
**SAN JOAQUIN
LOCAL AGENCY FORMATION COMMISSION**

LAFCo

44 NORTH SAN JOAQUIN STREET □ SUITE 374 □ STOCKTON, CA 95202

AGENDA

Thursday, June 09, 2022 9:00 A. M.

BOARD OF SUPERVISORS CHAMBERS
44 NORTH SAN JOAQUIN STREET, 6TH FLOOR
STOCKTON, CALIFORNIA

* * * *

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

CONSENT ITEMS

1. MEETING MINUTES OF May 12, 2022
(Action by All Members)
Approve Summary Minutes of the regular meeting.
2. DISCUSSION AND POSSIBLE ACTION REGARDING MEETINGS OF THE
SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION UNDER AB
361 USING TELECONFERENCE DURING A PROCLAIMED STATE OF
EMERGENCY
(Action by All Members)
Consider Resolution to conduct meetings of the San Joaquin Local Agency Formation
Commission using teleconferencing pursuant to Government Code 54953 as amended
by Assembly Bill 361 for the period June 14, 2022 to July 14, 2022.

PUBLIC HEARING

3. WHISTLER WAY REORGANIZATION TO THE CITY OF (LAFCo 13-22)
(Action by Regular Members)
Request to annex approximately 8.78 acres to the City of Stockton.
4. FINAL BUDGET FOR THE FISCAL YEAR 2022-2023
(Action by All Members)
Commission consideration of the Final Budget for Fiscal Year 2022-2023, Work
Program and Schedule of Fees.

PUBLIC COMMENTS

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

EXECUTIVE OFFICER COMMENTS

6. Comments from the Executive Officer

COMMISSIONER COMMENTS

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

ADJOURNMENT

LAFCo

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

SUMMARY OF MINUTES

May 12, 2022

VIDEO CONFERENCE

Chairman Breitenbucher called the meeting to order at 9:10 a.m.

MEMBERS PRESENT Commissioners, Johnson, Lincoln, Villapudua, Winn and Chairman Breitenbucher.

MEMBERS ABSENT: None

ALTERNATE MEMBERS PRESENT: Commissioners Diallo, Morowit and Patti

ALTERNATE MEMBERS ABSENT: None

OTHERS PRESENT: James Glaser, Executive Officer; Rod Attebery, Legal Counsel; Elizabeth Contreras, LAFCo Analyst and Mitzi Stites, Commission Clerk

Rod Attebery requested, with the permission of Chairman Breitenbucher, to move Item No. 9, Hammer Lane Annexation to be heard before Item No. 7, Preliminary Budget. Chairman Breitenbucher agreed, also stating that he would like to move Public Comments before the Consent Items.

PUBLIC COMMENTS:

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

Steve Pinkerton, General Manager, Mountain House Community Services District, stated that there are two parcels that are not in the Mountain House Community Services District but are in the Sphere of Influence that are ready to be annexed into the District. With Mountain House's growth there is a challenge to get infrastructure in place. The Environmental Review is in place and funding for the roads and school are in place. A \$5 million investor has been trying to make this project go as smooth and fast as possible but the investor alleges that there has been mixed answers. Mr. Pinkerton is very concerned about this stating that there is

nothing in the LAFCo rules that the Municipal Service Review needs to be done every five years and believes that the Environmental Impact Report is current enough. Mr. Pinkerton is requesting that the Commission direct LAFCo Staff to move forward on this and that these annexations be placed on the July or August Agenda.

Mr. Kirk Nicholas, School Superintendent, Lammersville Unified School District, stated that they need all steps to go as smoothly as possible. There are three steps that factor into this process:

- 1) There is an over flow of students.
- 2) There are complications with College Park overflow of students.
- 3) More people are moving into Mountain House and this will cause larger demand for the schools.

Mr. Nicholas is requesting that the Commission follow Mr. Pinkerton's request so the students do not suffer.

Rod Attebery, Legal Counsel, stated that he had spoken with the property owner as well as the consultant and a time line had been established. As soon as the paperwork is received, LAFCo will process it. If any Commissioners have a question on this they can contact him directly.

CONSENT ITEMS

A motion was made by Commissioner Johnson and seconded by Commissioner Villapudua to approve the Consent Calendar.

The motion for approval of the Summary Minutes of April 14, 2022 meeting was passed by a unanimous vote of the Commission.

The motion for approval for the out-of-agency service request to property located at 5633 E. Main Street was passed by a unanimous vote of the regular voting members of the Commission.

The motion for approval authorizing the San Joaquin Local Agency Formation Commission to conduct meetings using teleconferencing pursuant to Government Code 45953 as amended by AB 361 for the period of May 14, 2022, to June 13, 2022, was passed by a unanimous vote of the regular voting members of the Commission.

PUBLIC HEARING

9. HAMMER LANE REORGANIZATION TO THE CITY OF STOCKTON
(LAFc 06-22)
(Action by Regular Members)
Request to annex approximately 8.33 acres to the City of Stockton.

Mr. Glaser, Executive Officer presented a PowerPoint presentation providing an overview for the project. The annexation project involves annexation of 8.33 acres plus 710 linear feet of adjacent Hammer Lane right-of-way to the City of Stockton with concurrent detachments from the San Joaquin County Resource Conservation District and Waterloo-Morada Fire District.

Mr. Glaser recommends that the Commission approve Resolution 1475 to approve the Hammer Lane Reorganization to the City of Stockton.

Charlie Nattland, Senior Architect/Senior Associate, CSHQA, did a PowerPoint presentation providing an overview of this project. Development of the annexation site will include an AM/PM; Sonic, a quick service restaurant; Black Bear Dinner, a sit down restaurant; and an Elite Car Wash. A hotel will be built on the parcel fronting Hammer Lane.

Charlie Nattland stated that CJ Dhaliwal with Hammer Petroleum; Diane Kindermann, Counsel Abbott and Kindermann; Greg McMillian; Charlie Simpson, Principal, Basecamp Environmental; and Wayne Shijo, Traffic Engineer, KD Anderson, are available to answer any questions that the Commission may have.

David Burkett, Principal Architect, AIA presented a PowerPoint presentation on the proposed Fairfield by Marriott that is a part of this annexation project.

Chairman Breitenbucher opened the floor to Commissioner Comments.

No Comments were made.

Chairman Breitenbucher opened the floor to Public Comments.

Mike McDowell, Community Development Department, City of Stockton, stated that the City of Stockton is in support of this project and thanked Mr. Glaser for his assistance in moving this project forward.

Chairman Breitenbucher closed the floor to Public Comments.

Commissioner Johnson made a motion and seconded by Commissioner Villapudua to approve Resolution 1475 approving the Hammer Lane Reorganization to the City of Stockton with concurrent detachments from the Waterloo-Morada Rural Fire District and the San Joaquin County Resource Conservation District.

Roll Call Vote:

Ayes: Commissioners Johnson, Lincoln, Villapudua, Winn and Breitenbucher

Noes: None

Absent: None

CLOSED SESSION

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

5. Closed Session
Conference with Labor Negotiator Pursuant to Government Code Section 54957.6
Agency Designated Representative: David Breitenbucher / Rod Attebery
Unrepresented Employee: Executive Officer James Glaser
6. Open Session Report on Closed Session pursuant to Government Code Section 54957.1

Rod Attebery, Legal Counsel, stated that there was no reportable action.

PUBLIC HEARING

7. PRELIMINARY BUDGET REPORT FOR THE FISCAL YEAR 2022-2023
(Action by All Members)
Commission consideration of the Preliminary Budget for Fiscal Year 2022-2023, Work Program and Schedule of Fees.

Mr. James Glaser, Executive Officer, presented an overview of the proposed budget. He stated that the budget anticipates that the cost for staffing and operations will be approximately \$826,819 and that the Commission will transfer \$310,379 from its estimated \$1,305,844 Contingency/Reserve funds to continue agency operations at the end of the FY 2022-2023 if all line items are fully expended.

Mr. Glaser, Executive Officer presented two options for the Commission to consider. Option A continues the 3% annual increase for the County and cities contributions, \$236,400 (FY 21-22) to \$243,500. Option B increases the County and cities contributions by 5%, \$236,400 (FY 21-22) to \$248,220.

Mr. Glaser summarized LAFCo's accomplishments during the fiscal year and outlined next year's work program and recommended changes to the Application Filing Fee Schedule.

Proposed adjustments to the Application Filing Fee Schedule include:

- A 5% increase to the annexation filing fees.
- Increase to Staff hourly fees for unique / complex projects.

Staff recommends that the Commission approve the 5% increase for the Preliminary Fiscal Year 2022-2023 Budget, the Work Program, and Schedule of Fees.

Chairman Breitenbucher opened the floor to Commissioner Comments.

Commissioner Johnson inquired about the estimated \$10,000 for Contracted for Services.

Mr. Glaser stated that it was one-half of the consultant cost for the recruitment of the Executive Officer position.

Chairman Breitenbucher opened the floor to Public Comments.

No one came forward.

Chairman Breitenbucher closed the floor to Public Comments.

Commissioner Villapudua made a motion and seconded by Commissioner Johnson to approve Resolution 1474 adopting the Preliminary Fiscal Year 2022-2023 Budget with the 5% increase, Work Program and Schedule of Fees.

Roll Call Vote:

Ayes: Commissioners Diallo, Johnson, Lincoln, Morowit, Patti, Villapudua, Winn and
Chairman Breitenbucher

Nos: None

Absent: None

8. DISCUSSION AND POSSIBLE ACTION REGARDING THE EXECUTIVE OFFICER COMPENSATION

Rod Attebery, Counsel, stated that he met with the Executive Officer and the Commission to approve the Preliminary Budget, and a motion to approve a 5% increase for the Executive Officer that will be effective June 1, 2022.

Chairman Breitenbucher opened the floor to Commissioner Comments.

Chairman Breitenbucher opened the floor to Public Comments.

No one came forward.

Chairman Breitenbucher closed the floor to Public Comments.

Commissioner Patti made a motion and seconded by Commissioner Morowit to approve a 5% increase for the Executive Officer that will be effective June 1, 2022.

Roll call Vote:

Ayes: Commissioners Diallo, Johnson, Lincoln, Morowit, Patti, Villapudua, Winn and
Chairman Breitenbucher

Nos: None

Absent: None

EXECUTIVE OFFICER COMMENTS

9. Comments from the Executive Officer

James Glaser, stated that in June the Final Budget and the Whistler Way Reorganization will be brought before the Commission. Staff will be sending out the Public Hearing notifications and need to know if the Commission will be meeting in person or continue to meet on Zoom.

COMMISSIONER COMMENTS

10. Comments, Reports, or Questions from the LAFCo Commissioners

Chairman Breitenbucher stated that he would rather meet in person and asked if any other Commissioner has a preference. Commissioner Patti stated that he would like to meet in person as well.

Rod Attebery, Legal Counsel, inquired if the Board of Supervisor Chambers has the capability to have the public call in.

Commissioner Patti stated that the system does allow the public to call in.

Commissioner Winn stated that the system only allows the people involved in the project to call in not the public to call in for comments.

Chairman Breitenbucher requested that we start in person meetings beginning on June 9, 2022.

Meeting was adjourned at 11:20 a.m. The next LAFCo Meeting will be on Thursday, June 9, 2022.

LAFCo

44 NORTH SAN JOAQUIN STREET, SUITE 374 □ STOCKTON, CA 95202

EXECUTIVE OFFICER'S REPORT

DATE: June 9, 2022

FROM: Rod Attebery, General Counsel

SUBJECT: Discussion and Possible Action Regarding Meetings of the San Joaquin Agency Formation Commission Under AB 361 Using Teleconference During a Proclaimed State of Emergency

Recommendation

It is recommended that the Commission approve the attached LAFCo resolution 1465 authorizing Commission to conduct meeting of the San Joaquin Local Agency Formation Commission using teleconferencing pursuant to Government Code 45942 as amended by AB 361 for the period of , June 14, 2022 to July 14, 2022.

Background

On September 16, 2021, Governor Gavin Newsom signed Assembly Bill 361 ("AB 361") into law, amending the Ralph M. Brown Act (Gov. Code, § 54950 *et seq.*) (the "Brown Act"). AB 361 codified certain modified requirements for teleconference meetings held by public agencies, similar to those previously authorized and extended by executive order during the COVID-19 State of Emergency.

AB 361 was introduced to provide a longer-term solution for teleconference meetings during states of emergency, effective until January 1, 2024. AB 361 amends Section 54953 of the Government Code to allow the legislative body of a local agency to meet remotely without complying with the normal teleconference rules for agenda posting, physical location access, or quorum rules. To do so, one of three scenarios must exist, all of which require that the Governor has proclaimed a State of Emergency pursuant to Government Code section 8625:

- A. State or local officials have imposed or recommended measures to promote social distancing;
- B. The agency is holding a meeting for the purpose of determining whether meeting in person would present imminent risks to the health or safety of attendees; or
- C. The agency is holding a meeting and has determined that meeting in person would present imminent risks to the health or safety of attendees.

(Gov. Code, § 54953(e)(1).)

An agency and any committee that is required to comply with the Brown Act, that holds a meeting under either of the three scenarios must continue to post its agenda in the time required by the Brown Act, and ensure that the public is able to address the agency or committee directly through teleconference means. (*Id.* at subd. (e)(2).) If a disruption prevents the agency or committee from broadcasting the meeting or receiving public comments in real time, the agency or committee cannot take further action until those functions are restored; any actions taken during such a disruption are subject to legal challenge. (*Id.*)

Assuming the State of Emergency remains in effect, if the San Joaquin Local Agency Formation Commission (“LAFCo” or the “Commission”) or LAFCo committees wish to continue meeting under the modified rules, then the Commission, and each committee that wants to continue to meet using teleconference must each individually adopt an initial resolution within 30 days of the first teleconference meeting, and then must adopt an extension resolution at least every 30 days thereafter. (*Id.* at subd. (e)(3).) The resolutions must contain findings stating that the Commission or committee has reconsidered the circumstances of the State of Emergency and either (1) the State of Emergency continues to directly impact the ability of the members to meet safely in person; or (2) State or local officials continue to impose or recommend measures to promote social distancing. (*Id.*)

Where consecutive regular meetings fall outside the 30-day time frame, the Commission or committee should hold a special “AB 361” remote meeting within the 30-day window simply to reauthorize the AB 361 exceptions. Without the AB 361 exceptions, the Commission or committee will be required to return to normal in-person meetings or provide public access at each remote location under the traditional teleconference rules, as of October 1, 2021. Therefore, if the AB 361 authorization lapses and the Commission or a committee wishes to hold a teleconference meeting, it will be required to post agendas and provide public access at each remote location, identify those locations in the agenda, and maintain a quorum of the Commission within agency boundaries. If a meeting is not held in conformity with AB 361, commissioners may not teleconference from their residences or other locations, which are not open and accessible to the public.

FISCAL IMPACT:

None.

Attachment: Resolution 1476

Resolution No. 1476

**BEFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION
AUTHORIZING COMMISSION TO CONDUCT MEETINGS OF THE SAN JOAQUIN
LOCAL AGENCY FORMATION COMMISSION USING TELECONFERENCING
PURSUANT TO GOVERNMENT CODE 54953 AS AMENDED BY AB 361 FOR THE
PERIOD JUNE 14, 2022 TO JULY 14, 2022**

WHEREAS, the San Joaquin Local Agency Formation Commission (“LAFCo”) is committed to preserving and nurturing public access and participation in meetings of the Commission; and

WHEREAS, all meetings of LAFCo’s legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch LAFCo’s legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), as amended by AB 361 (2021), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, on March 4, 2020, the Governor proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS, Cal-OSHA adopted emergency regulations (Section 3205) imposing requirements on California employers, including measures to promote social distancing; and

WHEREAS, an Order of the San Joaquin County Public Health Officer acknowledges that close contact to other persons increases the risk of transmission of COVID-19; and

WHEREAS, currently the dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations, therefore, meeting in person would present imminent risks to the health or safety of attendees.

NOW, THEREFORE, BE IT RESOLVED, that the San Joaquin Local Agency Formation Commission approves

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Finding of Imminent Risk to Health or Safety of Attendees. LAFCo does hereby find that the current dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations has caused, and will continue to cause, conditions of peril to the safety of persons, thereby presenting an imminent risk to health and/or safety to LAFCo's employees and attendees of the Commission's public meetings; and

Section 3. Teleconference Meetings. LAFCo does hereby determine as a result of the State of Emergency proclaimed by the Governor, and the recommended measures to promote social distancing made by State and local officials that the Commission may conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e)(1)(A) and (B) of section 54953, and shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

Section 4. Direction to Staff. The Executive Officer and LAFCo staff are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED this 9th day of June 2022, by the following roll call vote:

AYES:

NOES:

ABSENT:

DAVID BREITENBUCHER, Chairman
San Joaquin Local Agency
Formation Commission

LAFCo

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

EXECUTIVE OFFICER'S REPORT

- PROJECT:** WHISTLER WAY REORGANIZATION TO THE CITY OF STOCKTON (L AFC 13-22)
- PROPOSAL:** Annexation of 11.93 acres to the City of Stockton with concurrent detachments from the San Joaquin County Resource Conservation District and Lincoln Rural Fire District.
- APPLICANT:** City of Stockton
- LOCATION:** Northwest corner of the intersection of Lower Sacramento Road and Grider Way, Stockton. (Exhibit A: Vicinity Map)
- PURPOSE:** Annexation required to extend city services for the proposed development
- PROCESS:** Project is uninhabited and has owner consent

RECOMMENDATION

It is recommended that the Commission approve Resolution No. 1477 approving the Whistler Way Reorganization to the City of Stockton.

