation, adoption of this Resolution, or any of the terms and conditions set forth herein.

Section 9. As allowed under Government Code Section 56107 and Government Code Section 56883, the Commission authorizes the Executive Officer to make non-substantive corrections to this Resolution to address any technical defects, clerical errors, mistakes, irregularities, or omissions.

Section 10. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable.

Section 11. The Commission finds that the proposed reorganization, as amended, to the City of Lathrop will be for the interest of landowners and registered voters within the Singh Petroleum reorganization area.

PASSED AND ADOPTED this 12<sup>th</sup> day of September 2024 by the following roll call vote:

AYES:

Resolution 1542

September 12, 2024

NOES:

ABSENT:

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

ATTEST:

---

MITZI STITES, COMMISSION CLERK  
San Joaquin Local Agency Formation Commission

**RESOLUTION NO. 24-1543**

**BEFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION  
APPROVING THE LAFCo ALTERNATIVE BOUNDARY TO BE INCLUDED  
WITH THE SINGH PETROLEUM REORGANIZATION TO THE CITY OF  
LATHROP INCLUDING ANNEXATION OF 13.95 ADDITIONAL ACRES AT 11401  
S. MANTHEY ROAD (APN 191-250-09), 11491 S. MANTHEY ROAD (APN 191-250-  
07) AND 11555 S. MANTHEY ROAD (APN 191-250-10) AND 2.09 ACRES OF  
ASSOCIATED S. MANTHEY ROAD AND ROTH ROAD RIGHT-OF-WAY;  
PREZONING OF PARCELS TO HIGHWAY COMMERCIAL (CH); AND  
DETACHMENT FROM COUNTY ROAD DISTRICT 3 (LAFC 20-24)**

WHEREAS, the Singh Petroleum Reorganization was authorized to be filed by the City of Lathrop City Council Resolution 24-5597 on July 8, 2024 and filed on July 9, 2024 with a Certificate of Filing issued on July 31, 2024 by the Executive Officer for processing in accordance with the Local Government Reorganization Act; and

WHEREAS, the Singh Petroleum Annexation boundary filed by the City of Lathrop is co-terminus with the boundaries of two (2) parcels of land, 11293 South Manthey Road (APN 191-250-14) and 169 West Manila Road (APN 191-250-06); and

WHEREAS, the City of Lathrop Municipal Services Review was approved by the Commission on September 8, 2022 that evaluated and amended the City's jurisdictional boundaries and Sphere of Influence consistent with the provisions of Government Code 56430; and

WHEREAS, State Government Code Section 56375(a)(1) states that the Commission shall have the power and duty to review and approve with or without amendment, wholly, partially, or conditionally proposals for changes of organization, consistent with written policies, procedures, and guidelines adopted by the commission"; and

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

WHEREAS, the Commission's policy is, "LAFCo will modify irregular annexations, to include additional territory in order to promote orderly annexation and logical boundaries, while maintaining a viable proposal. In such cases, detailed development plans may not be required for those additional areas but compliance with CEQA is required; and

WHEREAS, West Manila Road will form a definite and certain boundary that promotes the orderly development of the area and maintains the viability of the City proposed Singh Petroleum reorganization; and

WHEREAS, the Commission's policy is that territory should be included within the annexation to assure that the city reasonably assumes the burden of providing adequate roads to the property to be annexed; and

WHEREAS, the Commission policy is to require cities to annex streets where adjacent lands that are in the city will generate additional traffic; and

WHEREAS, the Commission policy is to require annexation of public right-of-way required to serve the proposed development; and

WHEREAS, State Government Code Section 56668(g) that amongst others a factor to be considered in the review of a proposal shall include the adopted Regional Transportation Plan (RTP); and

WHEREAS, the San Joaquin RTP identifies the need for \$16,800,000 for the, “relocation of intersection at Roth/Manthey Road inclusive of signalization and widen from 2 to 5 lanes from Roth/Harlan road intersection to Roth/Manthey Road Intersection”; and

WHEREAS, the development plan for the annexation calls for a phased development in for both the current alignment of Manthey Road and in anticipation of the realignment of Manthey Road near Roth Road in anticipation of signalization and improvements to the Roth Road/I-5 interchange; and

WHEREAS, to realign Manthey Road in accordance with the RTP requires additional territory south of the annexation area proposed in the City application; and

WHEREAS, the Commission received a letter from the representative of the property owners immediately south of the City proposed annexation, (APN 191-250-07, 09, &10) stating the property owner’s desire to be annexed into the City of Lathrop; and

WHEREAS, territory within the City of Lathrop application and the LAFCo Alternate Boundary, referred to as “Total Site”, are mapped as farmland of local importance by the State Department of Conservation, Farmland Mapping Unit and are defined as, “All farmable land within San Joaquin County not meeting the definitions of ‘Prime Farmland’, ‘Farmland of Statewide Importance’, and ‘Unique Farmland’; and

WHEREAS, approximately 57% of the Total Site, 20.1 acres, has Veritas fine sandy loam soils that have a USDA Irrigated Capability Classification (ICC) of 2; and 43% of the Total Site, 15.2 acres, has Manteca fine sandy loam soils that are classified as 3; and

WHEREAS, overall the Total Site has a ICC weighted average of 2.43 and does not meets the threshold to be considered Prime Agricultural Land pursuant to Government Code Section 56064(a); and

WHEREAS, Veritas fine sandy loam soils have a California Revised Storie Index (CRSI) grade of 1, excellent; and Manteca fine sandy loam soils have a CRSI grade of 4, poor; and

WHEREAS, overall the Total Site has a CRSI grade of 2.29, good and does not meet the threshold to be considered Prime Agricultural Land pursuant to Government Code Section 56064(b); and

WHEREAS, the land within the Total Site has returned from the production of hay and alfalfa an annual gross value of not less than four hundred dollars (\$400) per acre for three of the previous five calendar years meeting the threshold of prime agricultural land; and

WHEREAS, the Total Site reorganization area has seven (7) registered voters residing within the boundaries and is considered uninhabited pursuant to State Government Code Section 56079.5; and

WHEREAS, on July 8, 2024, the City of Lathrop, as the lead agency for the City proposed Singh Reorganization, has certified a Final Environmental Impact Report (EIR)(SCH# 2022120596) for the project pursuant to and in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, the Draft EIR was made available for the statutory 45-day public review period from February 7, 2024 through March 25, 2024 and public comments received were posted and responded to by the City of Lathrop within the Final EIR; and

WHEREAS, the City of Lathrop a Mitigation Monitoring and Reporting Program (MMRP) with the certification of the Final EIR (SCH#2022120596); and

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

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

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

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

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

WHEREAS, no additional development is contemplated at this time within the territory included in the LAFCo Alternative area and inclusion of the site will insure that any development proposals will comply with the City of Lathrop's routine implementation of all applicable laws, ordinances, policies and procedures ; and

WHEREAS, State Code of Regulations Section 15061(b)(3) exempts actions from further environmental review where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and

WHEREAS, the CEQA Commission held a public hearing on the proposed reorganization on September 12, 2024 in the Board of Supervisors Chambers, 44 North San Joaquin Street, 6<sup>th</sup> Floor, Stockton, CA, pursuant to notice of hearing which was published, posted and mailed in accordance with State law; and

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

WHEREAS, the Commission has, in evaluating the proposal considered the report submitted by the Executive Officer, the applicable provisions of the Cortese-Knox Hertzberg Act, testimony and evidence presented at the public hearing held before the Commission on September 12, 2024.

