



Solano Local Agency Formation Commission

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Solano County Government Center
Board of Supervisors Chambers
675 Texas Street
Fairfield, CA 94533
December 10, 2012
10:00 AM

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Materials related to an item on this agenda are available for public inspection at the LAFCO Staff Office at 3700 Hilborn Rd. Ste. 600 Fairfield, CA during normal business hours.

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If you or your agent have made a contribution of \$250 or more to any Commissioner or Alternate during the 12 months preceding the decision, that Commissioner or Alternate must disqualify him or herself from the decision. However, disqualification is not required if the Commissioner or Alternate returns the campaign contribution within thirty (30) days of learning both about the contribution and the fact that you are a participant in the proceedings.

If you wish to speak on an agenda item, green speaker cards are provided near the back wall of the Chambers. The cards must be completed and returned to the Commission's Clerk. The Commission limits speaker comments to five (5) minutes. The Commission may extend the time as necessary.

- A G E N D A -

1. CALL TO ORDER AND SALUTE TO THE FLAG
2. ROLL CALL
3. CHANGES AND APPROVAL OF THE AGENDA
4. PRESENTATION AND ACTION
 - A. Financial Reports – July, August, September 2012 (ACTION)
 - B. Minutes – August, September, October, November 2012 (ACTION)
5. PUBLIC COMMENTS

Commissioners

John Saunderson, Chairperson • Harry Price, Vice-Chairperson
Jack Batchelor • John Vasquez • Jim Spering

Alternate Commissioners

Nancy Shopay • Linda Seifert • Jan Vick

Staff

Shaun Pritchard, Executive Officer • Michelle McIntyre, Analyst • P. Scott Browne, Legal Counsel

Opportunity for the public to speak to the Commission on any subject matter within the Commission's jurisdiction but not an item on today's agenda.

6. PUBLIC HEARINGS

A. **2012-10 Core Area Annexation to the City of Fairfield, including concurrent annexation to the Suisun Fairfield Rockville Cemetery District, detachment from the Vacaville Fire Protection District, and detachment from County Service Area for lighting.** The Commission will consider the reorganization proposal consisting of approximately 1,044 acres of land generally located north of the existing Fairfield city limits from Cement Hill Road/Walters Road intersection easterly to North Gate Road. (APNs: 0166-050-010, -020, -030, -040, 0166-060-060, -070, -100, -220, -230, -240, -250, 0166-070-020, -030, -040, -050, -060, -070, -080, -100, -110, -120, 0166-080-010, -020, -030, -040, -050, -060, -070, -120, -130, -140, -150, 166-090-030, -060, -070, -080, -090, -100, -110, -120, -130, -170, -180, 0166-101-020, -030, -040, -050, -060, -110, 0166-102-020, -030, 0166-110-120, -130, -150, -190, -200, -210, -230, -240, -250, -260, -270, -280, -300, -310, -390, -410, 0174-010-010, -050, -060, -080, -090, -100, -110, -120, -130, -140, -150, -160, -180, -310, -320, -330, 0174-080-010, -020, -030, -040, and -100) (ACTION)

7. OTHER BUSINESS

- A. The Commission will consider a Resolution honoring Alternate Commissioner Jan Vick (ACTION)
- B. The Commission will consider appointing a Policy and Procedures Subcommittee (ACTION)
- C. The Commission will consider approval of administrative contracts and approval of an appropriation transfer request (ACTION)
- D. The Commission will consider approval of an engagement letter from the Solano County Auditor/Controller's Office for auditing services for the fiscal years ended June 30, 2012 and 2011 (ACTION)

8. CORRESPONDENCE

- A. The Commission has received a request for a reorganization study for the City of Vallejo. The Commission will consider scheduling a hearing to receive presentations. (ACTION)
- B. Other correspondences

9. PENDING APPLICATIONS/PROPOSALS

10. EXECUTIVE OFFICER'S REPORT

11. CLOSED SESSION

Public Employment Personnel issues pursuant to GC§ 54957 (ACTION)

12. COMMISSIONER COMMENTS

13. ADJOURNMENT

Commissioners

John Saunderson, Chairperson • Harry Price, Vice-Chairperson
Jack Batchelor • John Vasquez • Jim Spering

Alternate Commissioners

Nancy Shopay • Linda Seifert • Jan Vick

Staff

Shaun Pritchard, Executive Officer • Michelle McIntyre, Analyst • P. Scott Browne, Legal Counsel

LAFCO Staff Report

AGENDA
ITEM
6 A

December 10, 2012

Report of the Executive Officer required by Section 56665 of the Government Code regarding proposed matters set for hearing by the Local Agency Formation Commission at 10:00 a.m. on December 10, 2012, in the County Government Bldg., 675 Texas Street, Board of Supervisors Chambers, Fairfield, CA.