BACKGROUND

A Resolution of Application was approved by the City of Stockton on March 22, 2022 authorizing an application submittal to LAFCo to annex 11.93 acres to the City. (Exhibit B: Justification of Proposal). The annexation site consists of six parcels and the rights-of-way of the site frontages on Grider Way and Lower Sacramento Road. Two of the parcels along Grider Way are developed with commercial buildings and the other parcels are vacant. The vacant four parcels will be used to develop a new 100,850 square foot 570-unit personal storage facility with 1,200 square-foot caretakers residential unit. The annexation site is contiguous to the City and within the City's 10-year planning horizon.

ENVIRONMENTAL

The City of Stockton certified and adopted an Initial Study and Mitigated Negative Declaration and approved Mitigation Measures for the Whistler Way project. LAFCO as a Responsible Agency must consider the environmental documentation prepared by the City. The Commission must make findings regarding the environmental documentation. (Exhibit C: Initial Study/Mitigated Negative Declaration).

PROPERTY TAX EXCHANGE

Pursuant to the Revenue and Taxation Code, the City and County must have an agreement in place that would determine the exchange of property tax revenues from jurisdictional changes. The City and County executed a master tax sharing agreement on July 21, 2015, applicable to all annexations through 2025.

FACTORS

The Cortese-Knox-Hertzberg Local Government Reorganization Act requires factors to be considered by a LAFCO when evaluating a proposal for a change in organization or reorganization to a City. Factors to be considered shall include, but are not limited to the following (Government Code Sections 56668):

(a) Population and population density, likelihood of significant growth during the next 10 years

The annexation site is planned for urban uses in the Stockton General Plan. It is located within a developing urban area with existing commercial development. The annexation site is a continuation of commercial development planned for the area.

(b) The need for organized community services and present cost and adequacy of governmental services

Essential governmental services which are provided to the subject area at the present time, and which will be provided after the proposal is finalized, are indicated in the following chart:

SERVICE	CURRENT PROVIDER	AFTER ANNEXATION
Law Enforcement	County Sheriff's Office	City
Fire Protection	Lincoln Rural Fire District	City
Water	Stockton East Water District	Stockton East Water District
Sewer	None	City
Drainage	None	City
Irrigation	Woodbridge Irrigation District	Woodbridge Irrigation District
Schools	Lodi Unified School District	Lodi Unified School District
Planning	County	City

The subject site would require extension of existing City services. City ordinances and resolutions are in place to ensure that required public facilities fees are paid and that services can be maintained at appropriate levels for the project. The City's Municipal Service Review and SOI Update determined that City municipal services are adequate to serve the proposed development.

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

The proposed action will not have an effect on any social interests or any effect on economic interests. The property owners have consented to the annexation to the City. There will be no effect of the proposed action on the local governmental structure of the county.

(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 set forth in Section 56377.

The proposed annexation site is within the City's 10-year sphere of influence boundary and is anticipated for development. The site is adjacent to the City boundary and is surrounded by urban development or lands planned for eventual development. The site is designated Agriculture-Urban Reserve and zoned Commercial by the County. The City's zone designation is Commercial for the annexation as well as the surrounding area. The annexation site is a continuation of commercial development planned for the area.

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

Agricultural lands are defined as land that is currently used for the purpose of producing an agricultural commodity for commercial purposes. The parcels proposed for annexation are not in agricultural production and the annexation site will not convert land considered as prime agricultural land under Section 56016. (Exhibit D: Statement of Open Space Land Conversion)

(f) The definiteness and certainty of the boundaries of the territory.

The proposed annexation area consist of six tax assessor parcels consistent with LAFCO policy of avoiding split lines of assessment or ownership. The annexation boundary also includes the portions of Whistler Way and Lower Sacramento Road abutting the annexation site forming a logical city boundary.

(g) A regional transportation plan adopted pursuant to Section 65080 and consistency with city or county general and specific plans.

The 2018 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) serves as the region's long range transportation plan and provide guidance for decisions about transportation spending priorities. The City considered the regional plan and developed policies and actions in its General Plan that would build upon the regional plan to ensure adequate public transit, bicycle, and pedestrian facilities. The City found that implementation of its General plan measures would not conflict with the regional plan.

(h) The sphere of influence of any local agency, which may be applicable to the proposal being received.

The proposed territory is within the Lincoln Rural Fire District and the San Joaquin Resource Conservation District spheres of influence. The territory will be detached from these districts. It is also within County Service Area 53-Household Hazardous Waste and County Service Area 54-Storm Water Pollution Prevention. The services provided by these county service areas are countywide and will continue to be provided to the annexation area.

(i) The comments of any affected local agency or other public agency.

The proposal was distributed to local and affected agencies for their review and comment. (Exhibit E: Referral Comments)

County Public Works Department: The Public Works requests that (1) the annexation boundary include all of Grider Way; and (2) include the City owned land (APN 084-040-27) adjacent to the right-of-way of Lower Sacramento Road to avoid a City right-of-way within the County.

(1) Staff concurs that all of Grider Way should be included in the annexation boundary.

(2) The suggestion by Public Works to include in the annexation boundary the City owned land adjacent within the right-of-way of Lower Sacramento Road would create an irregular and awkward city boundary. LAFCo must follow a definitive boundary that must be either a

parcel line or line of assessment. Inclusion of the city-owned parcel would create an irregular boundary east of Lower Sacramento. Inclusion of all of Lower Sacramento would also create a situation where a city-owned street would serve privately developed County property. LAFCo, therefore, does not support the suggested condition.

County Environmental Health Department: Abandon existing wells and septic systems to be abandoned shall be destroyed under permit and inspection by EHD.

(j) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

The City will extend municipal services to the proposed annexation area. As required by Government Code § 56653 the City submitted a plan for providing services (Exhibit F). GC 56653 requires that the plan address the following: 1) an enumeration and description of services to be provided; 2) the level and range of those services; 3) an indication of when those services can feasibly be extended; 4) improvements or upgrading of services or other conditions that would be imposed or required by the annexation; and 5) how the services will be financed. Detailed information can be found in the City's Services Plan.

Water: The City's water supply includes ground water and treated surface water. The project site is located within the North Stockton service area, which distributes water from the Delta Water Supply Project, Stockton East Water District and from groundwater wells. The two developed parcels are already connected to the City's water system. The developer of the vacant parcels would be required to construct a water line 16 inches in diameter parallel to an existing transmission line beneath Grider Way for water service connections and fire protection.

Storm Drainage: The annexation site is within the Bear Creek watershed and is located approximately 900 feet south of the site. The Bear Creek channel Runoff within the Bear Creek watershed is collected in three major storm drains with diameters of 36, 42, and 84 inches and pumped into Bear Creek from these drains at I-5, Iron Canyon Court and Thornton road, respectively. Bear Creek has sufficient capacity to carry runoff from developing lands south of Eight Mile Road including the Whistler Way annexation area.

Sewer: An existing sewer trunk line is located along Grider Way. The two developed properties are already connected to this to the City's wastewater system. The project would be required to construct an eight inch in diameter sewer line parallel to the existing Grider Way trunk line for sewer service.

Police: Law enforcement services are currently provided by the County Sheriff's Office and will be provided by the City's Police Department (SPD) upon annexation. Staffing level for the department is determined each year by City Council and is subject to change as the Council, City Manager, and Chief of Police determine the needs of the city. It is SPD's policy to respond to all emergency calls within a 3-5 minute time period. Public Facilities Fees for police facilities are collected by the City. It is anticipated that the Whistler Way annexation will generate about \$3,126 in fees. The City will also collect a three-quarter cent sales tax to provide funding for law enforcement, crime prevention and other essential city services.

Fire: Fire services for the annexation site is currently being provided by the Lincoln Rural Fire District. Upon annexation the annexation will detach from Lincoln Rural Fire District and the City would provide fire services. The nearest City fire station is Station 14 at 3019 McNabb Street, approximately 1.7 miles

of the project site. Average response times from this station for both structural and emergency medical service calls have been approximately six minutes. The applicant will work with the City Fire Department during planning and design phases to ensure site access, response times, sprinkler requirements, water system design, and hydrant placement are acceptable. The City will required an additional water connection for firefighting purposes. The City's Public Facilities fees will also be attributable for capital costs of fire station expansion.

(k) Timely availability of water supplies adequate for projected needs as specified in Government Code Section 65352.5.

The City prepared a Statement of Timely Availability of Water Supplies. The City's 2020 Urban Water Management Plan evaluated potential population growth and the availability of water based on existing water use patterns including commercial activities. The City determined that an adequate water supply can be reasonably available for the proposed future development on the subject site, even in multiple dry years. Water can be readily provided from existing sources, without the need to acquire additional supplies or water rights.

(l) The extent to which the proposal will affect a city and the county in achieving their respective fair share of the regional housing needs

The Whistler Way Reorganization proposal will not affect the City's fair share of regional housing needs as it is planned for commercial uses.

(m) Any information or comments from the landowner or owners, voters, or residents of the affected territory.

No information or comments have been received from landowners, voters, or residents of the affected territory.

(n) Any information relating to existing land use designations.

The subject site is currently within the jurisdiction of the County and has a General Plan designation of Agriculture-Urban Reserve and a zoning designation of C-C (Community Commercial) and A-20 (Agriculture-Urban Reserve). Under the City's General Plan, it is designated as Commercial and the City will pre-zone the subject site to General Commercial to allow development of the proposed uses.

(o) The extent to which the proposal will promote environmental justice (fair treatment of people of all races cultures, and incomes with respect to the location of public facilities and the provision of public services).

The project does not result in the unfair treatment with respect to the location of public facilities and provision of public services.

DISCUSSION

The Cortese-Knox-Hertzberg Reorganization Act of 2000 provides guidance to local LAFCo's in the review of proposals for reorganizations. The staff report provides a summary of the factors which must be considered by the Commission when reviewing an annexation proposal. The project represents a logical extension of the City boundary and provides for the orderly development of this area of the City. The annexation request has 100% consent of the property owners. The site was considered for development in the City's General Plan and is within the City's Sphere of Influence 10-year planning area.

Attachments: LAFCO Resolution No. 1477
Exhibit A: Vicinity Map

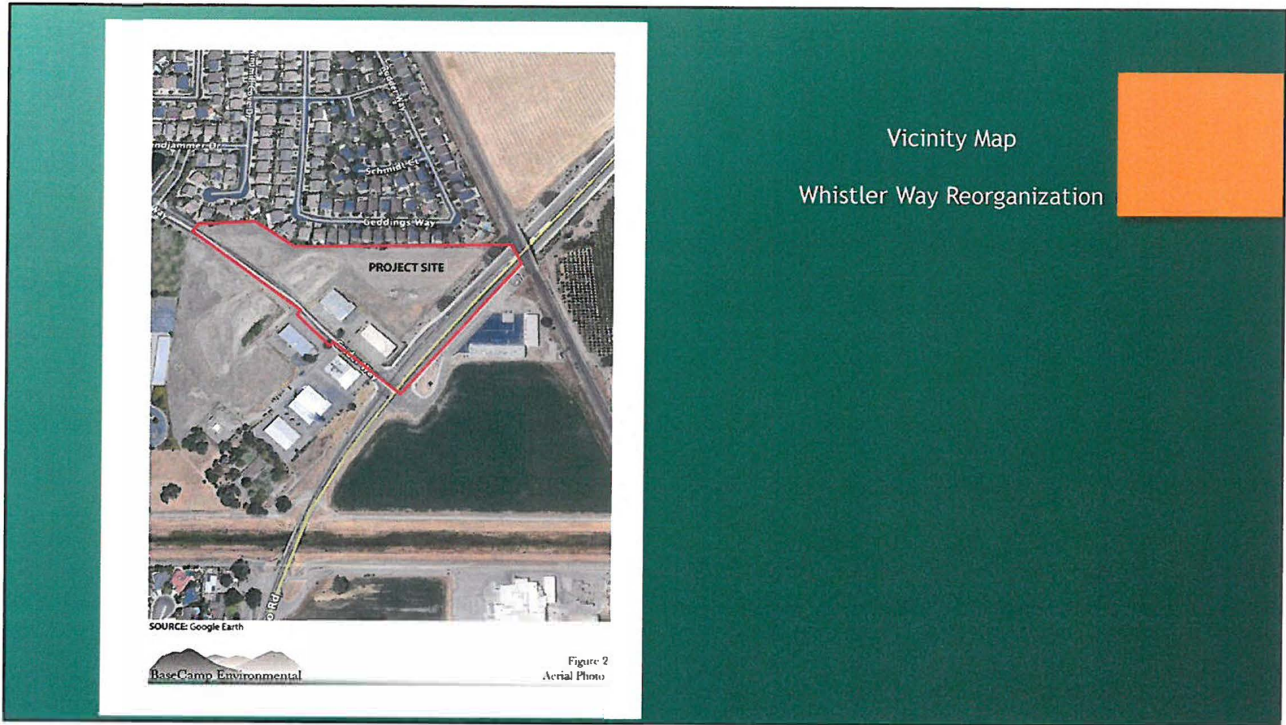
Exhibit B: Justification of Proposal
Exhibit C: Initial Study/Addendum
Exhibit D: Statement of Open Space Land Conversion
Exhibit E: Referral Comments
Exhibit F: City Services Plan

Whistler Way Reorganization to the City of Stockton

Public Hearing
June 9, 2022
San Joaquin Local Agency Formation Commission

Proposal

- Annexation of 11.93 acres to the City of Stockton
- Proposed annexation area consists of 6 parcels and the rights-of-way of site frontages on Grider Way and Lower Sacramento Road
- The annexation site will detach from Lincoln Rural Fire District and the San Joaquin Resource Conservation District
- Site is contiguous to the City boundary and within the 10-year sphere of influence planning horizon
- Site is located on the northwest corner of the intersection of Lower Sacramento Road and Grider Way



Background

- The City requests annexation to provide municipal services for the development of a 570-unit personal storage facility with a 1,200 square foot caretakers residential unit
- Annexation site consists of 6 parcels
 - 2 parcels are developed with commercial uses
 - 4 parcels will consist of the personal storage facility and caretakers unit
- Affected property owners have consented to the annexation

Environmental

City:

As the Lead Agency, the City certified and adopted an Initial Study and Mitigated Negative Declaration and approved Mitigation Measures

LAFCo:

As a responsible agency the Commission must independently review and consider the City's environmental documentation

Review Factors

Gov. Code Section 56668

- Site is planned for urban development in the City's General Plan
- It is located within a developing urban area with existing commercial development
- Development of the site will continue the pattern of commercial development for the area
- Annexation does not convert prime agricultural land
- Does not split lines of assessment or create an unincorporated island
- The site will detach from the Lincoln Rural Fire District and no mitigation for loss of revenue is needed for a fire district contracting with the City

Review Factors

(Gov Code Section 56668)

Comments from County Public Works:

(1) Annexation boundary include all of Grider Way

Staff concurs that all of Grider Way should be included in the annexation boundary

(2) Include the City owned land adjacent to the right-of-way of Lower Sacramento Road to avoid a City right-of-way within the County.

- Inclusion of the in the City owned land adjacent within the right-of-way of Lower Sacramento Road would create an irregular and awkward city boundary
- Inclusion of all of Lower Sacramento would create a situation where a city-owned street would serve privately developed County property
- LAFCo does not support the suggested condition

Review Factors

Gov. Code Section 56668

Ability to Provide Services

- Developer will be responsible to design and construct the necessary infrastructure on-site and off-site to receive water, storm drainage, and sewer service for the vacant parcels
- The City has determined there is sufficient capacity to serve the new development
- Law enforcement will be provided by the City
- It is City policy to response to all emergency calls within a 3-5 minutes time period
- Nearest fire station is located 1.7 miles from the annexation site with a response time of 6 minutes
- The Developer will be required to pay into the City's Public Facility Fees program and pay development fees

Discussion

- The City has demonstrated their ability to provide adequate services to the annexation area
- Annexation site is within the City's SOI 10-year planning horizon
- The site is in a developing urban area with existing commercial development
- The annexation is a logical and orderly extension of the City boundary

Recommendation

It is recommended that the Commission approve Resolution No. 1477 approving the Whistler Way Reorganization to the City of Stockton.