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

Section 1. The Singh Petroleum Reorganization, that includes the LAFCo alternative boundary, is as shown on Attachment 1 of this resolution.

Section 2. The addition of 16.04 acres to the City of Lathrop's requested Singh Petroleum reorganization is exempt from further environmental review pursuant to State Code of Regulations Section 15061(b)(3).

Section 3. Finds that the total site reorganization 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 total site area.

Section 5. Pursuant to California Government Code Section 56663, the commission waives protest proceedings pursuant to State Government Code Part 4 (commencing with Section 57000).

Section 6. Pursuant to California Government Code Section 56668, the Commission considered all pertinent factors associated with the total site reorganization to the City of Lathrop and the total site reorganization is hereby conditionally approved subject to the conditions of the San Joaquin Department of Environmental Health.

Section 10. The City of Lathrop, shall defend, indemnify, and hold harmless SJLAFCo, its agents, officers, and employees, from any claim, action, or proceeding against SJLAFCo, its agents, officers, and employees, to attack, set aside, void or annul SJLAFCo's approval of the Annexation, adoption of this Resolution, or any of the terms and conditions set forth herein.

Section 11. As allowed under Government Code Section 56107 and Government Code Section 56883, the Commission authorizes the Executive Officer to make non-substantive



corrections to this Resolution to address any technical defects, clerical errors, mistakes, irregularities, or omissions.

Section 12. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable.

Section 13. The Commission finds that the proposed total site reorganization, as amended, to the City of Lathrop will be for the interest of landowners and registered voters within the total site reorganization area.

PASSED AND ADOPTED this 12<sup>th</sup> day of September 2024 by the following roll call vote:

AYES:

NOES:

ABSENT:

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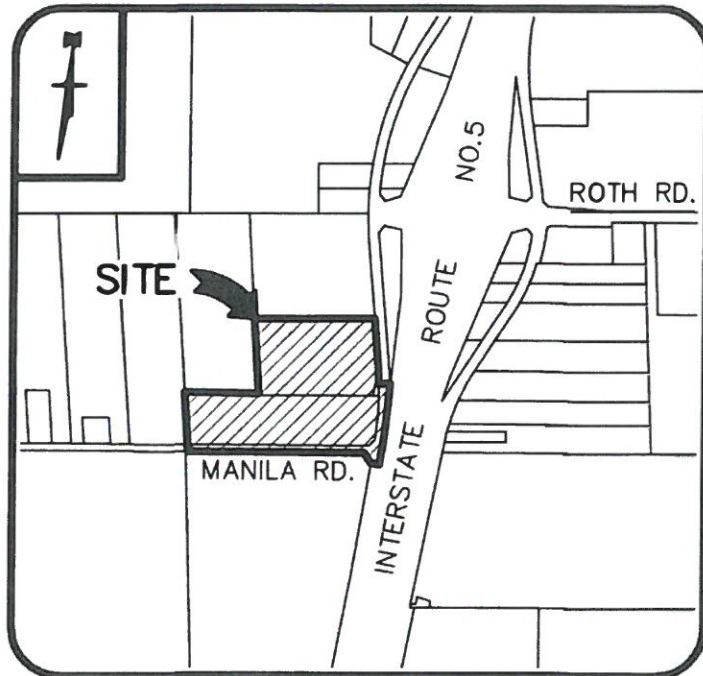
PETER M. JOHNSON, CHAIRMAN  
San Joaquin Local Agency  
Formation Commission

ATTEST:

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MITZI STITES, COMMISSION CLERK  
San Joaquin Local Agency Formation Commission