RESOLUTION NO. 1477

**BEFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION
APPROVING THE WHISTLER WAY REORGANIZATION TO THE CITY OF
STOCKTON WITH CONCURRENT DETACHMENTS FROM THE LINCOLN RURAL
FIRE DISTRICT AND THE SAN JOAQUIN COUNTY RESOURCE CONSERVATION
DISTRICT (LAFC 13-22)**

WHEREAS, the above entitled proposal was initiated by resolution by the City of Stockton and on March 22, 2022 the Executive Officer certified the application filed for processing in accordance with the Local Government Reorganization Act; and

WHEREAS, the Commission held a public hearing on the proposed reorganization on June 9, 2022 in the Board of Supervisors Chambers, 44 North San Joaquin Street, 6th 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, City of Stockton certified and adopted an Initial Study and Mitigated Negative Declaration and approved Mitigation Measures for the Whistler Way Reorganization to the City of Stockton.

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

WHEREAS, the Commission has, in evaluating the proposal considered the report submitted by the Executive Officer, the factors set forth in Section 56668 of the California Government Code and testimony and evidence presented at the public hearing held on June 9, 2022.

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

Section 1. Certifies that, as a Responsible Agency, the Commission has independently reviewed and considered the Initial Study and Mitigated Negative Declaration and adopts the CEQA Mitigation Measures certified by the City;

Section 2. Finds that the proposal is uninhabited and has 100% owner-consent.

Section 3. Approves the annexation of Whistler Way Reorganization to the City of Stockton with concurrent detachments from the Lincoln Rural Fire District and the San Joaquin County Resource Conservation District with the boundary description as approved by the County Surveyor, attached hereto as Exhibit A.

Section 5. Finds, pursuant to Government Code Section 56856.5, the reorganization is necessary to provide services to planned, well-ordered, and efficient urban development patterns

that include appropriate consideration of the reservation of open-space lands within those urban development patterns.

PASSED AND ADOPTED this 9th day of June 2022 by the following roll call vote:

AYES:

NOES:

ABSENT:

DAVID BREITENBUCHER, CHAIRMAN
San Joaquin Local Agency
Formation Commission

Whistler Way Reorganization to the City of Stockton (LAFC 13-22)



SOURCE: Google Earth



Figure 2
Aerial Photo

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

JUSTIFICATION OF PROPOSAL

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

SHORT TITLE OF THE PROPOSAL: WHISTLER WAY REORGANIZATION

TYPE OF PROPOSAL

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

AGENCY CHANGES RESULTING FROM THIS PROPOSAL

Agency or Agencies gaining territory: CITY OF STOCKTON

Agency or Agencies losing territory: SAN JOAQUIN COUNTY

NOTIFICATION

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

<u>Name</u>	<u>Mailing Address</u>	<u>Telephone</u>
DAVID STAGNARD, c/o STRATEGIC LAND PLANNING	18040 FOREMAN CT. LINDEN, CA 95236	209 471-0265
MARLON BATEMAN	5701 LANSTEEK BLVD. STE 102 ROCKLIN, CA 95765	916 626-3121
JOHN & TERI DANDERO	1776 N. MURRAY RD. LINDEN, CA 95236	209 401-9784 209 401-9785
MATT DIAZ	425 N. EL DORADO ST. STOCKTON, CA 95202	209 937-8598

(Attach a separate sheet if necessary.)

PROJECT INFORMATION

Please provide project-related information for the following questions:

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

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

SEE ATTACHMENT

(Attach a separate sheet if necessary)

8. Physical Location of Proposal: NORTHWEST CORNER OF GEDERWAY RD
(Street or Road, distance from and name of Cross Street, quadrant of City)
LOWER SACRAMENTO RD. IN NORTHWEST QUADRANT
OF STOCKTON, CA.

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

10. List those public services or facilities which will be provided to the affected territory as a result of the proposed action: WATER, WASTE WATER, STORM DRAINAGE,
POLICE, FIRE

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

12. Provide any other justification that will assist the Commission in reviewing the merits of this request. (Attach a separate sheet if necessary) CONSISTENT WITH LAFCD
EXEC. DIRECTOR GUIDANCE, REORGANIZATION IS REQUIRED
TO RECEIVE UTILITY SERVICES FROM THE CITY OF
STOCKTON FOR THE PROPOSED SELF-STORAGE PROJECT.

INDEMNIFICATION AGREEMENT

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

Executed at San Joaquin Linden, California, on March 9, 2022.
County

APPLICANT

Signature: Stephanie Ocasio
Title: Community Development Director
City of Stockton

REAL PARTY IN INTEREST
(If different from Applicant)

Signature: [Signature]
Title: Owner

SUBMITTALS

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

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

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

CERTIFICATION

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

Stephanie Ocasio
(Signature)
Print or Type Name: Stephanie Ocasio

Date: 3-23-22
Daytime Telephone: 209-937-8544

Resolution No. **2022-03-22-1602-01**

STOCKTON CITY COUNCIL

RESOLUTION CERTIFYING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE GRIDER STORAGE PROJECT LOCATED AT 692 GRIDER WAY AT ASSESSOR PARCEL NUMBERS 070-56-047, 070-57-013, 070-14-035, 070-14-010, 070-14-011, AND 070-14-034 39 (APPLICATION NO. P21-0589)

Strategic Land Planning (hereafter "Applicant") requests the annexation of six (6) parcels totaling ±8.76-acres. Four (4) of the properties (APN 070-56-047, 070-57-013, 070-14-035, and 070-14-010) will be used to develop a new ±100,850 square foot 570-unit personal storage facility with 1,200 square-foot caretaker's residential unit located at 692 Grider Way. The proposed personal storage facility requires an Administrative Use Permit (AUP) for processing and will include accompanying drive aisles, parking stalls, landscaping, lighting, and utility services. The proposed annexation also includes two (2) developed parcels (APN 070-14-011 and 070-14-034) adjacent to the Grider Way and Lower Sacramento Road intersection; and

Since the 2040 General Plan, Land Use Map designates the project site as Commercial, the Project includes a request to Prezone the site to Commercial, General (CG) Zone, pursuant to Table 2-1 (General Plan Relationship to Development Code) of the General Plan; and

Per CEQA guidelines, it has been determined that the Project involves potential significant effects on the environment. Still, these effects could be reduced to a less-than-significant level with recommended mitigation measures. A Notice of Intent (NOI) to adopt the CEQA IS/MND was published in The Record on November 15, 2021. Since the review did not require State agency approval, the NOI provided notice of a 20-day public review/comment period on the draft CEQA IS/MND document. Members and other public agencies were allowed to review the draft CEQA IS/MND document. The review/comment period ended on December 6, 2021, with one comment received and incorporated into the final CEQA IS/MND; and

On October 28, 2021, per SMC Section 16.88.025, the Applicant held a neighborhood meeting to present the development proposal and receive feedback. Mailing notice was provided to property owners within 300 feet of the project site at least ten days in advance. City staff attended the meeting along with the Applicant and two members of the public. Questions were raised at the meeting; however, no formal comment on the Project has been submitted to staff in opposition or support; and

On January 27, 2022, the Planning Commission held a duly noticed public hearing, pursuant to Stockton Municipal Code (SMC) Section 16.116.040(D), to consider the proposed Prezoning, at which all times, all interested parties had the opportunity to be

heard. At the meeting, the Planning Commission voted 7-0 to recommend approval to the Stockton City Council; and

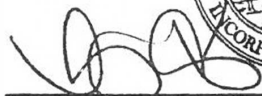
On March 22, 2022, the City Council conducted a public hearing on the application, in compliance with SMC Section 16.88.040, at which point all persons wishing to be heard were provided such opportunity; now, therefore,

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


1. The foregoing recitals are true and correct and are incorporated by this reference.
2. Based on its review of the entire record herein, the City Council proclaims,
 - a. A Mitigated Negative Declaration (MND) was prepared for the project per the California Environmental Quality Act (CEQA).
 - b. The MND identified potential environmental impacts which could occur from the development of the project and, where feasible, the application of mitigation measures that would reduce the impacts to a level of less than significant.
 - c. All other potentially significant effects were identified and paired with feasible mitigation measures to reduce them to less than significant levels.
3. Based on its review of the entire record herein, including March 22, 2022, City Council staff report, all supporting, referenced, and incorporated documents, and all comments received, the City Council certifies the Grider Storage Project Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program as shown in Exhibit 1.
4. The City Manager is authorized to take all necessary and appropriate steps to carry out the purpose and intent of this resolution.

PASSED, APPROVED, and ADOPTED March 22, 2022.

ATTEST:



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



KEVIN J. LINCOLN II
Mayor of the City of Stockton

FINAL
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
WHISTLER WAY ANNEXATION
JANUARY 27, 2022

The Whistler Way Annexation Project proposes annexation of six parcels totaling 8.76 acres to the City of Stockton, along with adjacent road right-of-way. The annexation area would be pre-zoned to the City of Stockton CG (Commercial General) zoning district. These actions would permit development of Upon annexation, the project proposes to develop 7.26 acres as a self-storage facility totaling ten buildings, 570 storage units and 100,850 square feet of floor area. The project site is located at the intersection of Grider Way and Lower Sacramento Road in unincorporated San Joaquin County, adjacent to the City of Stockton. This Final Initial Study/Mitigated Negative Declaration (IS/MND) describes the potential environmental effects that would result from project approval and development.

The City of Stockton, which is the “lead agency” for the project, prepared and processed the IS/MND in accordance with the requirements of CEQA and the CEQA Guidelines. A Public Review Draft IS/MND was prepared and made available for local public review from November 17, 2021 through December 6, 2021. No substantive comments related to the content or processing of the IS/MND were received by the City. One comment letter from the Auburn Rancheria requested cooperation in the implementation of the required IS/MND cultural resource mitigation measures. No responses to public review comments are required.

In parallel with the public review process, the City of Stockton also provided notification of the project under AB 52 to 13 tribal representatives including the Auburn Rancheria, the Wilton Rancheria and the Northern Valley Yokuts. Only the Wilton Rancheria responded to the notice, requesting consultation on the project. The City opened consultation with the Auburn Rancheria and the Wilton Rancheria on December 27, 2021, but the City received no reply was received to the initiation of consultation. Followup calls were made to the tribes on January 18, 2022 with no response. This Final IS/MND includes a copy of the Public Review Draft IS/MND and appendices as well as documentation related to the conduct of the public review process, which is shown on the following pages. The Final IS/MND will be presented to the Stockton Planning Commission and City Council for adoption in conjunction with project consideration and approval. Subsequent to City approval, the IS/MND will be used by the San Joaquin Local Agency Formation Commission in its consideration of the project.

CITY OF STOCKTON
COMMUNITY DEVELOPMENT DEPT
345 N EL DORADO ST
STOCKTON, CA 95203

NOTICE OF INTENT TO ADOPT MITIGATED NEGATIVE DECLARATION
AND NOTICE OF PUBLIC MEETING

Notice is hereby given that the City of Stockton has prepared an Initial Study (IS) of environmental effects and intends to adopt a Mitigated Negative Declaration (MND) and Mitigation Monitoring/Reporting Plan (MMRP) for the Whistler Way Annexation project. The City of Stockton is the Lead Agency for this project under the California Environmental Quality Act (CEQA).

The subject project is the annexation, pre-zoning and development of six parcels totaling 8.76 acres to the City of Stockton, including two developed parcels, along with adjacent street right-of-way for Grider/Whistler Way. The project includes construction of a self-storage facility of ten buildings with a total of 570 storage units and an office/onsite manager residence. The project will include improvement of the project site frontage on Grider/Whistler with additional pavement, curb, gutter and sidewalk.

The IS/MND analyzes the potential environmental effects of the project in accordance with CEQA and the State CEQA Guidelines. Based on this analysis, the IS/MND finds that the project will not involve any significant environmental effects, provided that the mitigation measures described in the IS/MND are implemented. The project proponent has agreed to the mitigation measures, and these measures will be included in a Mitigation Monitoring/Reporting Plan to be adopted by the City of Stockton in conjunction with the IS/MND and approval of the project. There are no sites identified under Section 65962.5 of the Government Code located on or near the project site.

Copies of the IS/MND are available for public review at the Stockton Permit Center at the address shown below and at the City's website:

<http://www.stocktonca.gov/government/departments/communityDevelop/cdPlanEnv.html>

The City will accept public and agency comments on the IS/MND during a 20-day review period that will begin on November 17, 2021 and end on December 6, 2021. Comments may be submitted by mail or e-mail as shown below:

Stockton Permit Center
Attn: Matt Diaz, Planning Manager
345 N El Dorado St
Stockton, CA 95202
Matt.Diaz@stocktonca.gov

At completion of the public review, the Stockton Planning Commission will consider a recommendation to the City Council regarding adoption of the IS/MND and the MMRP, and approval of the proposed project. Subsequent notifications will be sent for those hearings consistent with State Law and local requirements.

William Crew
Director of Community Development

CITY OF STOCKTON
COMMUNITY DEVELOPMENT DEPT
345 N EL DORADO ST
STOCKTON, CA 95203

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AND NOTICE OF PUBLIC MEETING

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William Crew
Director of Community Development

Filed Doc #: 39-11162021-344
11/16/2021 12:48:52 PM
Steve J. Bestolarides
San Joaquin County Clerk

Statement of Open Space (Agricultural) Land Conversion
(California Government Code Section 56064 & 56377)
Whistler Way Self-Storage Project

Under the Cortese-Knox-Hertzberg Act (CKH), which sets forth procedures for annexations, one of the definitions of “prime agricultural land” is “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” (Government Code Section 56064(a)).

Other definitions of “prime agricultural land” under the Cortese-Knox-Hertzberg Act include:

- Land that qualifies for rating 80 through 100 Storie Index Rating.
- 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.
- Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars (\$400) per acre.
- 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.

The subject site was partially developed decades ago with a now defunct drainage basin. The subject site contains Stockton Clay Loam Adobe which is a Class III soil and has a Storie Index rating of 10-19 (Very Poor); does not support livestock and has no agricultural production value. The subject site has not supported crops since 2003 when the adjacent Windmill Park subdivision was annexed to Stockton (A-03-2), creating a remnant parcel (subject site). Based on this, the soil on the subject site is not considered prime agricultural land as defined by the CKH Act California Government Code Section 56064(a).

Furthermore, the CKH Act requires the development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing non-prime agricultural lands, unless the action would not promote the planned, orderly, efficient development of an area. (Gov. Code §56377(a).)

Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands for non-open-space uses which are outside of the existing jurisdiction of the local agency or outside of the existing sphere of influence of the local agency. (Gov. Code §56377(b).)

Consistent with California Government Code Section 56377 (a) this project uses non-prime agricultural land and does not convert prime agricultural land in open-space use.

Consistent with California Government Code Section 56377 (b) this project encourages the development of existing non-prime agricultural land within the city of Stockton's sphere of influence (SOI) before development of land outside the SOI.

Consistent with California Government Code Section 56377, the 2018 Important Agricultural (Farmland) Map for San Joaquin County, prepared by the California Department of Land Conservation categorizes the project site as Agricultural land of Local Importance, which is not a category considered "Ag land". Therefore, the proposed project would not convert "Ag land" and by definition would not result in the conversion of Prime Ag land.



Department of Public Works

Fritz Buchman, Interim Director of Public Works

David Tolliver, Deputy Director/Operations

Najee Zarif, Deputy Director/Engineering

Kristi Rhea, Business Administrator

May 25, 2022

MEMORANDUM

TO: James E. Glaser, Executive Officer
LAFCo
CONTACT PERSON: Elizabeth Contreras, LAFCo Analyst

FROM: Alex Chetley, Engineering Services Manager AC
Development Services Division

SUBJECT: WHISTLER WAY REORGANIZATION TO THE CITY OF STOCKTON (LAFc 013-22)
To annex an 8.76-acre parcel to the City of Stockton.

LOCATION: Northwest corner of the intersection of Lower Sacramento Road and Grider Way, Stockton

COMMENTS:

- **The annexation boundary shall include all of Grider Way right-of-way.**
- **The County's concern with this annexation is that it will only follow the public right-of-way boundaries and ignore a section of the area City of Stockton had to acquire for the adjacent undercrossing. Ensure the annexation boundary includes the City owned parcel (APN: 084-030-27), otherwise there will be City right-of-way within the County.**

AC:SC

X: LAFcO LAFcO Referrals Whistler Way Reorganization to the City of Stockton (LAFc 013-22) Comments to LAFcO (LAFc 013-22).doc






SAN JOAQUIN
— COUNTY —
Greatness grows here.

Environmental Health Department

Jasjit Kang, REHS, Director
Muniappa Naidu, REHS, Assistant Director
PROGRAM COORDINATORS
Robert McClellon, REHS
Jeff Carruesco, REHS, RDI
Willy Ng, REHS
Steven Shih, REHS
Michelle Henry, REHS
Elena Manzo, REHS

May 19, 2022

To: San Joaquin Local Agency Formation Commission
Attention Executive Officer: James E. **Glaser**


From: Naseem Ahmed; 209-616-3018 
Senior Registered Environmental Health Specialist

RE: **Whistler Way Reorganization to the City of Stockton (LAFC 013-22), SU0014930**

The San Joaquin County Environmental Health Department (EHD) is supportive of this project in regards to the provision of full public services. The EHD requests the following comments be added to the above project for consideration:

1. Any existing wells or septic systems to be abandoned shall be destroyed under permit and inspection by the EHD (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4)

If you have any questions, please contact Naseem Ahmed, Senior REHS, at (209) 616-3018 or nahmed@sjgov.org.


for Steven Shih, REHS
Program Coordinator

ADMINISTRATIVE REVIEW DRAFT
ANNEXATION REPORT
WHISTLER WAY ANNEXATION
ANNEXATION FILE NO. _____

April 12, 2022

1.0 INTRODUCTION AND PROJECT INFORMATION

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

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

The Whistler Way Annexation project proposes the annexation of six parcels of land totaling 8.76 acres into the City of Stockton (City), along with the rights-of-way of the site frontages on Grider Way and Lower Sacramento Road. The proposed annexation area, hereinafter referred to as the “subject site,” is located at the northwest corner of the intersection of Lower Sacramento Road and Grider Way (see attached figures). The existing Stockton city limit line is the northern boundary of the subject site. The parcels constituting the subject site are identified as Assessor’s Parcel Numbers (APNs) 070-140-10, -11, -34, and -35; 070-560-47; and 070-570-13. Only two acres of APN 070-140-35 are proposed for annexation to the City. Two of the parcels, APNs 070-140-11 and 070-140-34, have each been developed with a commercial building; the other parcels are vacant.

The subject site is currently within the land use jurisdiction of San Joaquin County; it has a County General Plan designation of Agriculture-Urban Reserve and County zoning designations of C-C (Community Commercial) and AU-20 (Agriculture-Urban Reserve). The subject site is designated Commercial in the City of Stockton General Plan, as is some of the surrounding area. The subject site is within the City of Stockton's existing Sphere of Influence and 10-year planning horizon, as designated in the City’s Municipal Service Review adopted in 2020.

The City has received and is processing an application for annexation, pre-zoning, and subsequent development of the subject site. The project proposes to pre-zone the subject site as CG – Commercial, General. These approvals, which would take effect upon annexation of the subject site to the City, would permit proposed development of a self-storage facility on 7.26 acres of the subject site. The facility would have 570 storage units and an office/onsite manager’s residence, associated on-site utility services and site improvements, and off-site street and utility improvements. The existing Grider Way will be renamed Whistler Way. Proposed pre-zoning and development are consistent with the existing Commercial designation under the City’s General Plan. The City is currently preparing an Initial Study/Mitigated Negative Declaration (IS/MND) for the project in accordance with requirements of the California Environmental Quality Act (CEQA).

2.0 CONSISTENCY OF PROPOSED ANNEXATION WITH LAFCO POLICY REQUIREMENTS

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

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

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

As documented in Section 1.0, the subject site is designated “Commercial” in the City of Stockton General Plan and is adjacent to the Stockton city limits.

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

As documented in Section 1.0, the subject site is within the City’s Sphere of Influence and 10-year planning horizon, per the City’s recently adopted Municipal Service Review.

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

As noted above, the subject site is in a developing urban area with existing commercial development, and it is designated for commercial development. the proposed annexation would permit a logical extension of existing ongoing development in the northern Stockton region.

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

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

3.0 CITY SERVICES PLAN

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

- (a) An enumeration and description of the services to be extended to the affected territory.
- (b) The level and range of those services.
- (c) An indication of when those services can feasibly be extended to the affected territory.
- (d) An indication of any improvements or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.
- (e) Information with respect to how those services will be financed.

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

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

3.1 DOMESTIC WATER SERVICE

Water systems in the City of Stockton Metropolitan Area use a combination of treated surface water and pumped groundwater from City wells. Stockton water purveyors include the City of Stockton Municipal Utilities Department (COSMUD), California Water Service Company, and San Joaquin County maintenance districts. Should the annexation be approved, water service to the subject site would be provided by COSMUD. COSMUD provides water to service areas in North Stockton and South Stockton; the subject site is in the North Stockton service area.

Sources of water provided by COSMUD include purchases from the Stockton East Water District (SEWD) and the Woodbridge Irrigation District, groundwater wells, and surface water from the Sacramento-San Joaquin Delta through the City's Delta Water Supply Project (DWSP). Water from DWSP is treated at the Delta Water Treatment Plant, operated by COSMUD and located north of Stockton. SEWD water is treated at its water treatment plant east of Stockton. The City currently uses 6,500 acre-feet per year from SEWD. By agreement, the City purchases 6,500 acre-feet of water per year from the Woodbridge Irrigation District for municipal and industrial use. This water will augment the DWSP supply.

The DWSP provides most of the potable water supply for the City's service areas, including North Stockton. The Delta Water Treatment Plant currently treats an average of 30 million gallons per day (mgd) of water, and it currently has the capacity to treat 30 mgd. The projected 2035 capacity of the DWSP is 60 mgd, with an annual production of approximately 50,000 acre-feet per year. The City's supply from the San Joaquin River is curtailed annually from February through June of each year due to restrictions imposed by the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife.

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

The North Stockton water system distributes water from the DWSP, SEWD, and groundwater wells. The DWSP provides most of the service area's drinking water. There are eight groundwater wells in active service (Okubo pers. comm.), with pump design flows ranging from 550 to 2,800 gallons per minute. The entire system is one pressure zone with the lowest ground surface elevation (5 feet above mean sea level) on the western side of the system and the highest elevation (35 feet above mean sea level) on the eastern side of the system. Additionally, there are two 3-million-gallon storage tanks near 14-Mile Slough and three 3.4-million-gallon storage tanks near the Northwest Reservoir. These tanks deliver water through 18-, 24-, and 30-inch diameter mains. A 48-inch diameter

pipeline connects the North Stockton system to SEWD. The remainder of the distribution system consists primarily of mains of 12 inches diameter or less.

The subject site is currently within the service area of the North Stockton potable water system, and an existing water line runs along Grider Way. The two developed parcels are already connected to the City's water system; connection by the currently vacant parcels would occur upon annexation. On-site lines would be installed to provide water to future development. This on-site water system would be required by the City to construct a water line 16 inches in diameter parallel to an existing transmission line beneath Grider Way for water service connections and fire protection (Okubo pers. comm.). The developer(s) will comply with plumbing, metering, and other water conservation measures in effect in the City of Stockton, including the policies in the City's current Urban Water Management Plan (UWMP).

The existing water connection fee charged by COSMUD for non-residential development varies from approximately \$2,264 to \$156,828 or higher, depending on the size of the water meter. For purposes of the fiscal analysis shown in Section 4.0, a water meter size of one inch is assumed, as only the office/on-site manager's residence building is anticipated to use water. The connection fee for a one-inch meter is approximately \$4,266. In addition, a DWSP surface water fee is applied, ranging from approximately \$5,441 to \$290,178 or higher, again depending on water meter size. For a one-inch water meter, the DWSP fee would be \$5,441. Water connection fees are payable upon issuance of a building permit. In addition, the City bills the property owner for water service on a monthly basis.

The City is requiring an additional water connection for the subject site for firefighting purposes. The City does not meter fire service connections (Okubo pers. comm.).

3.2 WASTEWATER

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

The Stockton Regional Wastewater Control Facility (RWCF) provides primary, secondary, and tertiary treatment of municipal wastewater gathered from the city as a whole. The RWCF has a designed flow capacity of 55 mgd and had an average daily flow rate of 27 mgd in 2017. Treated effluent from the RWCF is dechlorinated and discharged to the San Joaquin River. The RWCF operations are regulated by the City's National Pollutant Discharge Elimination System (NPDES) Permit, through Central Valley Regional Water Quality Control Board Order No. R5-2015-0142, NPDES CA0079138.

The City's wastewater collection system is divided into 14 designated subareas or "systems." Upon annexation, the subject site would be incorporated within Wastewater Collection System No. 10. Pump stations are located throughout Stockton and are integral to the sanitary sewer collection system. Most of the pump stations discharge to pressure lines that convey flow directly to the RWCF or to an available gravity sewer.

An existing sewer trunk line is located along Grider Way, and the two developed parcels are already connected to the City's wastewater system. Connection by the currently vacant parcels would occur upon annexation. The project would be required to construct a sewer line eight inches in diameter that would be parallel to the existing Grider Way trunk line for connection to sewer services. The subject site is within the North of Calaveras Sanitary Connection fee area. The existing sewer connection fee in that area is \$3,634 per single family residential unit equivalent. For this project, the sewer connection fee, based on a residential unit equivalency of 1.38 units, would be approximately \$5,015 (see Exhibit 7 for how estimate was derived). Sanitary sewer connection fees are payable upon issuance of a building permit. As with potable water, the City bills the property owner for sanitary sewer service on a monthly basis.

3.3 STORM DRAINAGE

The City of Stockton is situated just east of the Sacramento–San Joaquin Delta, a low-lying region of sloughs and channels connecting local waterways with the Suisun and San Francisco Bays. The city and surrounding areas depend on creeks, rivers, and sloughs to collect and convey storm runoff to the San Joaquin River and the Delta. The primary watercourses include the San Joaquin River, Bear Creek, Mosher Slough, Five Mile Slough, Fourteen Mile Slough, Calaveras River and Stockton Diverting Canal, Smith Canal, and French Camp and Walker Sloughs. The subject site is within the Bear Creek watershed. Bear Creek, approximately 900 feet south of the subject site, is tributary to the San Joaquin River.

The Stormwater Utility Division of COSMUD operates and maintains 620 miles of storm drains, 72 pump stations, and over 100 discharge pipes that collect and route runoff from the streets and gutters to local rivers, creeks, and sloughs. Most storm drains and pump stations have adequate capacity to collect stormwater. Runoff within the Bear Creek watershed is collected in three major storm drains with diameters of 36, 42, and 84 inches, and it is pumped into Bear Creek from these drains at Interstate 5, Iron Canyon Court, and Thornton Road, respectively. Within the City, the Bear Creek channel is up to 175 feet wide and has a capacity of 7,600 cubic feet per second. Bear Creek has capacity to carry the 100-year peak runoff from City lands within its banks and has the additional capacity to carry runoff from developing lands south of Eight Mile Road, an area within which the subject site is located.

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

General Plan commits the City to maintaining the existing storm drain and flood management facilities.

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

3.4 SOLID WASTE DISPOSAL

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

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

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

3.5 NATURAL GAS, ELECTRIC, TELEPHONE, AND CATV SERVICES

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

3.6 POLICE PROTECTION

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

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

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

Capital costs of Police Department expansion are accounted for by the City's Public Facilities Fee program. The City of Stockton has adopted a Public Facility Fee for police facilities payable upon issuance of a building permit. For warehouse/low density land uses, the adopted fee is \$62 per 1,000 square feet. However, as part of the City's Economic Stimulus Package currently in effect, this fee has been reduced by 50 percent. Assuming 100,850 square feet of future self-storage development on the subject site, an estimated \$3,126 in Public Facility Fees for police facilities would be generated. Additionally, in November 2014, Stockton's voters approved Measure A, which instituted a three-quarter cent (0.75%) sales tax to provide funding for law enforcement, crime prevention services, and other essential City services.

3.7 FIRE PROTECTION

The subject site is currently within the Lincoln Rural County Fire Protection District, which serves 8,084 acres within unincorporated San Joaquin County throughout the northern Stockton area. The Lincoln Fire Protection District currently provides fire protection services under contract with the Stockton Fire Department.

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

The Fire Department has twelve stations located throughout the greater Stockton metropolitan area. The closest station to the subject site is Station 14 at 3019 McNabb Street, approximately 1.7 miles to the west. Station 14 is equipped with one engine and one grass rig. The standards for response time for all stations are between three and four minutes for a structural fire call and four minutes for an emergency medical service call. Average response times from Station 14 to both types of calls have been approximately six minutes. Response times vary by type of call. The shortest average response times were for vehicle accidents, which usually occur on roadways, where emergency access is the most

convenient. The longest average response times were for grass fires, where emergency access is least convenient. Also, the stations on the City's periphery, such as Station 14, tend to have longer average response times. This pattern is typical of response times in the fire protection field, with stations in more central urban areas having faster response times than stations in more suburban or rural areas.

The 2020 Municipal Service Review for the City of Stockton stated that the Stockton Fire Department is providing adequate services to its current customers, both within most of the city limits and in contracted service areas. Continued growth within the City's Sphere of Influence will increase the overall demand on fire protection services. The Department has the staffing and equipment to meet current service demands and response time standards. Future obligations for service delivery will be analyzed on an individual basis to determine the potential impact on service delivery and the potential need for additional facilities, vehicles, equipment, and personnel to maintain adequate response times consistent with the City's General Plan fire response times standards.

To provide adequate fire protection services, future development in the proposed annexation area will coordinate with the Stockton Fire Department during planning and design phases to ensure site access, response time, sprinkler requirements, water system design, and hydrant placement are acceptable. Improvements to the City of Stockton water system will be constructed in conformance with the Uniform Fire Code fire flow standards, and hydrants will be placed in accordance with Fire Department standards. As noted in Section 3.1 above, the City will require an additional water connection to the subject site for firefighting purposes. The required on-site hydrants and sprinklers would provide additional fire suppression facilities for proposed development. All the onsite storage, office, and manager's unit buildings have the required rating and coverage for interior fire sprinkler systems. Additionally, more than the minimum required coverage has been provided with the onsite fire hydrant system, and offsite hydrants have been added along the frontage to allow for firefighting connections to be made without entering the site, thereby expediting the response time.

In addition, the Stockton Fire Department participates in the California Disaster and Civil Defense Master Mutual Aid Agreement. This agreement allows the City to share resources with all fire department agencies in San Joaquin County and request assistance from the County fire districts when additional services are required. The existing mutual aid agreement allows the City and County agencies to share resources when needed. The City currently provides most of the fire services within and around the City limits, since some of the County fire districts have reduced staffing, supply shortages, or operations on a temporary basis.

Additional facilities, personnel, equipment, and materials costs will be offset through the increased revenue and fees generated by new development, as well as other funding sources. As with police facilities, capital costs of fire station expansion are accounted for by the City's Public Facilities Fee program. The City of Stockton has adopted a Public Facility Fee for fire stations payable upon issuance of a building permit. For warehouse/low density land uses, the fee is \$54 per 1,000 square feet. As part of the City's Economic Stimulus Package currently in effect, this fee has been reduced by 50 percent. Using the

same development assumptions for police facility expansion, approximately \$2,723 in Public Facility Fees for fire stations would be generated by future development.

3.8 SCHOOLS

The subject site is within the boundaries of the Stockton Unified School District (SUSD). The nearest public school to the subject site is Podesta Ranch Elementary School, a SUSD facility located approximately one-quarter mile to the west. SUSD experiences overcrowding in its schools, but it collects required school impact fees and coordinates with residential developers to ensure that sufficient capacity exists within the school system to accommodate residential-related student generation.

The subject site is proposed for commercial development and would not result in residential-related student generation. Nevertheless, the project would contribute development impact fees from commercial development in accordance with State law. Based on a non-residential development rate of \$0.61 per square foot, the project would generate approximately \$61,519 in total school impact fees. Project development will contribute to these fees in conjunction with building permit issuance.

3.9 PARKS AND RECREATION FACILITIES

The City of Stockton provides park and recreational services. The nearest City park to the subject site is Dentoni Park, approximately one mile to the southwest. Dentoni Park, a 9.5-acre neighborhood park, is equipped with picnic tables, a barbeque facility, a tot lot, horseshoe pits, two tennis courts, a softball field, and a basketball court. The Stockton General Plan establishes policies and standards for the size and siting of parklands.

San Joaquin County also provides parks and recreational facilities available to the public. The nearest County park is Oak Grove Park, a regional park located along Eight Mile Road approximately 2.5 miles northwest of the subject site. Oak Grove Park contains 10-acre Oak Grove Lake, a nature center, two nature trails, and a youth campground.

No new residential development is proposed on the subject site. Public Facility Fees for parklands are only assessed on new residential development; commercial development is exempt from parkland fees. However, commercial development would be subject to the payment of Public Facility Fees for community recreation centers. For warehouse/low density land uses, this fee would be \$23.25 per 1,000 square feet. As part of the City's Economic Stimulus Package currently in effect, this fee has been reduced by 50 percent. Based on this, the project would generate approximately \$1,172 in Public Facility Fees for community recreation centers. As with other Public Facility Fees, these fees would be payable upon issuance of a building permit.

3.10 LIBRARIES

The public library system in the Stockton area is operated jointly by the City and San Joaquin County. The nearest branch to the subject site is the Margaret K. Troke Library at 502 West Benjamin Holt Drive, approximately 2.3 miles to the south. A new library and community center is under construction in northeast Stockton adjacent to Ronald McNair High School on West Lane.