# ATTACHMENT 5



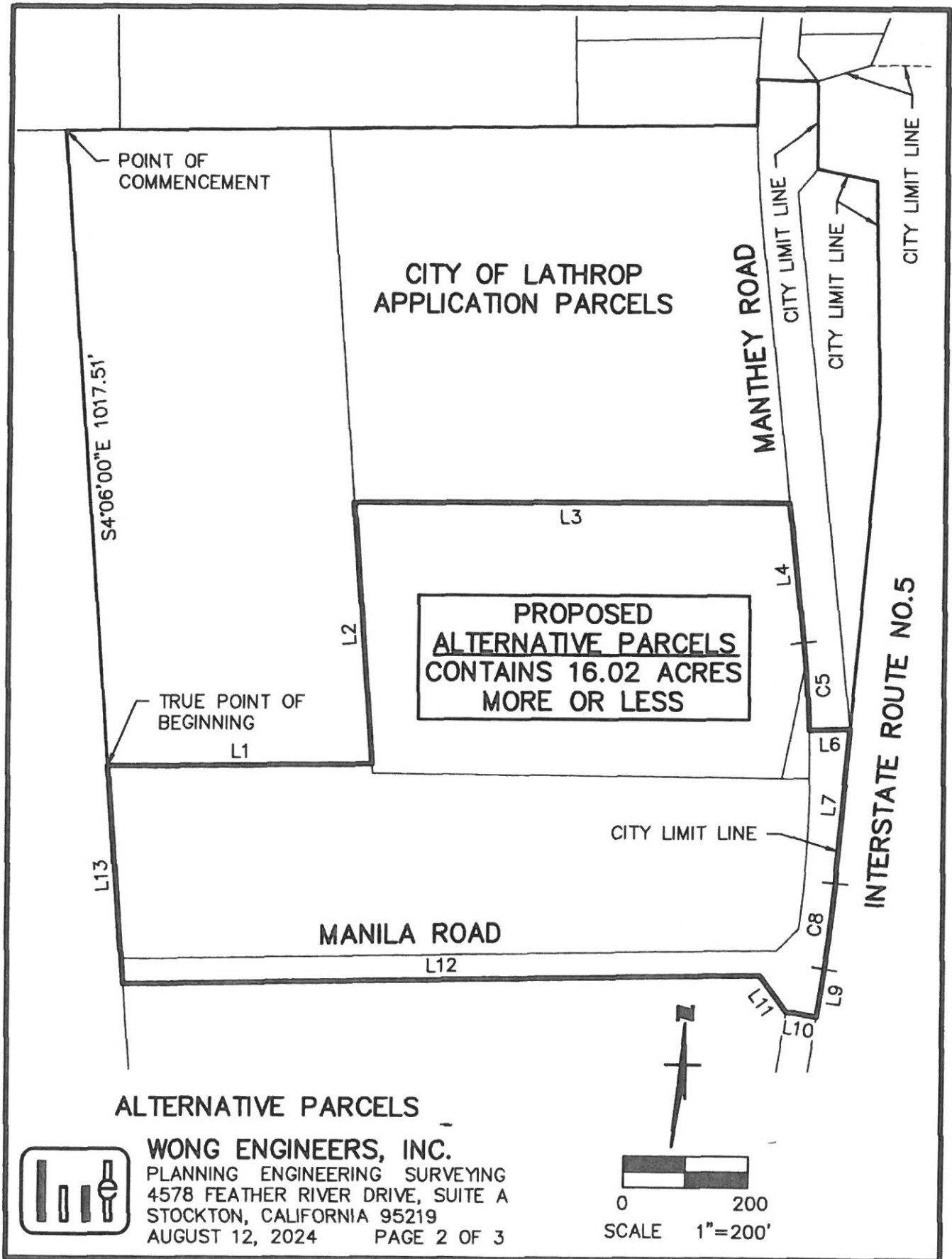
VICINITY MAP  
NOT TO SCALE

## ALTERNATIVE PARCELS



**WONG ENGINEERS, INC.**  
PLANNING ENGINEERING SURVEYING  
4578 FEATHER RIVER DRIVE, SUITE A  
STOCKTON, CALIFORNIA 95219  
AUGUST 12, 2024      PAGE 1 OF 3

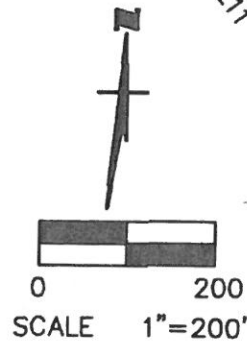




**ALTERNATIVE PARCELS**

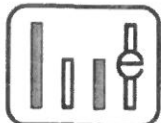


**WONG ENGINEERS, INC.**  
 PLANNING ENGINEERING SURVEYING  
 4578 FEATHER RIVER DRIVE, SUITE A  
 STOCKTON, CALIFORNIA 95219  
 AUGUST 12, 2024 PAGE 2 OF 3



LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N89°23'00"E	422.33'
L2	N4°06'00"W	419.25'
L3	N89°51'00"E	696.09'
L4	S6°03'35"E	224.51'
L6	N88°01'23"E	65.16'
L7	S5°01'22"W	247.99'
L9	S8°56'34"W	77.30'
L10	N81°03'26"W	50.00'
L11	N35°47'21"W	70.74'
L12	S89°05'39"W	1020.98'
L13	N4°06'00"W	348.92'

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH-BEARING	CH-DISTANCE
C5	140.40'	1970.00'	4°05'00"	S4°01'07"E	140.37'
C8	138.21'	2020.00'	3°55'12"	S6°58'57"W	138.18'



**WONG ENGINEERS, INC.**  
 PLANNING ENGINEERING SURVEYING  
 4578 FEATHER RIVER DRIVE, SUITE A  
 STOCKTON, CALIFORNIA 95219  
 AUGUST 12, 2024      PAGE 3 OF 3

**ALTERNATIVE PARCELS**

**DESCRIPTION OF PROPOSED ALTERNATIVE PARCELS  
TO SINGH PETROLEUM INVESTMENTS INC.  
ANNEXATION TO THE SAN JOAQUIN  
LOCAL AGENCY FORMATION COMMISSION,  
SAN JOAQUIN COUNTY, CALIFORNIA**

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, BEING A PORTION OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 6 EAST, MOUNT DIABLO BASE AND MERIDIAN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHWESTERLY CORNER OF PARCEL NO. 1 AS DESCRIBED IN THAT CERTAIN TRUST TRANSFER DEED TO LEX A. CORRALES AND MARILYN J. WONG-CORRALES, CO-TRUSTEES OF THE LEX A. CORRALES AND MARILYN J. WONG-CORRALES LIVING TRUST, RECORDED MARCH 16, 2004 AS DOCUMENT NO. 2004-052973, SAN JOAQUIN COUNTY RECORDS;

THENCE ALONG THE WESTERLY LINE OF SAID TRUST TRANSFER DEED, SOUTH 4°06'00" EAST 1017.51 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID TRUST TRANSFER DEED TO THE FOLLOWING TWO (2) COURSES:

COURSE #1: NORTH 89°23'00" EAST 422.33 FEET,

COURSE #2: NORTH 4°06'00" WEST 419.25 FEET

TO THE SOUTHWESTERLY CORNER OF PARCEL OF LAND, AS DESCRIBED IN THAT CERTAIN GRANT DEED TO SINGH PETROLEUM INVESTMENTS INC., RECORDED MAY 17, 2019 AS DOCUMENT INSTRUMENT NO. 2019-050576, SAN JOAQUIN COUNTY RECORDS;

THENCE ALONG THE SOUTHERLY LINE OF SAID GRANT DEED,

COURSE #3: NORTH 89°51'00" EAST 696.09 FEET

TO THE WESTERLY RIGHT OF WAY LINE OF MANTHEY ROAD (60 FEET IN WIDTH);

THENCE ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID MANTHEY ROAD TO THE FOLLOWING TWO (2) COURSES:

COURSE #4: SOUTH 6°03'35" EAST 224.51 FEET,

COURSE #5: ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1970.00 FEET, THROUGH A CENTRAL ANGLE OF 4°05'00", THE LONG CHORD OF WHICH BEARS SOUTH 4° 01' 07" EAST 140.37 FEET, AND AN ARC LENGTH OF 140.40 FEET;

THENCE LEAVING WESTERLY RIGHT OF WAY LINE OF SAID MANTHEY ROAD,

COURSE #6: NORTH 88°01'23" EAST 65.16 FEET

TO THE EASTERLY RIGHT OF WAY LINE OF SAID MANTHEY ROAD AND A POINT ON THE LATHROP CITY LIMIT LINE ESTABLISHED BY LATHROP INCORPORATION/REORGANIZATION, LAFC 19-88, RECORDED IN INSTRUMENT NO. 89055167, SAN JOAQUIN COUNTY RECORDS;

THENCE ALONG SAID CITY LIMIT LINE TO THE FOLLOWING THREE (3) COURSES:

COURSE #7: SOUTH 5°01'22" WEST 247.99 FEET,

COURSE #8: ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 2020.00 FEET, THROUGH A CENTRAL ANGLE OF 3°55'12", THE LONG CHORD OF WHICH BEARS SOUTH 6° 58' 57" EAST 138.18 FEET, AND AN ARC LENGTH OF 138.21 FEET;

COURSE #9: SOUTH 8°56'34" WEST 77.30 FEET;

THENCE LEAVING SAID CITY LIMIT LINE

COURSE #10: NORTH 81°03'26" WEST 50.00 FEET

TO THE WESTERLY RIGHT OF WAY LINE OF SAID MANTHEY ROAD AND SOUTHERLY RIGHT OF WAY LINE OF MANILA ROAD (40 FEET IN WIDTH); THENCE ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID MANILA ROAD TO THE FOLLOWING TWO (2) COURSES:

COURSE #11: NORTH 35°47'21" WEST 70.74 FEET,

COURSE #12: SOUTH 89°05'39" WEST 1020.98 FEET;

THENCE LEAVING SOUTHERLY RIGHT OF WAY LINE OF SAID MANILA ROAD,

COURSE #13: NORTH 4°06'00" WEST 348.92 FEET TO THE **TRUE POINT OF BEGINNING.**

CONTAINING 16.02 ACRES, MORE OR LESS

**END OF DESCRIPTION**

PREPARED BY:

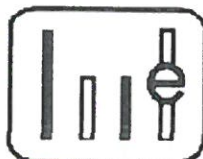
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ZACHARY C. WONG  
LICENSED PROFESSIONAL LAND SURVEYOR No. 7600  
(EX. DECEMBER 31, 2024)  
STATE OF CALIFORNIA

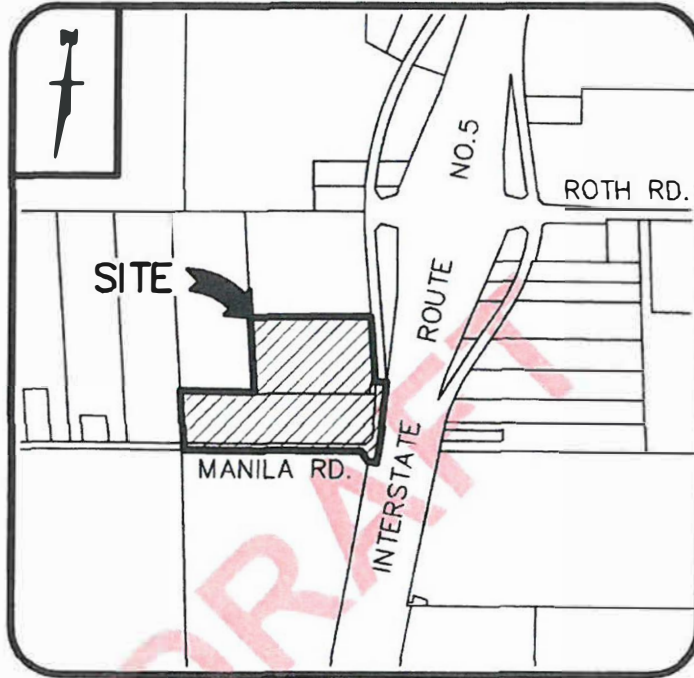
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DATE