Capital costs of library expansion are accounted for by the City's Public Facilities Fee program. The City of Stockton has adopted a Public Facility Fee for libraries payable upon issuance of a building permit. For warehouse/low density land uses, the fee is \$56 per 1,000 square feet. As part of the City's Economic Stimulus Package currently in effect, this fee has been reduced by 50 percent. An estimated \$2,824 in Public Facility Fees for libraries would be generated by future development on the subject site.

3.11 MAINTENANCE OF PUBLIC FACILITIES/OTHER GOVERNMENTAL SERVICES

Two public roads are adjacent to the subject site, both currently maintained by San Joaquin County. Grider Way is along the southwest boundary of the subject site. This two-lane road is paved but does not have street improvements such as curb, gutter, and sidewalk along the subject site frontage. Lower Sacramento Road abuts the northeast corner of the subject site. This road is an arterial road with two lanes on the segment adjacent to the subject site. It is paved and has curb, gutter, and sidewalk improvements on both sides of the road. Grider Way and Lower Sacramento Road intersect southeast of the subject site. A four-way traffic signal has been installed at the intersection.

Proposed development on the subject site will require street improvements along the Grider Way frontage, including curb, gutter, and sidewalk. These improvements would be designed and constructed by the developer pursuant to City of Stockton standards. No such improvements would be necessary for the Lower Sacramento Road frontage, which already has been improved.

With increased vehicular traffic resulting from the development of the subject site, the need for road maintenance will increase. Future development will be responsible for payment of adopted Public Facility Fees for street improvements and traffic signals to fund intersection and roadway segment improvements identified in the City's Street Improvement Plan. The City requires that these fees be paid prior to building permit issuance. For warehouse/low density land uses, street improvement fees are \$931.50 per 1,000 square feet. However, as part of the City's Economic Stimulus Package currently in effect, this fee has been reduced by 50 percent. Therefore, the project would generate approximately \$46,971 in street improvement fees. Traffic signal fees are \$30.75 per 1,000 square feet, so the project would generate approximately \$3,101 in traffic signal fees. The traffic signal fee is required even though a traffic signal already exists at the Grider Way/Lower Sacramento Road intersection.

A Regional Transportation Impact Fee (RTIF) also will be required of future development on the subject site. The RTIF's objectives are to generate funding from new development projects that impact the Regional Transportation Network and to integrate these funds with federal, state, and other local funding to make transportation improvements identified in the RTIF Program. Proposed improvements in the RTIF Program that are in the vicinity of the subject site include Eight Mile Road interchange improvements at both Interstate 5 and State Route 99, widening of both Lower Sacramento Road and Eight Mile Road, and improvements at the intersection of Lower Sacramento Road and Thornton Road. The Regional Transportation Impact Fee for the proposed commercial development is \$460 per 1,000 square feet, so future development would generate approximately \$46,391 in RTIF.

Measure K was passed by voters in 1990 and extended for another 30 years by voter approval in 2006. This measure instituted a 1/2-cent sales tax dedicated to transportation improvement projects in San Joaquin County. Measure K funding is allocated to specific projects including improved highways and local streets, new passenger rail service, regional and interregional bus routes, park-and-ride lots, new bicycle facilities, and railroad crossings by the San Joaquin Council of Governments. San Joaquin County and cities within the County share thirty-five percent (35%) of the sales tax revenue for local street repair. The local jurisdictions receive an annual funding allocation for local street repairs and safety and operations improvements. The local share of Measure K funds is distributed by formula based primarily on the City's proportionate share of the overall County population. Since the proposed annexation and development would not change the City's population, there would be no change in Measure K revenue directed to the City.

4.0 FINANCING OF CITY SERVICES AND FISCAL EFFECTS

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

4.1 FINANCING OF ROADS AND UTILITY IMPROVEMENTS

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

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

Long-term capital improvement needs associated with new development, including the proposed project, are met through the City's adopted Public Facility Fees, which provide for expansion of City offices, libraries, community recreation centers, fire and police stations, street improvements, park land, surface water resource development improvement, air quality, and related administrative costs as these needs are identified. Similarly, the City has also adopted development fees for sanitary sewer and water

connections, traffic signals, and street trees, and various local benefit district fees. Public Facility Fees and connection fee payments are required when building permits are issued, in accordance with the City’s adopted fee schedule that is annually updated to keep pace with infrastructure and public facility costs. As a result, the City operates from year to year with a fee structure that reasonably anticipates and collects fees sufficient to meet capital improvement needs associated with new development.

Estimated Public Facility Fees and connection fees for proposed development of the self-storage facility are summarized in Table 1 below. As noted, some of the Public Facility Fees have been reduced by 50 percent as part of the City’s Economic Stimulus Package currently in effect. The two parcels within the subject site that are already developed and connected to the City’s water and wastewater systems would not be subject to these fees. For more information on how the estimates were developed, please see the attached Exhibit 7.

**TABLE 1
ESTIMATED PUBLIC FACILITY AND CONNECTION FEES
FOR PROPOSED SELF-STORAGE FACILITY**

FEE CATEGORY	ESTIMATED PROJECT FEES
City of Stockton Public Facility Fees	
Community Recreation Center	\$1,172
City Office Space	\$1,286
Fire Stations	\$2,723
Libraries	\$2,824
Parkland	\$0
Police Stations	\$3,126
Regional Transportation	\$46,391
Street Improvement	\$46,971
Traffic Signal	\$3,101
<i>Subtotal</i>	<i>\$107,594</i>
City of Stockton Utility Connection Fees	
Sewer Connection	\$5,015
Water Connection	\$4,266
Delta Water Supply Project	\$5,441
<i>Subtotal</i>	<i>\$14,722</i>
TOTAL CITY CAPITAL FEES	\$122,316

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

- Agricultural Land Mitigation Program (not applicable, as no agricultural land as defined by the City ordinance is within the subject site)
- Air quality
- County facilities
- Habitat/Open Space for San Joaquin Council of Governments (SJCOG) (no further payment due; SJCOG fees for the site have already been paid)
- Surface water for SEWD (\$0.228 per square feet of retail/0.60)
- Related administrative costs

Table 2 summarizes the estimated development-related fees for the proposed self-storage facility. These also include development impact fees collected by other agencies, such as the SUSD and SJCOG. Exhibit 7 provides more information on how the fee estimates were developed. The two parcels within the subject site that are already developed would not be subject to these fees.

**TABLE 2
ESTIMATED OTHER DEVELOPMENT-RELATED FEES
FOR PROPOSED SELF-STORAGE FACILITY**

FEE	ESTIMATED PROJECT FEES
Agricultural Land Mitigation	\$0
Air Quality	\$40,844
County Facilities	\$12,405
Surface Water	\$38,323
Administration	\$4,257
<i>Subtotal</i>	<i>\$95,829</i>
School Impact Fees (SUSD)	\$61,519
Habitat/Open Space (SJCOG)	\$75,393*
TOTAL OTHER FEES	\$232,741

* Fee has been paid by project applicant to SJCOG.

4.2 FINANCING OF GENERAL SERVICES

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

4.2.1 Estimated Change in Annual Revenue for City of Stockton

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

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

**TABLE 3
ESTIMATED RECURRING CITY OF STOCKTON GENERAL REVENUES
RESULTING FROM ANNEXATION AND BUILDOUT OF THE SUBJECT SITE**

CATEGORY	AMOUNT
Property Taxes	
Secured Property Tax	\$3,910
Unsecured Property Tax	\$391
Property Transfer Tax	\$161
Property Tax in-Lieu of Motor Vehicle Fees	\$5,110
Sales Tax	
Direct Sales Tax	\$44,901
Other Revenue Sources	
Utility Users Tax	\$2,036
Franchises	\$984
Business Licenses	\$2,956
Document Transfer	\$51
Investment Proceeds	\$119
Fire Contracts	\$278
Code Enforcement	\$207
Charges for Services	\$187
Fines & Forfeitures	\$30
Revenues from Other Agencies	\$193

CATEGORY	AMOUNT
Licenses & Permits	\$34
Sale of Fixed Assets	\$1
Indirect Cost Allocations	\$350
Refunds & Reimbursements	\$14
Rents/Leases/Concessions	\$181
TOTAL	\$62,094

Property Tax

Property tax rates are set at 1% of assessed property value. The potential property tax revenues resulting from the project were based on information provided by the project applicant and the current City/County Revenue Sharing Agreement for annexations. As shown in Exhibit 3, the estimated assessed valuation on the subject site with both proposed and existing development is \$4,443,507.

Based on information from the San Joaquin County Auditor-Controller, approximately 59.5% of every property tax dollar from the subject site is allocated among the Stockton Unified School District, San Joaquin Delta Community College, and the State's educational fund. This leaves an "available share" of approximately 40.5% of the overall property tax revenue, which is divided between the County General Fund, the Lincoln Rural County Fire District, and other County agencies. This division of the property tax is the basis for estimating the property tax the City will receive upon annexation and development of the subject site (see Exhibit 3).

Secured Property Tax

Based upon information from the San Joaquin County Auditor-Controller, upon annexation, approximately 8.8% of total property tax revenue from the subject site would go to the City. Based on this and the anticipated valuation of the subject site once fully developed, the secured property tax amount that would be collected by the City would be approximately \$3,910 (see Exhibit 3).

Unsecured Property Taxes

Unsecured property taxes are derived from property that is not real estate such as business equipment, boats, aircraft, and possessory interests. For this analysis, it is assumed that the unsecured property tax is 10% of the secured property tax and that the amount of unsecured property tax the City would receive after annexation and development of the subject site would be \$391 (see Exhibit 3).

Other Property Taxes

Property transfer taxes are taxes charged as a percentage of the value of property that has a transfer of title. It is estimated that the amount of property transfer tax the City would

receive after annexation of the subject site would be \$161. Exhibit 3 provides details on the property transfer tax estimate.

In 2004, the State Legislature and the Governor agreed to a swap of city and county vehicle license fee revenue for an additional share of property tax revenue to be provided to the local governments. This Property Tax in-Lieu of Motor Vehicle Fees is a substantial source of revenue based on property taxes. It is estimated that the amount of property tax in-lieu of motor vehicle fees associated with the subject site would be \$5,110. See Exhibit 3 for development of this estimate.

Sales Tax

The current sales tax rate in the City of Stockton is 9.00%, with the City receiving 2.25% of taxable sales, 1.25% of which is a result of measures approved by City voters (Measure A – 0.75%, Measure W (police and fire) – 0.25%, Measure M (library and recreation) – 0.25%). A portion of the subject site has been developed with commercial uses, so it is expected that sales tax revenues would be generated by this development. A rough estimate of the sales tax revenue generated from this existing development is provided in Exhibit 4. The estimated direct sales tax revenue is \$44,901. It is expected that sales tax revenue from the proposed self-storage facility would be minimal, since few taxable items are expected to be sold. Therefore, no estimate of sales tax revenue was developed for the self-storage facility.

Utility User Tax

A utility user tax is levied against utility charges for all non-public users of gas, electric, water, telephone, and cable television services. This tax is 6% of a customer's monthly bill. As noted in Table 3 above, development on the subject site, both existing and future, would generate an estimated \$2,036 annually in utility user tax revenues. See Exhibits 1 and 5 for how the estimate of utility user tax revenue was developed.

Franchise Tax

Franchise taxes are levied upon the providers of natural gas, electric, refuse removal and cable television service. The franchise tax, which is 2% for most utilities and 3% for cable TV, is levied upon the provider rather than the customer and is charged against all utility revenues. Development on the subject site would generate approximately \$984 in franchise tax revenue annually (see Exhibits 1 and 5).

Business License Tax

The City of Stockton assesses a business registration fee and a license tax on any person engaged in or carrying on any profession, trade, calling, occupation, or business in the City. Beyond a registration fee of \$24, businesses are assessed at varying rates based typically on their gross receipts. However, as gross receipts information for the annexation area is unknown, business license tax revenues were estimated using City budget information and estimated number of employees. Development on the subject site is estimated to yield an annual revenue of \$2,956 (see Exhibits 1 and 5).

Other Revenue Sources

The City has a variety of other revenue sources, which are listed in the City's budget. These include document transfer fees, licenses and permits, fines and forfeitures, rents/leases and concessions, sales of fixed assets, investment proceeds, and revenues from fire service contracts and from other agencies, among others. Exhibits 1 and 5 list these other sources. Not all these revenue sources would be associated with annexation and development of the subject site. However, to simplify the analysis, revenues from each of these sources have been estimated based upon the service population anticipated to be on the subject site at full development. Estimated revenues from these other sources would be \$1,645.

4.2.2 Estimated Change in Annual Expenditures for City of Stockton

As discussed in Section 4.1, immediate and future capital costs of the project would be met through developer improvements to public road and utility systems and through payment of the City's Public Facility Fees and connection fees. The project is commercial in nature and would not result in increases in the resident population of Stockton, with concurrent costs in providing City services. However, the addition of project-related employees may contribute to the "service population" of the City, which would contribute to service costs.

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

The IS/MND also concluded that impacts of the proposed development on public services provided by the City, primarily fire and police protection, would be less than significant. Expenses to provide City fire and police services to the subject site are also expected to be minimal. While the project would place an incremental demand for City fire and police services, no new or expanded services would be required because of the project. In fact, the Stockton Fire Department already provides service to the subject site, under contract with the Lincoln Rural County Fire Protection District. Future capital costs for these services would be met through payment of Public Facility Fees.

The proposed annexation would include approximately 350 feet of Grider Way right-of-way. Improvements would be installed along the north side of Grider Way and are likely to include curb, gutter, sidewalk, and street lighting. The frontage improvements would be funded by the developer. However, the annexed right-of-way of both Grider Way and Lower Sacramento Road (the latter approximately 240 feet) would increase costs to the City for ongoing maintenance. A rough approximation of the increased maintenance cost was obtained by dividing the total miles currently maintained by the City of Stockton into

total street maintenance cost, then applying the results to the segments to be annexed. According to the FY 2021/22 budget for the City of Stockton, the City maintains 770 miles of streets at a cost of \$22,687,975. Based on these figures, the additional cost to maintain the annexed streets would be approximately \$3,851 annually. Road maintenance costs are met from a variety of sources.

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

An approximation of maximum potential increases in City services costs associated with the project was calculated by dividing total general fund expenditures by the City service population, and by multiplying that factor by the increase in service population on the subject site. The per-unit cost factor would be \$653.81. The expected increase in service population would be 23 (see Exhibit 2). Therefore, potential service costs to the City would be approximately \$15,038. See Exhibit 8 for a development of the expenditure estimate for the subject site.

4.2.3 Overall Impact of Project on City Budget

As indicated in Table 3 and in Exhibit 6, existing and proposed future development of the subject site is expected to generate approximately \$62,094 in annual revenues to the City. With estimated annual expenditures of \$15,038, the City would have adequate annual revenues to provide services to the subject site. In addition, as indicated in Tables 1 and 2 and in Exhibit 7, proposed future development would generate approximately \$355,057 in one-time Public Facility Fees and connection fees to the City to cover expenses associated with new or expanded public facilities and services, along with fees to SUSD and SJCOG.

In summary, the City would be expected to expect to receive revenues from both existing and proposed development of the subject site that would exceed the expenses incurred in providing City services. Thus, at the project level, the City would likely operate at a budget surplus.

4.3 PROPERTY TAX IMPACT TO THE LINCOLN FIRE PROTECTION DISTRICT

Based on information provided by the County Auditor-Controller, the Lincoln Rural County Fire Protection District currently receives approximately 22.8 percent of the general one-percent property tax levy from the subject site. This currently generates approximately \$958 of property tax revenue for the Fire District. Upon annexation and development of the subject site, the assessed valuation of the site would increase substantially. However, as a part of the annexation process, the subject site would be detached from the Fire District, and the Fire District would no longer receive tax revenue from the site.

LAFCo policy dictates that it will not approve detachments from special districts or annexations that would have adverse fiscal impacts on the special district if adequate mitigation of the adverse impact is not provided. This policy would apply to this proposed detachment. It is expected that the City and the Fire District will reach an agreement that

recognizes the revenue impacts on the Fire District resulting from the proposed annexation. LAFCo may determine an appropriate temporary mitigation, if needed, and impose that temporary mitigation to the extent it is within its powers.

As previously noted, the Lincoln Rural County Fire Protection District currently provides fire protection services through a contract with the Stockton Fire Department. Therefore, while the Fire District would lose some revenue with the annexation, existing services provided within the Fire District boundaries would not change, as the Stockton Fire Department already provides such services and would continue to do so under the terms of the contract. The only change would be that the responsible fire protection agency for the subject site would be the Stockton Fire Department, rather than the Fire District.