DRAFT



**Wong Engineers, Inc.**  
4578 Feather River Drive. Suite A  
Stockton, California 95219  
Phone (209) 476-0011



VICINITY MAP  
NOT TO SCALE

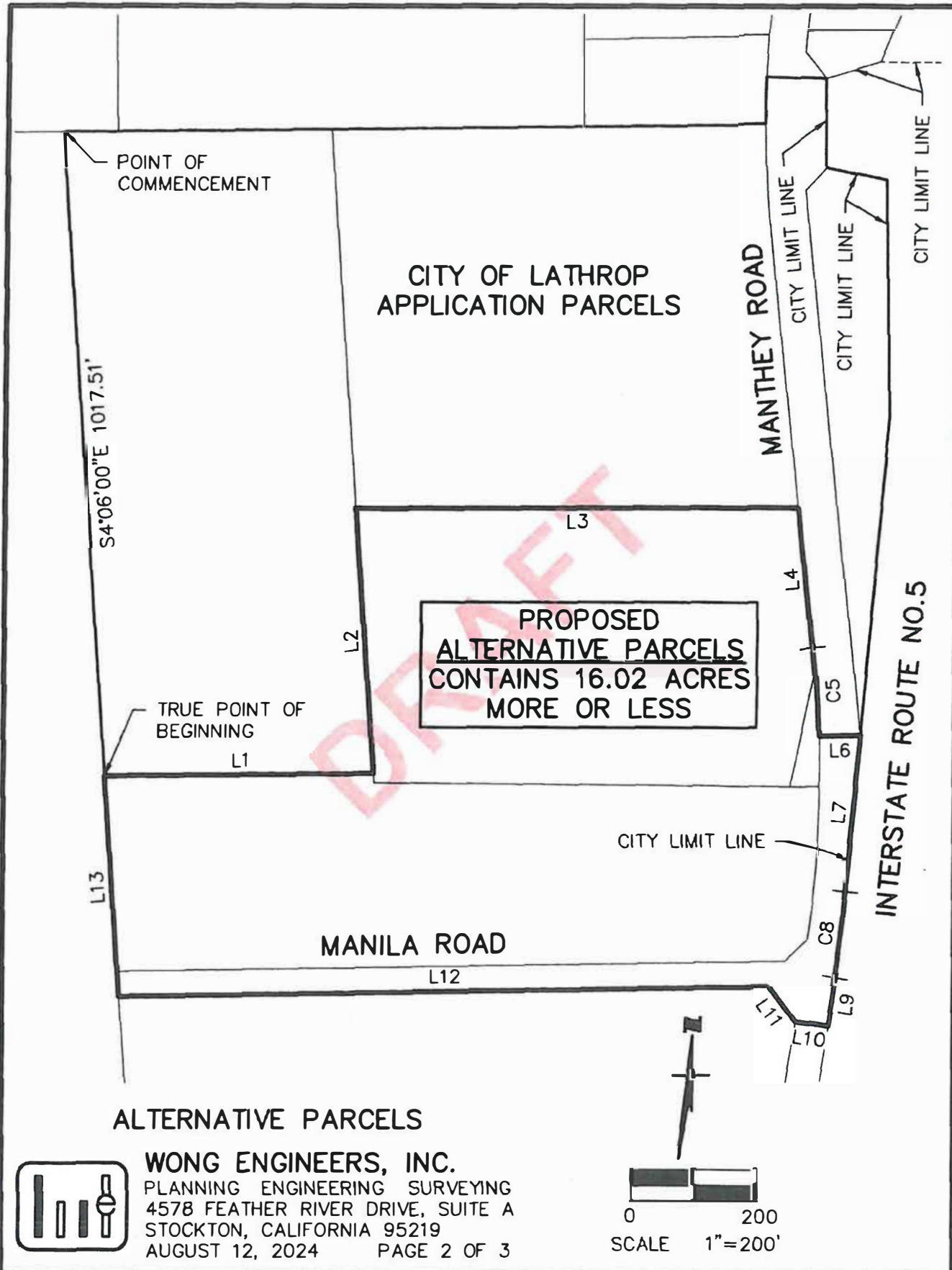
ALTERNATIVE PARCELS



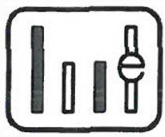
**WONG ENGINEERS, INC.**  
 PLANNING ENGINEERING SURVEYING  
 4578 FEATHER RIVER DRIVE, SUITE A  
 STOCKTON, CALIFORNIA 95219  
 AUGUST 12, 2024 PAGE 1 OF 3



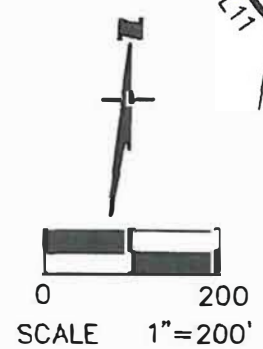




**ALTERNATIVE PARCELS**



**WONG ENGINEERS, INC.**  
 PLANNING ENGINEERING SURVEYING  
 4578 FEATHER RIVER DRIVE, SUITE A  
 STOCKTON, CALIFORNIA 95219  
 AUGUST 12, 2024 PAGE 2 OF 3



LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N89°23'00"E	422.33'
L2	N4°06'00"W	419.25'
L3	N89°51'00"E	696.09'
L4	S6°03'35"E	224.51'
L6	N88°01'23"E	65.16'
L7	S5°01'22"W	247.99'
L9	S8°56'34"W	77.30'
L10	N81°03'26"W	50.00'
L11	N35°47'21"W	70.74'
L12	S89°05'39"W	1020.98'
L13	N4°06'00"W	348.92'

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH-BEARING	CH-DISTANCE
C5	140.40'	1970.00'	4°05'00"	S4°01'07"E	140.37'
C8	138.21'	2020.00'	3°55'12"	S6°58'57"W	138.18'



**WONG ENGINEERS, INC.**  
 PLANNING ENGINEERING SURVEYING  
 4578 FEATHER RIVER DRIVE, SUITE A  
 STOCKTON, CALIFORNIA 95219  
 AUGUST 12, 2024      PAGE 3 OF 3

ALTERNATIVE PARCELS

# ATTACHMENT 6

**DOUGLAS J. RISHWAIN**  
**A Professional Law Corporation**  
THE FOUNTAINS  
3031 WEST MARCH LANE, SUITE 112 SOUTH  
STOCKTON, CALIFORNIA 95219  
TELEPHONE: (209) 472-9100

Facsimile: (209) 951-8228

Email: [doug@rishwanlaw.com](mailto:doug@rishwanlaw.com)

June 4, 2024

Rick Caguiat, Director  
Community Development Department  
City of Lathrop  
390 Towne Centre Drive  
Lathrop, CA 95330

JD Hightower, Executive Officer  
San Joaquin LAFCo  
44 N. San Joaquin Street, #374  
Stockton, CA 95202

Re: Request for Annexation to the City of Lathrop re APN#s: 191-250-07, 191-250-09, & 191-250-10 Adjacent to the Singh Petroleum Investments Proposed Annexation.

Mr. Caguiat & Mr. Hightower,

I represent Elisa J. Aquino, individually and as trustee of the Elisa J. Aquino Living Trust. Ms. Aquino is the owner of three parcels of real property currently located in San Joaquin County, namely: APN #s: 191-250-07, 191-250-09, and 191-250-10. Ms. Aquino's said three parcels are adjacent to the Singh Petroleum Investments proposed annexation to the City of Lathrop.

Ms. Aquino hereby requests that her three said parcels be included in the proposed annexation boundary associated with the Singh Petroleum Investments Project. She understands the Lathrop City Council is expected to take action on the Singh Petroleum Investments project on July 8, 2024. Thereafter, the next step in the annexation process is to go before the San Joaquin Local Agency Formation Commission (LAFCO) for final approval. Ms. Aquino further understands an Annexation Map will be prepared as part of the application package the city of Lathrop will convey to the LAFCO staff. Said Annexation Map will identify the properties subject to annexation to the City of Lathrop. Accordingly, Ms. Aquino understands the benefits of her parcels being annexed into the city of Lathrop, and she requests and consents that her three above-described parcels be included as part of the annexation boundary.


Please direct your future correspondence and communications on behalf of Ms. Aquino to my office. Additionally, please include my office on any notices and/or other communications concerning the above-described Singh Petroleum Investments Project and the proposed annexation.

Page Two  
June 4, 2024


If you have any questions, please do not hesitate to contact me. I look forward to working with both of you.

Very truly yours,

DOUGLAS J. RISHWAIN  
A Professional Law Corporation

BY:   
DOUGLAS J. RISHWAIN

I, Elisa J. Aquino, have read the above correspondence prepared by my attorney, Douglas J. Rishwain, and I agree to the contents and requests stated therein.

BY:   
ELISA J. AQUINO, individually & as  
Trustee of the Elisa J. Aquino Living Trust

Dated: June 4, 2024

# ATTACHMENT 7

**Hightower, Jeffrey [LAFCO]**

---

**From:** Doug Rishwain <doug@rishwainlaw.com>  
**Sent:** Friday, August 23, 2024 12:41 PM  
**To:** Hightower, Jeffrey [LAFCO]; Rick Caguiat  
**Cc:** David Niskanen; david@jbandersonplanning.com  
**Subject:** RE: **[\*\*EXTERNAL\*\*]** RE: City of Lathrop SOI

Hi J.D.,

As a follow up to our telephone conversation a few days ago, my client is agreeable to the designations for APN: 191-250-07 stated below by Rick Caguiat in his email reply on August 15, 2024. If you need any further information from my client or me in advance of the LAFCO hearing, please do not hesitate to contact me.

Thank you,  
Doug

Douglas J. Rishwain  
3031 W. March Lane, Suite 112 South  
Stockton, CA 95219  
Office: (209) 472-9100  
Direct: (209) 870-7770  
Fax: (209) 951-8228  
Email: [doug@rishwainlaw.com](mailto:doug@rishwainlaw.com)

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**From:** Hightower, Jeffrey [LAFCO] <jhightower@sjgov.org>  
**Sent:** Thursday, August 15, 2024 11:32 AM  
**To:** Rick Caguiat <rcaguiat@ci.lathrop.ca.us>  
**Cc:** Doug Rishwain <doug@rishwainlaw.com>; David Niskanen <planningconsultant@ci.lathrop.ca.us>; david@jbandersonplanning.com  
**Subject:** RE: **[\*\*EXTERNAL\*\*]** RE: City of Lathrop SOI

Hi Rick,  
Thank you, that's what I was assuming but you know how that goes.

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)



"Focus on the present, embrace the future, and learn from the past."

Lou Gehrig

**From:** Rick Caguiat <[rcaguiat@ci.lathrop.ca.us](mailto:rcaguiat@ci.lathrop.ca.us)>

**Sent:** Thursday, August 15, 2024 11:29 AM

**To:** Hightower, Jeffrey [LAFCO] <[jhightower@sigov.org](mailto:jhightower@sigov.org)>

**Cc:** Doug Rishwain <[doug@rishwainlaw.com](mailto:doug@rishwainlaw.com)>; David Niskanen <[planningconsultant@ci.lathrop.ca.us](mailto:planningconsultant@ci.lathrop.ca.us)>;  
[david@jbandersonplanning.com](mailto:david@jbandersonplanning.com)

**Subject:** Re: [\*\*EXTERNAL\*\*] RE: City of Lathrop SOI

Hello JD,

Confirming the following designations for APN: 191-250-07:

General Plan: FC, Freeway Commercial

Zoning: CH, Highway Commercial

The existing residential structure will have a legal-non conforming status (grand fathered) since residential uses are not allowed in the CH zone. They can continue to use the home indefinitely until there is a proposal to change the use or develop the property to commercial. At such time the existing residence must be removed. They can also continue to maintain the home (re-roof, paint, change windows, etc.).

Hope this helps!

## **Rick Caguiat**

Director | Community Development Department

City of Lathrop | 390 Towne Centre Dr. Lathrop, CA 95330

O: (209) 941-7290 | D: (209) 941-7296

E: [rcaguiat@ci.lathrop.ca.us](mailto:rcaguiat@ci.lathrop.ca.us)

---

**From:** Hightower, Jeffrey [LAFCO] <[jhightower@sigov.org](mailto:jhightower@sigov.org)>

**Sent:** Thursday, August 15, 2024 11:14 AM

**To:** Rick Caguiat <[rcaguiat@ci.lathrop.ca.us](mailto:rcaguiat@ci.lathrop.ca.us)>; Doug Rishwain <[doug@rishwainlaw.com](mailto:doug@rishwainlaw.com)>

**Subject:** [\*\*EXTERNAL\*\*] RE: City of Lathrop SOI

Hi,

I left an email regarding the pre-zoning of the 7.03 acre 11591 S. Manthey Road, APN 191-250-07. 11401 and 11555 S. Manthey (APN's 191-250-09 & 10) have a general plan designation of Freeway Commercial and with the implementing zoning of Commercial Highway (CH). My staff report and resolution are going in the direction of pre-zoning the site to CH, trying to avoid unintentional consequences, if any, of creating a potentially legal non-conforming residential use in the CH zone upon annexation by the City. Potentially because residential may be a permitted use in the CH zone. Zoning administration is not a LAFCo matter.

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)



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Lou Gehrig

**From:** Rick Caguiat <[rcaguiat@ci.lathrop.ca.us](mailto:rcaguiat@ci.lathrop.ca.us)>

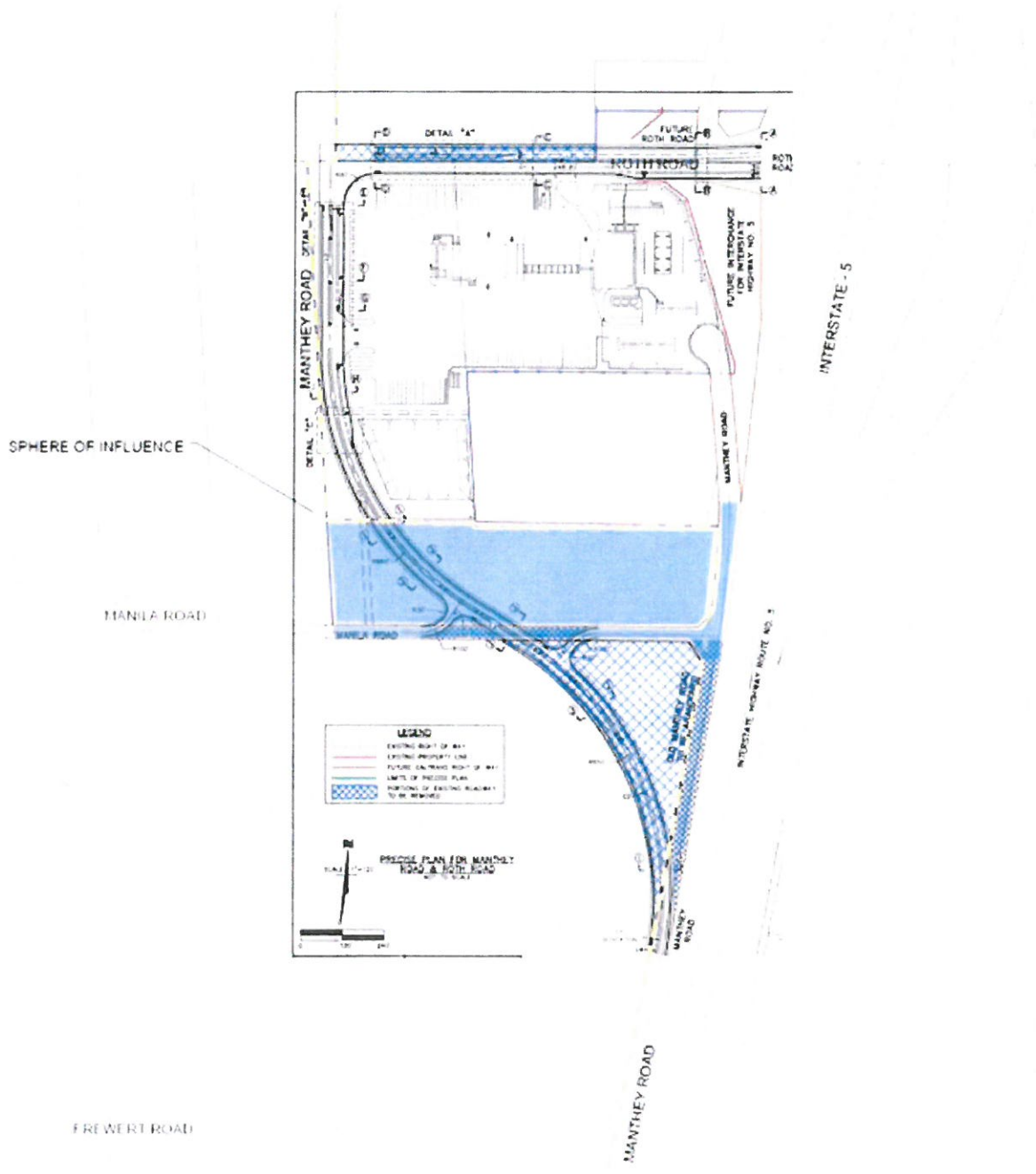
**Sent:** Tuesday, August 6, 2024 3:44 PM