5.0 AVAILABILITY OF ADEQUATE WATER SUPPLY

As noted, California Government Code Section 56668(l) requires an assessment of the timely availability of water supplies for an annexation area. The UWMP for the City of Stockton's water system, updated in 2020, assessed the reliability of its water supply for its service area, which includes the subject site. The UWMP includes a description of the water supply sources, projected water use, and a comparison of water supply water demands during normal, single-dry, and multiple-dry years. The definitions of the three water year scenarios, as described by the State Department of Water Resources, are provided below.

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

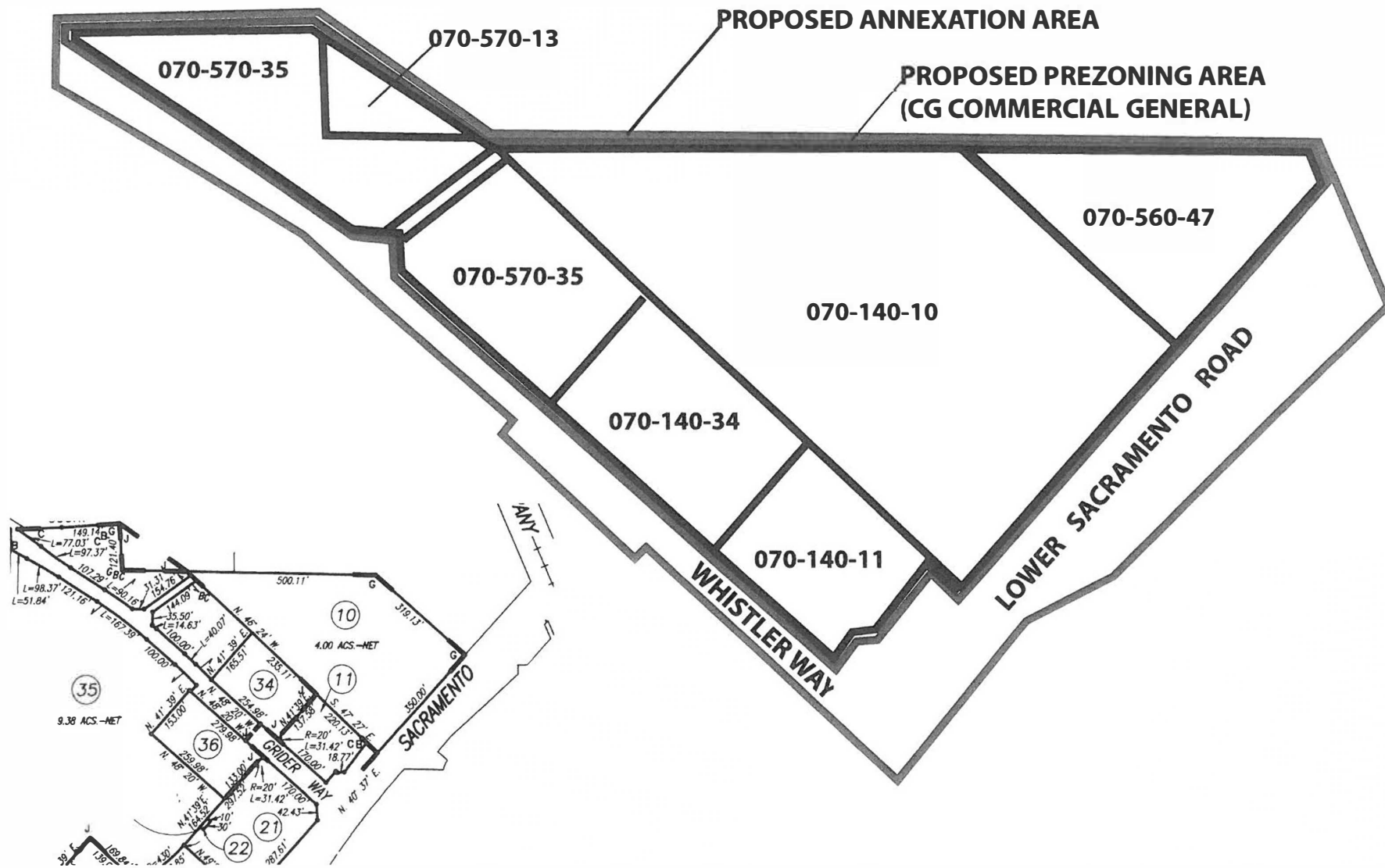
As part of the 2020 UWMP, a Water Supply Reliability Assessment was conducted to determine the reliability of the City's water supply for all three water year scenarios from 2025 to 2045. Under the normal water year scenario, water supply would exceed demand by 36,596 to 47,322 acre-feet per year. Under the single dry water year scenario, supply would exceed demand by 13,656 to 24,022 acre-feet per year. Under the multiple dry year scenario, supply would exceed demand in a range from 12,456 acre-feet per year in the fourth dry year in 2040 and 2045 to 44,196 acre-feet per year in the fifth dry year in 2030.

A Water Master Plan Update prepared by the City in 2021 indicated that commercial activities use approximately 1.62 acre-feet of water per year. While water usage can vary greatly among commercial activities, for this analysis it is assumed that commercial water usage on the subject site would be the same. This is considered a conservative assumption, as self-storage facilities generally do not use as much water as other types of commercial

activities. Based on the assumed water use, water demand from development on the subject site, both existing and proposed, would be approximately 14.2 acre-feet per year. Again, this is considered a conservative estimate; actual water use would likely be less. When compared with the difference in water supply and demand described above, the City would have sufficient water supply for proposed future development on the subject site, even in multiple dry years. Water can be readily provided from existing sources, without the need to acquire additional supplies or water rights.

It should be noted that the demand figures used in this analysis do not consider the amount of water that may be saved by active and passive water conservation programs, which are described in the City Service Plan. The COSMUD has met, and expects to be able to continue to meet, annual water demands within its service area during differing hydrologic periods with surface water, groundwater, water conservation, and other potential water supplies such as non-potable supplies from local communities, raw surface water from local irrigation districts, and water from active groundwater storage projects.

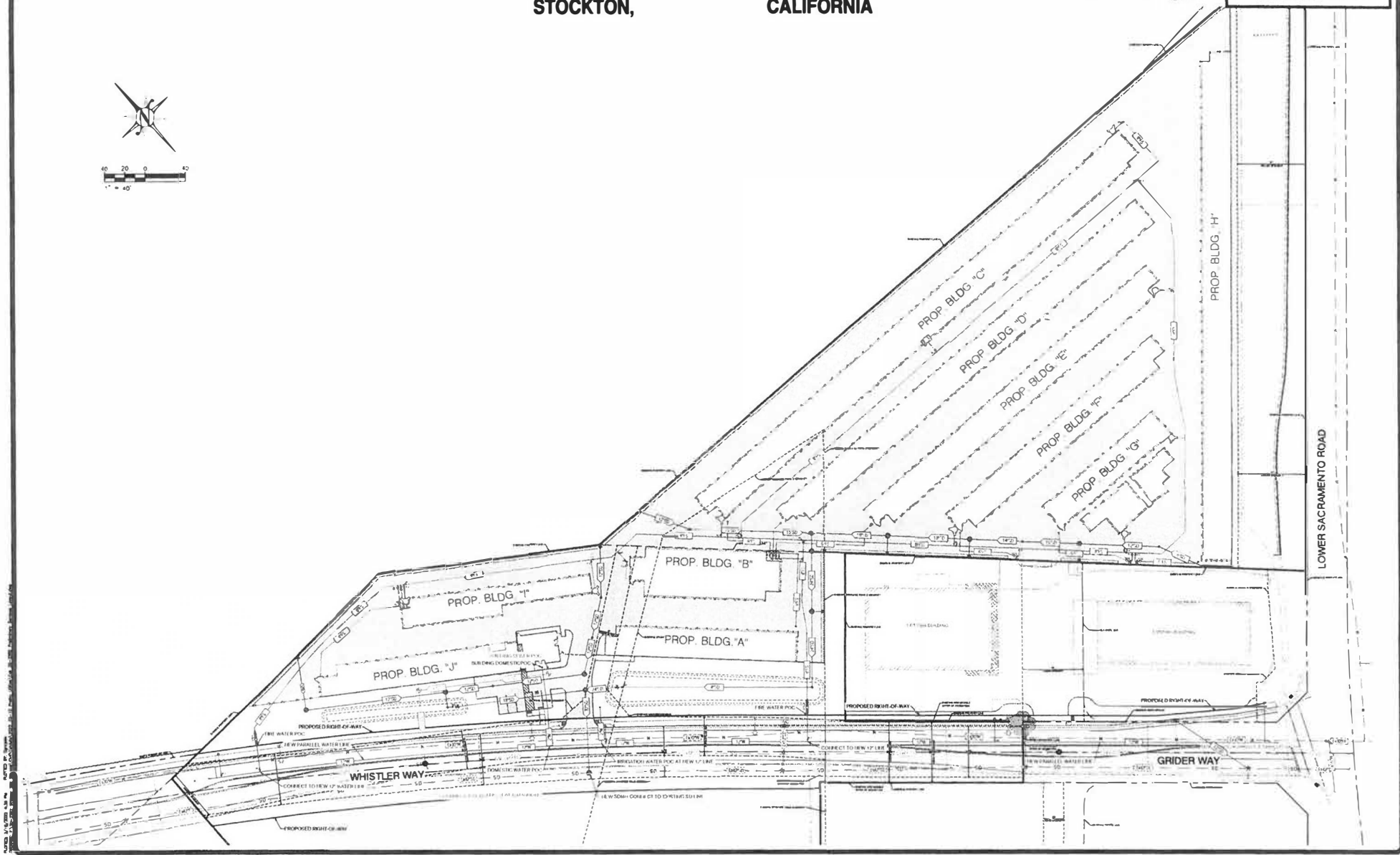
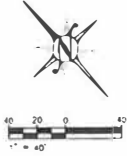
Reference: Ann Okubo, City of Stockton Municipal Utilities Department



SCHEMATIC UTILITY DIAGRAM FOR WHISTLER SELF STORAGE STOCKTON, CALIFORNIA



North Star
Engineering Group, Inc.
Civil Engineering & Surveying - Professional
620 17th Street Stockton, CA 95212
(209) 524-3529 Phone (209) 524-3526 Fax



DATE: 11/15/00 11:00 AM 11/15/00 11:00 AM 11/15/00 11:00 AM

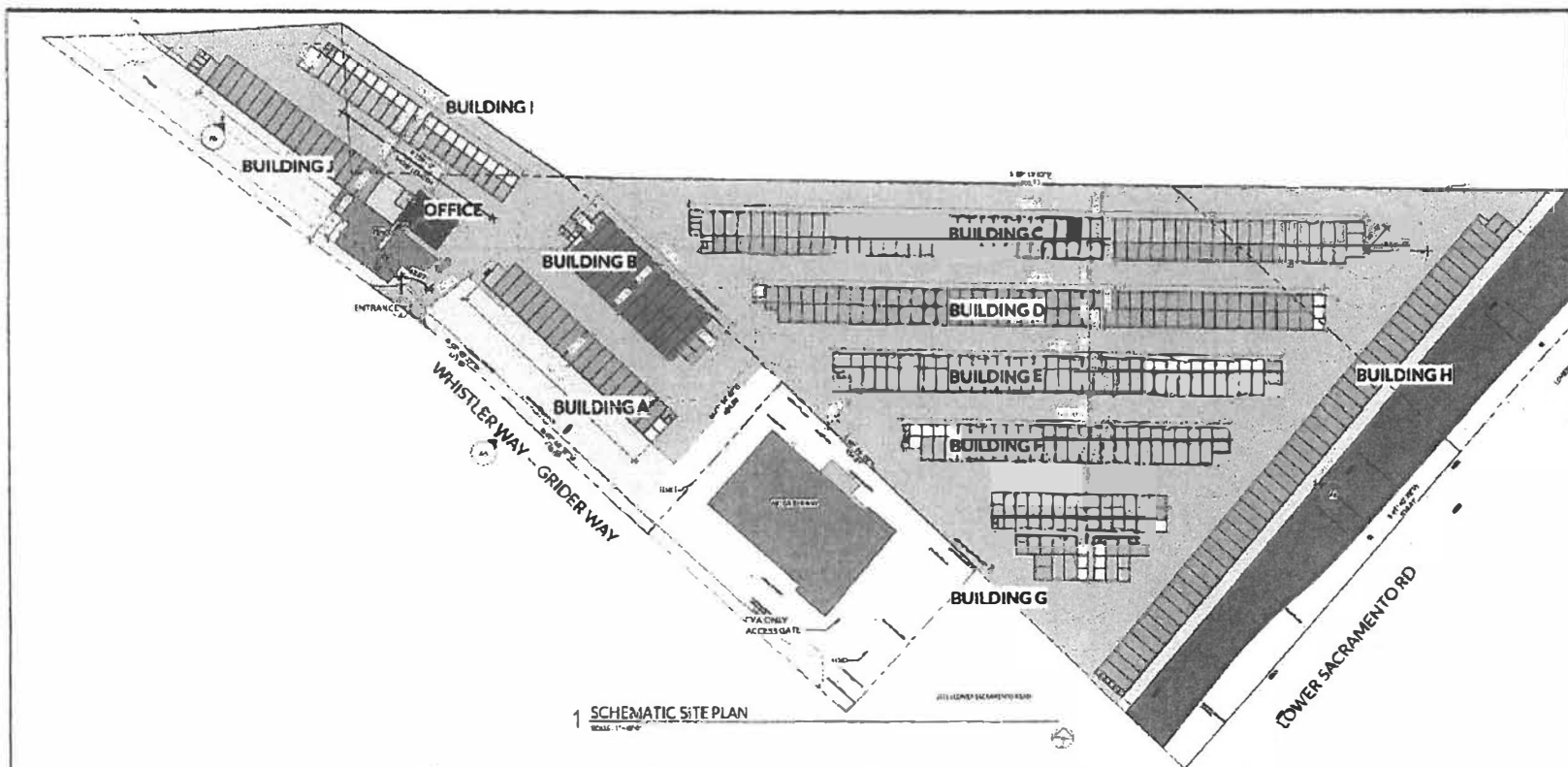
DOMUM

416.752.8821
1731 J STREET, SUITE 200, SACRAMENTO, CA 95811

4993 LOWER
SACRAMENTO RD
STOCKTON, CA 95210
APR 07/07-100-30

**BATEMAN
NEW SELF STORAGE
FACILITY**

DATE: 01/10/07
DRAWN BY: [Signature]
PROJECT: [Signature]



1 SCHEMATIC SITE PLAN
SCALE: 1"=40'

UNIT LEGEND			BUILDING AREAS		UNIT MIX per SIZE		UNIT MIX per BUILDING	
[Symbol]	OFFICE	[Symbol]	30X15	30X15	NAME	TYPE	AREA	UNIT TOTAL
[Symbol]	GARAGE	[Symbol]	30X20	30X20	NAME	TYPE	AREA	UNIT TOTAL
[Symbol]	ASR	[Symbol]	30X10	30X10	NAME	TYPE	AREA	UNIT TOTAL
[Symbol]	ELECT.	[Symbol]	30X25	30X25	NAME	TYPE	AREA	UNIT TOTAL
[Symbol]		[Symbol]	30X30	30X30	NAME	TYPE	AREA	UNIT TOTAL

NAME	TYPE	AREA	UNIT TOTAL
30X15	30X15	1,200 SF	120
30X20	30X20	1,800 SF	180
30X10	30X10	900 SF	90
30X25	30X25	2,250 SF	225
30X30	30X30	2,700 SF	270

BUILDING	NAME	TYPE	AREA	UNIT TOTAL
BUILDING A	30X15	30X15	1,200 SF	120
BUILDING B	30X20	30X20	1,800 SF	180
BUILDING C	30X10	30X10	900 SF	90
BUILDING D	30X25	30X25	2,250 SF	225
BUILDING E	30X30	30X30	2,700 SF	270
BUILDING F	30X15	30X15	1,200 SF	120
BUILDING G	30X20	30X20	1,800 SF	180
BUILDING H	30X10	30X10	900 SF	90
BUILDING I	30X25	30X25	2,250 SF	225
BUILDING J	30X30	30X30	2,700 SF	270

NAME	TYPE	AREA	UNIT TOTAL
30X15	30X15	1,200 SF	120
30X20	30X20	1,800 SF	180
30X10	30X10	900 SF	90
30X25	30X25	2,250 SF	225
30X30	30X30	2,700 SF	270

NAME	TYPE	AREA	UNIT TOTAL
30X15	30X15	1,200 SF	120
30X20	30X20	1,800 SF	180
30X10	30X10	900 SF	90
30X25	30X25	2,250 SF	225
30X30	30X30	2,700 SF	270



Figure 5
SITE PLAN

EXHIBIT 1
CITY OF STOCKTON – PROPOSED WHISTLER WAY ANNEXATION
CITY OF STOCKTON GENERAL FUND REVENUE SUMMARY

I. CITY DEMOGRAPHIC DATA

2020 Estimated City Population [1]	318,522
2020 Estimated City Employees [2]	121,350
2020 Persons Served Population [3]	391,332

II. CITY REVENUE SOURCES

General Fund Revenue Type	City Budget [4]	Recurring or Non-Recurring	Multiplier Type	Multiplier
Property Tax	\$38,416,000	Recurring	AV/square foot	NA
Utility Users Tax	34,342,000	Recurring	Persons Served	\$87.76
Sales and Use Tax	94,587,000	Recurring	NA	NA
Franchises	16,595,630	Recurring	Persons Served	\$42.41
Business Licenses	9,695,000	Recurring	Per Employee	\$79.89
Document Transfer	852,000	Recurring	Persons Served	\$2.18
Hotel/Motel Tax	2,648,000	Non-Recurring	NA	NA
In-Lieu of Motor Vehicle Fees	26,791,495	Recurring	AV Proportion	NA
Motor Vehicle License	200,000	Recurring	Per Capita	\$0.49
Investment Proceeds	2,011,693	Recurring	Persons Served	\$5.14
Fire Contracts	4,691,240	Recurring	Persons Served	\$11.99
Code Enforcement	3,498,413	Recurring	Persons Served	\$8.94
Charges for Services	3,150,079	Recurring	Persons Served	\$8.05
Fines & Forfeitures	501,694	Recurring	Persons Served	\$1.28
Revenues from Other Agencies	3,253,496	Recurring	Persons Served	\$8.31
Licenses & Permits	577,014	Recurring	Persons Served	\$1.47
Sale of Fixed Assets	22,000	Recurring	Persons Served	\$0.06
Districts/Area of Benefit Contribution	0	Non-Recurring	Persons Served	NA
Misc. Other Revenues	(171,781)	Recurring	Persons Served	\$0
Indirect Cost Allocation	5,904,220	Recurring	Persons Served	\$15.09
Refunds & Reimbursements	230,309	Recurring	Persons Served	\$0.59
Rents/Leases/Concessions	3,052,448	Recurring	Persons Served	\$7.80
Loan Repayment	0	Recurring	Persons Served	NA
TOTALS	\$250,847,950	--	--	--

NOTES:

[1] California Department of Finance, E-5 City/County Population and Housing Estimates, 1-1-2020.