**To:** Hightower, Jeffrey [LAFCO] <[jhightower@sjgov.org](mailto:jhightower@sjgov.org)>; Jolley, Jennifer [CDD] <[jjolley@sjgov.org](mailto:jjolley@sjgov.org)>

**Subject:** RE: City of Lathrop SOI

Hello JD and Jennifer,

The City of Lathrop is not opposed to extending the City's SOI to include the approximately 8.72 acres you described. This effort is a logical extension of the City's planning horizon and it also accommodates portions of the future Manthey Road realignment (north of Manila) to be located within the future City limit boundary as shown in the exhibit below:





This e-mail serves as my support of the SOI expansion pursuant to Government Code 56425(b). Feel free to contact me if you have any questions.

Thank you,

**RICK CAGUIAT**

Director | Community Development Department

City of Lathrop | 390 Towne Centre Dr. Lathrop, CA 95330

O: (209) 941-7290 | D: (209) 941-7296

[rcaguiat@ci.lathrop.ca.us](mailto:rcaguiat@ci.lathrop.ca.us)

**From:** Hightower, Jeffrey [LAFCO] <jhightower@sjgov.org>  
**Sent:** Tuesday, August 6, 2024 1:21 PM  
**To:** Rick Caguiat <rcaguiat@ci.lathrop.ca.us>; Jolley, Jennifer [CDD] <jjolley@sjgov.org>  
**Subject:** [**\*\*EXTERNAL\*\***] City of Lathrop SOI

Hi,

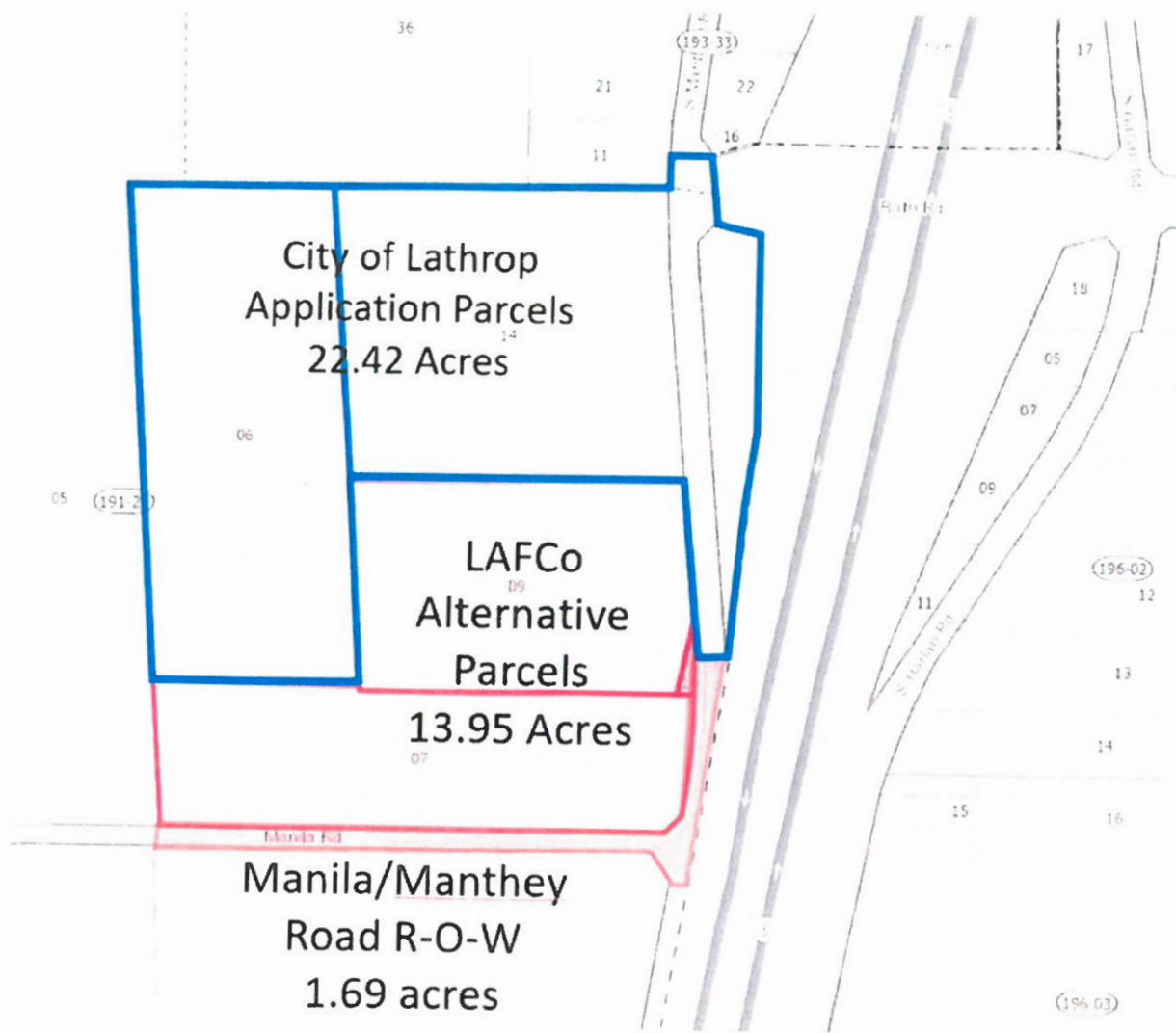
My question is if the City of Lathrop and San Joaquin County agree that inclusion of approximately 8.72 acres into the City of Lathrop's SOI has a de minimis effect the SOI agreement between the City and County pursuant to Government Code 56425(b)?