[2] *San Joaquin County Forecast Summary*, Center for Business and Policy Research, Eberhardt School of Business, University of the Pacific, July 7, 2016.

[3] Assumes City population plus 60% of employees.

[4] Source: City of Stockton Fiscal Year 2021/22 Budget.

AV – Assessed Valuation; NA – Not applicable

EXHIBIT 2
CITY OF STOCKTON – PROPOSED WHISTLER WAY ANNEXATION
LAND USE AND DEMOGRAPHICS SUMMARY

I. RESIDENTIAL LAND USES

Residential Land Uses	Number of Units	Persons per Household [1]	Residential Population
Residential	1	1.00	1

II. NON-RESIDENTIAL LAND USES

Non-Residential Land Uses	Square Feet	Number of Employees
Commercial – Proposed	100,850	3[2]
Commercial – Existing	20,000	34[3]

III. PROJECT DEMOGRAPHICS

Residential Population	1
Direct Employees	37
Persons Served Population [4]	23

NOTES:

[1] It is assumed that one person would live in the on-site residential unit at the proposed self-storage facility.

[2] Based on review of postings on selfstoragetalk.com: “How many employees work at your facility?” Most respondents indicated 2 or 3; larger number used. Review conducted September 8, 2021.

[3] Based on factor of one employee per 588 square feet of neighborhood retail (source USGBS).

[4] Assumes population plus 60 percent of number of employees.

EXHIBIT 3
CITY OF STOCKTON – PROPOSED WHISTLER WAY ANNEXATION
PROPERTY TAX REVENUE

I. GENERAL PROPERTY TAX ASSUMPTIONS

Pre-Annexation - 1% General Property Tax Breakdown [1]

Public Agency	Property Tax Breakdown
County General Fund	17.7%
Lincoln Fire Protection District	22.8%
School districts and other agencies	59.5%
TOTAL	100.00%

Property Tax Allocation **Upon Annexation** [1]

Public Agency	Property Tax Breakdown
County General Fund	31.7%
City of Stockton	8.8%
School districts and other agencies	59.5%
TOTAL	100.00%

II. SECURED PROPERTY TAX ANALYSIS

Nonresidential Land Use Type	Square Feet	Valuation per Square Foot [2]	Estimated Assessed Valuation	Total Secured Property Tax
Commercial – Proposed	100,850	\$40.00	\$4,034,000	\$3,550
Commercial – Existing	20,000	-	\$409,507[3]	\$360
TOTAL			\$4,443,507	\$3,910

III. UNSECURED PROPERTY TAX ANALYSIS

Nonresidential Land Use Type	Square Feet	Unsecured Tax (as % of Secured Tax)	Total Secured Property Tax	Total Unsecured Property Tax
Commercial – Proposed	100,850	10.00%	\$3,550	\$355
Commercial – Existing	20,000	10.00%	\$360	\$36
TOTAL				\$391

IV. PROPERTY TAX TRANSFER ANALYSIS

Nonresidential Land Use Type	Square Feet	Property Turnover Rate [4]	Property Transfer Tax to City [5]	Total Property Transfer Tax
Commercial – Proposed	100,850	5.00%	0.055%	\$111
Commercial – Existing	20,000	5.00%	0.055%	\$50
TOTAL				\$161

V. PROPERTY TAX IN-LIEU OF MOTOR VEHICLE FEE (MVF) ANALYSIS

Nonresidential Land Use Type	Square Feet	Total Assessed Valuation	Property Tax In-Lieu of MVF per \$1,000 Assessed Value [6]	Total Property Tax In-Lieu of MVF
Commercial – Proposed	100,850	\$4,034,000	\$1.15	\$4,639
Commercial – Existing	20,000	\$409,507	\$1.15	\$471
TOTAL		\$4,443,507		\$5,110

NOTES:

[1] Source: San Joaquin County Auditor-Controller Office.

[2] Source: ISS, "How to Value, Price and Sell Your Facility," October 1, 2000. Actual values range from \$20-80 per square foot; \$40 per square foot most common.

[3] Actual valuation from San Joaquin County Assessor's Office.

[4] Based on typical OTA baseline assumptions.

[5] Source: California Revenue and Taxation Code Section 11911-11929.

[6] Based on City of Stockton Assessed Valuation and In-Lieu of MVF revenue items in City of Stockton Fiscal Year 2019/20 Budget, the most recent fiscal year assessed valuation data are available. See Exhibit 1 for In-Lieu of MVF.

* All figures subject to rounding.

EXHIBIT 4
CITY OF STOCKTON – PROPOSED WHISTLER WAY ANNEXATION
SALES TAX REVENUE ANALYSIS

I. DIRECT SALES TAX ANALYSIS

Nonresidential Land Use Type	Taxable Sales per Acre [1]	Acres	Total Sales Tax Revenue
Commercial – Existing	\$29,934	1.5	\$44,901

NOTES:

[1] Based on City of Stockton FY 2021/22 sales tax revenue of \$94,587,000 divided by 3,160 commercial acres in Stockton (source: 2040 General Plan Update and Utility Master Plan Supplements Draft EIR, June 2018).

EXHIBIT 5
CITY OF STOCKTON – PROPOSED WHISTLER WAY ANNEXATION
MULTIPLE REVENUE ANALYSIS

General Fund Revenue Type	Revenue Projection Basis [1]	Multiplier Factor [2]	Estimated Project Revenue
Utility Users Tax	Persons Served	\$87.76	\$2,036
Franchises	Persons Served	42.41	984
Business Licenses	Per Employee	79.89	2,956
Document Transfer	Persons Served	2.18	51
Motor Vehicle License	Per Capita	0.49	0
Investment Proceeds	Persons Served	5.14	119
Fire Contracts	Persons Served	11.99	278
Code Enforcement	Persons Served	8.94	207
Charges for Services	Persons Served	8.05	187
Fines & Forfeitures	Persons Served	1.28	30
Revenues from Other Agencies	Persons Served	8.31	193
Licenses & Permits	Persons Served	1.47	34
Sale of Fixed Assets	Persons Served	0.06	1
Miscellaneous Other Revenues	Persons Served	0	0
Indirect Cost Allocation	Persons Served	15.09	350
Refunds & Reimbursements	Persons Served	0.59	14
Rents/Leases/Concessions	Persons Served	7.80	181
Loan Repayment	Persons Served	0	0
TOTAL	--	--	\$7,621

NOTES:

[1] See Exhibit 2.

[2] See Exhibit 1.

* All figures subject to rounding.

EXHIBIT 6
CITY OF STOCKTON – PROPOSED WHISTLER WAY ANNEXATION
PROJECTED RECURRING GENERAL FUND REVENUE

CATEGORY	AMOUNT
Secured Property Tax	\$3,910
Unsecured Property Tax	\$391
Property Transfer Tax	\$161
Property Tax in-Lieu of Motor Vehicle Fees	\$5,110
Direct Sales Tax	\$44,901
Utility Users Tax	\$2,036
Franchises	\$984
Business Licenses	\$2,956
Document Transfer	\$51
Motor Vehicle Licenses	\$0
Investment Proceeds	\$119
Fire Contracts	\$278
Code Enforcement	\$207
Charges for Services	\$187
Fines & Forfeitures	\$30
Revenues from Other Agencies	\$193
Licenses & Permits	\$34
Sale of Fixed Assets	\$1
Miscellaneous Other Revenues	\$0
Indirect Cost Allocations	\$350
Refunds & Reimbursements	\$14
Rents/Leases/Concessions	\$181
Loan Repayment	\$0
TOTAL	\$62,094

NOTES:

[1] See Exhibit 3.

[2] See Exhibit 4.

[3] See Exhibit 5.

** All figures subject to rounding.*

NA – information not available

EXHIBIT 7
CITY OF STOCKTON – PROPOSED WHISTLER WAY ANNEXATION
PUBLIC FACILITY AND IMPACT FEE SUMMARY
(PROPOSED SELF-STORAGE FACILITY)

FEE CATEGORY	FEE RATE	ESTIMATED PROJECT FEES
City of Stockton Fees [1]		
Agricultural Land Mitigation	\$10,494/acre of ag land	\$0
Air Quality	\$405/1,000 sq. ft.	\$40,844
City Office Space*	\$25.50/1,000 sq. ft.	\$1,286
Community Recreation Center*	\$23.25/1,000 sq. ft.	\$1,172
County Facilities	\$123/1,000 sq. ft.	\$12,405
Fire Stations*	\$54/1,000 sq. ft.	\$2,723
Libraries*	\$56/1,000 sq. ft.	\$2,824
Parkland	N/A	\$0
Police Stations*	\$62/1,000 sq. ft.	\$3,126
Street Improvement*	\$931.50/1,000 sq. ft.	\$46,971
Surface Water	\$0.228/(sq. ft./0.6)	\$38,323
Administration (2.5% of total fees above)	--	\$3,742
SUBTOTAL		\$153,416
Sewer Connection	\$3,634/SFU equivalent [2]	\$5,015
Water Connection	1-inch meter	\$4,266
Delta Water Supply	1-inch meter	\$5,441
Administration (3.5% of total fees above)	--	\$515
SUBTOTAL		\$15,237
Regional Transportation	\$460/1,000 sq. ft.	\$46,391
Traffic Signal	\$30.75/1,000 sq. ft.	\$3,101
SUBTOTAL		\$49,492
TOTAL CITY PUBLIC FACILITY AND IMPACT FEES		\$218,145
Fees by Other Agencies		
School Impact Fees (SUSD)	\$0.61/square foot	\$61,519
Habitat/Open Space (SJCOG)	\$17,363/acre	\$75,393[3]
TOTAL PUBLIC FACILITY AND IMPACT FEES		\$355,057

NOTES:

[1] Source: City of Stockton FY 2020-21 Fee Schedule.

[2] For warehouse land use >50,000 sq. ft., single-family unit (SFU) equivalent is square footage times 0.01 gallons/day divided by 300.

[3] Fee has been paid by project applicant to SJCOG.

* 50% reduction in adopted fee as part of Stockton Economic Stimulus Package, to be eliminated once nexus study is completed and General Plan is updated.

All figures subject to rounding.

EXHIBIT 8
CITY OF STOCKTON – PROPOSED WHISTLER WAY ANNEXATION
ESTIMATED PROJECT EXPENDITURES

I. CITY EXPENDITURES

Program Appropriations	City Budget [1]
Police	\$143,771,046
Fire	50,152,050
Administration	18,762,286
Public Works	17,498,458
Community Services	7,915,150
Economic Development	5,606,034
Capital Improvements	5,000,000
Debt Service	4,174,175
Other Programs	2,978,111
TOTAL	\$255,857,310

II. PROJECT EXPENDITURE ANALYSIS

2020 City of Stockton Persons Served Population [2]: 391,332

City Expenditures per Person Served: \$653.81

Persons Served Population on Subject Site [3]: 23

Total Subject Site Expenditures: \$15,038

NOTES:

[1] Source: City of Stockton Fiscal Year 2021/22 Budget

[2] See Exhibit 1.

[3] See Exhibit 2.

** All figures subject to rounding.*

EXECUTIVE OFFICER'S REPORT

June 9, 2022

TO: LAFCo Commissioners

FROM: James E. Glaser, Executive Officer

SUBJECT: **Final Budget for Fiscal Year 2022-2023, Work Program, and Schedule of Fees**

Recommendation

It is recommended that the Commission approve the Final Fiscal Year 2022-2023 LAFCo Budget, Work Program and Schedule of Fees.

Background

In compliance with the Cortese Knox Hertzberg Act the Commission adopted a preliminary budget at its May 12, 2022 public hearing and scheduled a public hearing on June 9, 2022 to consider a Final Fiscal Year 2022-2023 Budget. The Commission also considered and approved the proposed annual work program and fee schedule.

Revenue Sources

LAFCo receives revenues from four sources: County contribution, city contributions, application filing fees, and interest accumulated from the Commission's contingency reserves. The budget anticipates total revenues of \$516,440 in the next fiscal year.

The proposed FY2022-2023 budget increases the County and city contributions from \$236,400 from the County and \$236,400 from the seven cities in FY21-22 to \$248,220 each, a 5% increase. The proposed budget anticipates LAFCo will receive \$15,000 in application filing fees and \$5,000 in interest. The cost for staffing and operations is estimated to be approximately \$826,819 and that the Commission will transfer \$310,379 from its Contingency/Reserve funds (estimated \$1,305,844) to continue agency operations to the end of the fiscal year if all line items are expended including the contract for services.

1 The County and its cities contribute one-half share of LAFCo's operational costs. The Cities share is based upon the proportionate share of the total county population living within cities. Using the January 2021 population data from the State Department of Finance, the city contributions would be as follows: Stockton-\$126,592; Tracy-\$37,233; Manteca-\$34,751; Lodi-\$27,304; Lathrop-\$12,411; Ripon-\$7,447; and Escalon-\$2,482.

Salaries and Benefits

The proposed FY2022-2023 budget includes staff salaries for a full-time Executive Officer, a full-time LAFCo Analyst and a part-time Commission Clerk. The Commission contracts with the County for retirement and health benefits for the full-time staff. Estimates for benefit costs are provided by the County during each budget cycle and are incorporated into the LAFCo budget. For FY22-23 the County increased retirement contribution rates by 0.94% of compensation for the Executive Officer and an increased retirement contribution rate by 7.03% of compensation for the LAFCo Analyst, a \$9,129 increase. Currently, the Analyst position is being filled by a part-time employee and does not receive the additional benefits, however, in the event that the Commission must hire a full-time Analyst in the upcoming fiscal year it would be prudent to include the full-time salary and benefits for a full time Analyst. The salary level and associated benefits parallel those of a newly hired Management Analyst III county position.

Services and Supplies

The Commission contracts with the County for specific services including payroll, auditor services, information systems technology, computers, communications, and mailroom services. Each budget year the County determines LAFCo's share of the cost for services. The costs for County services have generally remained the same as last year with the exception of Data Processing Direct Charges which increased by 115% (from \$6,789 to \$14,569). Data Processing Direct Charges include service calls and costs for the County's Information Service Department to maintain the safety and security of our computer information, data backup storage, user licenses, and website maintenance.

The budget includes the costs associated for eight Commissioners and two Staff to attend the Annual CALAFCo Conference at Newport Beach in October 2022 and for two staff to attend the Staff Conference in the spring of 2023. Costs include airfare, travel to and from Sacramento airport, air fare, registration fees, and 3 night hotel stays. The Annual and Staff Conferences were cancelled in 2021 due to the Covid pandemic resulting in a budget saving this fiscal year.

The Commission has contracted with a consultant to assist in the recruitment for an Executive Officer. It is anticipated that one half of the cost, \$10,000, will be paid this fiscal year. The added expenditure of \$10,000 is shown under the Contract for Services line item.