**Background:**

City of Lathrop has made application to LAFCo for the annexation of 22.42 acres on the southwest corner of the future alignment of Roth Road and Manthey Road. In reviewing the application, my recommendation is that the City annex an additional three properties 11401, 11595 and 11471 S Manthey Road (APN 191-250-07, 09 and 10) comprising 13.95 acres. The pre-zoning of all three parcels to Highway Commercial (HC).

An SOI amendment is needed to include the 7.03 acre 11591 S Manthey (APN 191-250-07) and the approximately 1.69 acres of the Manila/Manthey Road r-o-w. Total SOI amendment of approximately 8.72 acres. This parcel and r-o-w is within the City's Area of Interest identified in the City's 2022 MSR. Inclusion of such would make Manila Road the boundary of the City of Lathrop in the area and facilitate the City's efforts to realign Manthey Road as identified in the Regional Transportation Plan.

The area is mapped by the State Department of Conservation as Farmland of Local Importance and is considered Prime Agricultural Land by LAFCo with the majority of the soils within the boundaries meeting both the Storie Index and USDA Capability thresholds.



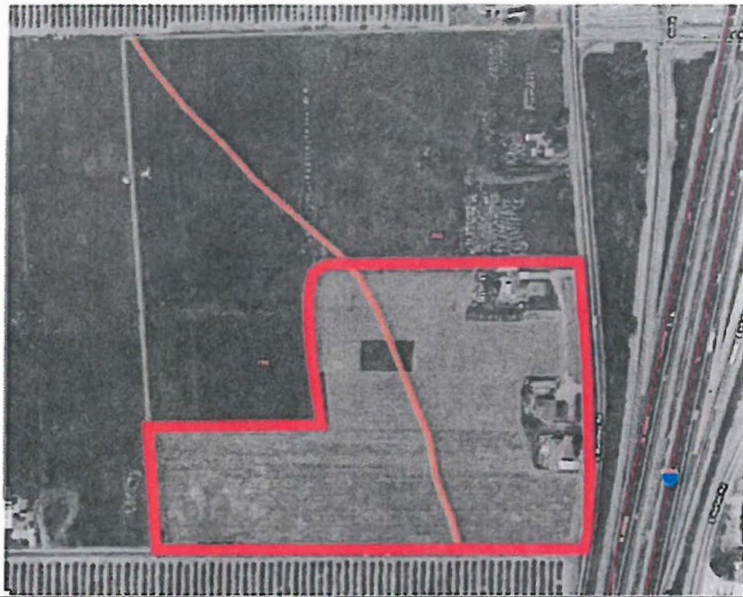
Location Map



County GIS Important Farmland Map

San Joaquin County, California (CA077)  
 San Joaquin County, California (CA077)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
196	Manteca fine sandy loam, 0 to 2 percent slopes	15.2	43.1%
266	Veritas fine sandy loam, 0 to 2 percent slopes	20.1	56.9%
<b>Totals for Area of Interest</b>		<b>35.3</b>	<b>100.0%</b>



**Tables – California Revised Storie Index (CA) – Summary By Map Unit**

**Summary by Map Unit – San Joaquin County, California (CA077)**

Summary by Map Unit – San Joaquin County, California (CA077)

Map unit symbol	Map unit name	Rating	Component name (percent)	Acres in AOI
196	Manteca fine sandy loam, 0 to 2 percent slopes	Grade 4 - Poor	Manteca (85%)	15.2
266	Veritas fine sandy loam, 0 to 2 percent slopes	Grade 1 - Excellent	Veritas (85%)	20.1
<b>Totals for Area of Interest</b>				<b>35.3</b>

Storie Index Map



Tables – Irrigated Capability Class – Summary By Map Unit

Summary by Map Unit – San Joaquin County, California (CA077)

Summary by Map Unit – San Joaquin County, California (CA077)

Map unit symbol	Map unit name	Rating	Acres in AOI	Per
196	Manteca fine sandy loam, 0 to 2 percent slopes	3	15.2	
266	Veritas fine sandy loam, 0 to 2 percent slopes	2	20.1	
<b>Totals for Area of Interest</b>			<b>35.3</b>	

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)



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Lou Gehrig

# Agenda Item 3



Balancing Community and Commerce

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

## EXECUTIVE OFFICER'S REPORT

DATE: September 12, 2024  
TO: LAFCo Commissioners  
FROM: J.D. Hightower, Executive Officer  
SUBJECT: **BUDGET LINE-ITEM ADJUSTMENT –  
MOVING EXPENSES**

### RECOMMENDATION:

Staff recommends approval of a budget line-item adjustment of \$10,000.00 from LAFCo reserves to account 6201000000 Office Expense – General for the moving of LAFCo office to 7488 Shoreline Drive in Stockton.

### BACKGROUND:

Currently off-street parking for LAFCo employees is at the LAZ COY parking structure, located across the street from the downtown theater. Elevators to upper level parking is two blocks away from the entrance of 44 North San Joaquin Street, the current LAFCo offices.

Employee safety is the paramount over-arching goal of every employer, including LAFCo. Recently an employee was assaulted while walking to the garage to drive to an official meeting in another city.

Employees traversing to the parking structure does not meet the Executive Officer's safety expectations. Each public encounter is unique. The observed trend over the past two years is that there is a higher probability of encounters with aggressive behavior. Being assaulted is the next step in this trend of social transgression. With this trend, the risk factors associated employees with going to off-site parking on a daily basis is too great. There is a need for secured on-site parking.

LAFCo staff has consistently asked both the County and LAZ Parking for a more secured off-street parking location. This has been after several car break-ins in the current parking structure. The response has been that no other parking is available.

LAFCo staff enjoys the benefit of chance meetings and exchange of ideas with County employees at the current location. Likewise, staff has contacted the cities of Lathrop, Manteca and Tracy to inquire about the availability of office space, no avail to date.

LAFCo is a separate entity from both the County and cities of San Joaquin. It is a regional planning agency created by the state. Being within a private building will help clarify this position. The private space currently available that meets LAFCo needs is 7488 Shoreline Drive.

Time is of the essence due to shortening of daylight hours. 7488 Shoreline Drive has on-site off-street parking. The move to 7488 Shoreline Drive is scheduled for November 1, 2024. Currently LAFCo pays approximately \$1.29 per square foot. The lease at 7488 Shoreline Drive is \$1.25 per square foot. There will be the cost of monthly electrical and office maintenance added to the \$1.25 per square foot rate.

There is adequate reserves for the requested line-item adjustment. Pursuant to Commission policy, staff is informing the Commission of the need to transfer funds from the reserve account to the Office Expense – General Office account. Pursuant to CKH Section 56384, in conducting and performing day-to-day business of the Commission, the Executive Director has the authority to execute the lease at 7488 Shoreline Drive.