Budget Discussion

Approval of the proposed LAFCo FY2022-2023 budget will enable the Commission to perform its core responsibilities effectively and continue its work on municipal service review and sphere of influence updates, processing change of organization applications, litigation support, and policy development. As in previous budget years, the Commission's budget anticipated overall expenditures would be more than its revenues. The Commission and staff, however, has exercised fiscal prudence and it had not been necessary to draw down into its Contingency Reserves. It is likely no Contingency/Reserves will be used this current fiscal year and the Commission will carry forth a balance of approximately \$1,305,844 into the new fiscal year.

Work Program

In 2022-2023, the LAFCo Work Program will include application processing for annexations, other organizational changes, and out-of-agency service requests. Municipal Service Reviews (MSRs) and

Sphere of Influence (SOI) Plans will be updated for the cities of Manteca, Escalon, Lathrop, and Lodi, for Woodbridge Irrigation District and for the East Stockton and Central San Joaquin Water Conservation Districts in anticipation of a consolidation. LAFCo will continue its formal review of the Mountain House city incorporation application. Pending Commission direction, LAFCo may begin work on the remaining 29 reclamation districts, and MSRs and SOIs for County rural fire districts. Staff will continue work to update its website. The Commission will review and update, as needed, its operational policies and procedures.

Schedule of Fees

The following changes to the application filing fees are proposed:

- A 5% increase to annexation filing fees
Filing fees contribute approximately 3% of LAFCo revenues and are used to offset the costs associated with the processing of annexation applications. The FY22-23 budget anticipates increases in staff and operational costs and a 5% increase in annexation filing fees will continue to offset the increase in costs.
- Increase to Staff hourly fees for unique/complex projects
The increase to staff's hourly fees corresponds with increases to employee benefits and salary.

Accomplishments

During the Fiscal Year 2021-2022, annexation and other organizational changes were approved for:

- Insurance Auto Auction to the City of Stockton
- Pereira Reorganization to the City of Ripon
- Bezley annexation to County Service Area 43-Clements
- Liguarian Villages and Eastbrook Estates annexation to CSA 41
- Out of Agency sewer for Liguarian Villages and Eastbrook Estates
- Hammer Lane Reorganization to the City of Stockton
- The New Mariposa Drainage District was dissolved
- Out-of-Agency requests

Work was initiated to comply with the San Joaquin County Grand Jury Report recommendation to update the LAFCo website to include comprehensive information about the County's Independent Special Districts to achieve better public access and transparency. LAFCo completed the relocation of its business office to the County Administration Building.

Attachments: Resolution No. 1478 Approving the Final Budget
Proposed Fiscal Year 2022-2023 Budget
LAFCo Work Program
Schedule of Fees

cc: County Administrator's Office

FINAL FISCAL YEAR 2022-2023 BUDGET, WORK PROGRAM AND SCHEDULE OF FEES

Public Hearing
June 9, 2022
San Joaquin LAFCo

BACKGROUND

- In compliance with Cortese Knox Hertzberg Act the Commission held a Public Hearing on May 12, 2022 and adopted a Preliminary Fiscal Year 2022-2023 budget
- Today's public hearing is to consider and adopt the final budget
- Public Hearing notices were published, posted and mailed according to State law
- The Commission also considered and approved a proposed work program and fee schedule

REVENUES

- LAFCo receives revenues from the County, each of the seven cities, application filing fees and interest from contingency reserves
- The proposed final budget anticipates total revenues of \$516,440 for FY22-23
- The proposed final budget increases the County/cities contribution by 5%, from \$236,400 to \$248,220
- The proposed final budget anticipates the Commission will receive \$15,000 from application filing fees and \$5,000 in interest
- Operating costs are estimated at \$826,819
- Funds from the Commission's Contingency/Reserves will be transferred to continue agency operations if needed

REVENUES

	FY21-22	FY22-23	% Inc/Dec
Application Filing Fees	\$15,000	\$15,000	0
County Contribution	236,400	248,220	5%
Cities Contribution	236,400	248,200	5%
Interest	6,500	5,000	28.9%
Total Revenue	\$494,300	\$516,440	4.5%

OPERATIONAL COSTS

SALARY AND BENEFITS

- Budget provides for a full-time Executive Officer, full-time LAFCo Analyst, and a part-time Commission Clerk
- LAFCo contracts with the County for retirement and health benefits
- Rates for retirement and benefits are determined by the County
- Significant increases in retirement contribution rates

SALARIES AND BENEFITS

	FY21-22	FY22-23
Salaries Regular/Commissioners	\$298,897	\$311,791
Benefits	198,509	\$210,009
Total	\$497,406	\$521,800

- Currently the LAFCo Analyst is filled by a part-time employee with no benefits which will result in Salary and Benefit savings of approximately \$120,880 this fiscal year.
- It is recommended that the Commission budget for a full-time Analyst with benefits in the upcoming budget

OPERATIONAL COSTS

SERVICES AND SUPPLIES

- The Commission contracts with the County for services including payroll, auditor service, computers, data processing, insurance, and mailroom service
- The County determines LAFCo's share of the costs for the services and are incorporated into the proposed budget
- The budget includes the CALAFCO Annual Conference at Newport Beach for 8 Commissioners and 2 Staff and the Annual Staff Conference for 2 Staff (location unknown)
- Costs for a recruitment consultant for the Executive Officer's position will be paid under Contract for Services

SERVICES AND SUPPLIES	FY 21-22	Estimated Expenditures	Proposed FY 22-23	% Over/Under Budget
Professional Services (Neumiller & Beardslee)	15,000	10,278	15,000	0.0%
Office Supplies - General	5,000	5,468	5,500	10.0%
Communications *	3,000	3,007	3,000	0.0%
CALAFCO Membership	10,760	10,760	11,287	4.9%
Copy Machine	2,400	0	300	-87.5%
Rents and Leases - Computers *	1,957	1,885	1,885	-3.7%
CALAFCO Conference-Commissioners	13,459	0	15,170	12.7%
CALAFCO Conference -Staff	5,101	0	8,040	57.6%
Data Processing Direct Charges *	6,789	10,160	14,569	114.6%
Auditors' Payroll and A/P Charges	505	604	500	-1.0%
Registrar of Voter Charges	200	0	200	0.0%
Recording Fees	500	0	500	0.0%
Publications & Legal Notices	3,000	1,229	3,000	0.0%
Insurance-Worker's Comp*	254	254	378	48.8%
Insurance-Special Property	1,425	1,425	1,850	29.8%
Insurance-Liability*	5,555	5,538	6,370	14.7%
Office Space/Utilities	36,000	21,396	22,200	-38.3%
Moving Expenses	25,000	3,319	0	-100.0%
Contract for Services	160,000	10,000	200,000	25.0%
	\$295,90			
TOTAL SERVICES AND SUPPLIES	5	\$85,323	\$309,749	4.7%

* LAFCo's share of cost for County services

FY21-22 Budget Highlights:

- Savings from CALAFCO conferences due to cancellations
- Less expenditures made for office space relocation than budgeted
- Data Processing charges more than budgeted and cost expected to increase next year
- Expenditure in Contract for Services for a recruitment consultant

BUDGET DISCUSSION

- Approval of the proposed budget will enable the Commission to perform its core responsibilities effectively
- The FY 22-23 budget proposes that overall expenditures would be more than anticipated revenues
- The Commission has \$1,169,677 in Contingency Reserves to cover costs
- It is expected that it would not be necessary to draw down on the contingency reserves at the end of this fiscal year
- Savings from this year would add approximately \$136,167 to the contingency reserves

WORK PROGRAM FOR FY 22-23

- Application processing for annexations and other organizational changes,
- MSR/SOI Updates for Escalon, Lathrop, and Lodi
- Stockton East and Central San Joaquin consolidation
- Mountain House Incorporation
- If directed by the Commission, complete:
 - MSR/SOI Updates for the remaining 29 reclamation Districts
 - MSR/SOI Updates for the County rural fire districts
- Website update
- Review and update operational policies and procedures

SCHEDULE OF FEES

Proposed changes include:

- A 5% increase to annexation filing fees
 - Filing fees contribute approximately 3% of LAFCo revenues and are used to offset the costs associated with the processing of annexation applications. The FY22-23 budget anticipates increases in staff and operational costs and a 5% increase in annexation filling fees will continue to offset the increase in costs.
- Increase to Staff hourly fees for unique/complex projects
 - The increase to staff's hourly fees corresponds with increases to employee benefits and salary.

COMMISSION ACCOMPLISHMENTS

- Annexation and other organization changes were approved for:
 - Insurance Auto Auction to the City of Stockton
 - Pereira Reorganization to the City of Ripon
 - Bezley annexation to County Service Area 43-Clements
 - Liguarian Villages and Eastbrook Estates annexation to CSA 41
 - Out of Agency sewer for Liguarian Villages and Eastbrook Estates
 - The New Mariposa Drainage District was dissolved
 - Out-of-Agency requests
- Work was begun to comply with the San Joaquin County Grand Jury Report recommendation to include comprehensive information about the County's Independent Special Districts for better public access
- LAFCo completed the relocation of its business office to the County Administration Building.

RECOMMENDATION

- It is recommended that the Commission, after receiving testimony and providing comments, approve Resolution No. 1478 approving the Final Fiscal Year 2022-2023 Budget, Work Program, and Schedule of Fees.

Resolution No. 1478

**BEFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION
ADOPTING THE FINAL FISCAL YEAR 2022-2023 BUDGET,
WORK PROGRAM AND SCHEDULE OF FEES**

WHEREAS, the Commission held a public hearing on the Final Fiscal Year 2022-2023 LAFCO Budget, Work Program, and Schedule of Fees on June 9, 2022 at 9:00 a.m. pursuant to a notice of hearing which was published and distributed in accordance with State Law; and

WHEREAS, at said hearing, the Commission heard and received evidence regarding the proposal and all persons were give an opportunity to be heard.

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

Section 1. The Final Fiscal Year 2022-2023 Budget and Work Program is hereby approved as set forth in Exhibit A.

Section 2. The LAFCo Schedule of Fees is hereby approved as set forth in Exhibit B.

Section 3. Said Schedule of Fees will become effective on July 9, 2022.

PASSED AND ADOPTED this 9th day of June 2022 by the following votes:

AYES:

NOES:

ABSENT:

DAVID BREITENBUCHER, Chairman
San Joaquin Local Agency
Formation Commission

San Joaquin LAFCo
Proposed Preliminary FY 2022-2023 Budget

	FY 21-22	Estimated Rev/Exp thru 6/31/22	Final FY22-23	% Inc/Dec
REVENUES				
Filing Fees	15,000	93,485	15,000	0.0%
County Contribution	236,400	236,400	248,220	5.0%
City Contribution	236,400	236,400	248,220	5.0%
Interest	6,500	4,635	5,000	-23.0%
20% Administrative Fee	0	27,095	0	
TOTAL REVENUES	\$494,300	\$598,015	\$516,440	4.5%
EXPENDITURES				
Salaries Regular/Commissioners	298,897	247,420	311,791	4.3%
Benefits	198,509	129,105	210,009	5.8%
TOTAL SALARIES/BENEFITS	\$497,406	376,525	521,800	4.9%
SERVICES AND SUPPLIES				
Professional Services (Neumiller & Beardslee)	15,000	10,278	15,000	0.0%
Office Supplies - General	5,000	5,468	5,500	10.0%
Communications *	3,000	3,007	3,000	0.0%
CALAFCO Membership	10,760	10,760	11,287	4.9%
Copy Machine	2,400	0	300	-87.5%
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Insurance-Worker's Compensation *	254	254	378	48.8%
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Office Space/Utilities	36,000	21,396	22,200	-38.3%
Moving Expenses	25,000	3,319	0	-100.0%
Contract for Services	160,000	10,000	200,000	25.0%
TOTAL SERVICES AND SUPPLIES	\$295,905	\$85,323	\$309,749	4.7%
Revenues	\$494,300	\$598,015	\$516,440	
Expenditures	793,311	461,848	826,819	
Grand Total	-299,011	136,167	-310,379	
Contingency Reserves (est)	\$1,161,520	\$1,305,844	\$995,465	
Actual Reserves Contingency Reserves	\$1,169,677			

San Joaquin LAFCo
Fiscal Year 2022-2033
Work Program

In 2022-2023, the LAFCo Work Program will include application processing for annexations, other organizational changes, and out-of-agency service requests. Municipal Service Reviews (MSRs) and Sphere of Influence (SOI) Plans will be updated for the cities of Manteca, Escalon, Lathrop, and Lodi, for Woodbridge Irrigation District and for the East Stockton and Central San Joaquin Water Conservation Districts in anticipation of a consolidation. LAFCo will continue its formal review of the Mountain House city incorporation application. Pending Commission direction, LAFCo may begin work on the remaining 29 reclamation districts, and MSRs and SOIs for County rural fire districts. The Commission will review and update, as needed, its operational policies and procedures.

During the Fiscal Year 2021-2022, annexation and other organizational changes were approved for:

- Insurance Auto Auction to the City of Stockton
- Pereira Reorganization to the City of Ripon
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- Hammer Lane Reorganization to the City of Stockton
- The New Mariposa Drainage District was dissolved
- Out-of-Agency requests

Work was begun to comply with the San Joaquin County Grand Jury Report recommendation to update the LAFCo website to include comprehensive information about the County's Independent Special Districts to achieve better public access and transparency. LAFCo completed the relocation of its business office to the County Administration Building.

San Joaquin Local Agency Formation Commission

SCHEDULE OF FEES

FEES FOR PROCESSING APPLICATIONS AND CHARGES FOR SERVICES

(Effective Date: ~~August 11, 2020~~ July 12, 2022)

I.	<u>ANNEXATIONS AND DETACHMENTS</u>	Current Fee	Proposed Fee 5% Increase
	Existing and New Development:		
	Under 3 Acres	\$2,190	\$2,300
	3 to 10 Acres	\$2,922	\$3,068
	10.1 to 20 Acres	\$3,660	\$3,843
	20.1 to 40 Acres	\$4,388	\$4,607
	40.1 to 80 Acres	\$5,122	\$5,378
	80.1 to 120 Acres	\$5,854	\$6,147
	120.1 to 240 Acres	\$6,593	\$6,924
	240.1 to 500 Acres	\$7,333	\$7,700
	500.1 to 1,000 Acres	\$8,060	\$8,463
	Over 1,000.1 acres \$8.05 per acre		
II.	<u>LEGAL SERVICES</u>	Actual Cost \$1,000	
	Required for all services.	Deposit	
	Principle	\$375 per hour	
	Associate	\$300 per hour	
	Paralegal	\$175 per hour	
III.	<u>OTHER ACTIONS</u>		
	Proposals requiring Protest Proceedings (Actual cost if Voter Election)	\$1,600	
	Special District Formation	\$8,500	
	Consolidation, Merger, Subsidiary District	\$1,000	
	Addition of Services	\$2,500	
	Dissolution	No Charge	
	Request for Reconsideration	\$1,500	
	Time Extension Request	\$ 400	
	Out-of-Agency Service for Designated Areas	\$2,500	
	Out-of-Agency Service	\$300 per single-family equivalent/per service	
	Sphere of Influence		
	Amendment to a Municipal Service Review	\$2,500	
	New or Update for Cities	\$4,000	
	New or Update for Special Districts	\$1,600	
	Removal of Territory	\$2,500	
	Incorporation	Actual Costs (\$5,000 deposit)	
	Comprehensive Fiscal Analysis	Actual Cost (\$5,000 deposit)	

IV. ENVIRONMENTAL REVIEW

Fee

Lead Agency other than LAFCo:		
Review Environmental Impact Report		\$500
Review Negative Declaration		\$250
CEQA Exemption		\$150
LAFCo as Lead Agency:		
Initial Study (including Negative Declaration)		Actual Cost
Preparation and processing of EIR		Actual Cost
CEQA Exemption		\$300
State Department of Fish and Wildlife Fee (with LAFCo as Lead Agency) includes County Clerk Processing Fee		
Notices of Exemption		As Required by Fish and Wildlife Code
If Negative Declaration		
If Environmental Impact Report		
County Clerk Processing Fee		\$50
V. MISCELLANEOUS FEES AND CHARGES		
For checking and approving boundary maps and legal descriptions (<i>Make check payable to Department of Public Works</i>)		\$700 or 20% of LAFCo Fee
Special Commission meeting		\$2,000
Staff Costs for Research, Technical Assistance, Mailing, Attendance at Meetings and unique/complex projects as determined by the Commission:		
Executive Officer		\$190 \$150 per hour
LAFCo Analyst		\$160 \$120 per hour
Commission Clerk		\$80 \$60 per hour
Meeting CDs (per CD)		\$20
Document copying (per page)		\$.20
Checking Sufficiency of Petition (per signature)		Fee set by the Registrar of Voters
Outside Consultants hired by LAFCo		Actual Costs plus 20%
Meeting Transcripts		Actual Costs plus 20%

Notes:

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