Proposal:

2012-10 Core Area Annexation to the City of Fairfield, including concurrent annexation to the Suisun Fairfield Rockville Cemetery District, detachment from the Vacaville Fire Protection District, and detachment from the Solano County Service Area for lighting.

(Assessor Parcel Number 0166-050-010*, -020*, -030*, -040*, 0166-060-060, -070, -100, -220, -230, -240, -250, 0166-070-020, -030, -040, -050, -060, -070, -080, -100, -110, -120, 0166-080-010, -020, -030, -040, -050, -060, -070, -120, -130, -140, -150, 166-090-030, -060, -070, -080, -090, -100, -110, -120, -130, -170, -180, 0166-101-020, -030, -040, -050, -060, -110, 0166-102-020, -030, 0166-110-120, -130, -150, -190, -200, -210, -230, -240, -250, -260, -270, -280, -300, -310, -390, -410, 0174-010-010, -050, -060, -080, -090, -100, -110, -120, -130, -140, -150, -160, -180, -310, -320, -330, 0174-080-010, -020, -030, -040, and -100. *Portions of these APNs only)

Background:

Local Agency Formation Commissions (LAFCOs) are responsible under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) to regulate the formation and development of local governmental agencies and their municipal services. This includes approving or disapproving proposed changes of organization, such as boundary changes, consistent with adopted policies and procedures pursuant to California Government Code Section 56375. Two or more of these actions in a single proposal are referred to as a reorganization. LAFCOs are authorized with broad discretion in amending and conditioning change of organizations or reorganizations as long as they do not directly regulate land use density or intensity, property development or subdivision requirements. Additionally, the Commission's decision with regard to annex a territory into a city shall be based upon the general plan and pre-zoning of a city.

Discussion:

The Solano LAFCO Commission has received a reorganization application by resolution from the City of Fairfield requesting annexation of approximately 1,044 acres. The proposed reorganization, known as the Core Area Annexation, includes concurrent annexation of the project area to the: Suisun-Fairfield-Rockville Cemetery District; detachment from the Vacaville Fire Protection District; and detachment from the Solano County Service Area for lighting. The affected territory is generally located northerly of the existing city limits and extends easterly from the Cement Hill Road/Walters Road intersection to North Gate Road and is located within the City of Fairfield's Sphere of Influence.

This is the second of two proposed annexations within the Fairfield Train Station Specific Plan area. The first reorganization, Canon Station Annexation, was approved by the Commission on

October 15, 2012. The Fairfield Train Station Specific Plan includes approximately 2,972 total acres with nearly 60% designated for open space uses including habitat conservation areas, public open space and public parks. Additionally, the Specific Plan allows for the development of:

- Up to 6800 dwelling units; housing types include single family detached, townhouses, apartments and condominiums
- 286 acres of industrial development
- 47 acres of commercial and mixed use development
- Elementary school site
- Public parks, including a 50-acre community park (Great Park), 25-acre Lake Park, and 5-acre neighborhood park

The Core Area Annexation proposal area is inhabited as defined by the CKH Act and if the Commission approves the proposal, pursuant to Government Code Section 57075 LAFCO must hold a protest hearing at least 30 days after the hearing. Protests may be filed by registered voters residing within the annexation area or property owners of land within the annexation area. Below is a summary of the possible outcomes:

- If the number of written protest filled and not withdrawn is 50% or more of the voters residing within the territory– the project is terminated.
- If the number of written protest filled and not withdrawn is at least 25%, but less than 50% of the registered voters residing in the affected territory OR at least 25% of the number of owners of land who also own at least 25% of the assessed value of land within the affected territory, the annexation is approved subject to confirmation by the registered voters residing within the affected territory.
- If the number of written protest filled and not withdrawn is less than 25% of registered voters or less than 25% number of owners of land owning less than 25% assessed value of land within the affected territory, the annexation is approved as ordered.

Map and Legal Description:

The map and legal description have been reviewed by LAFCO staff and the Solano County Assessor Recorder’s Office and is deemed acceptable.

Ownership Status:

The subject area contains lands that are privately owned.

Other Agencies Affected:

Vacaville Fire Protection District
Suisun-Fairfield-Rockville Cemetery District
County Service Area (lighting)
Solano County
Solano Irrigation District

Occupancy:

The annexation includes territory which is inhabited as defined under the CKH Act; there are more than 12 registered voters.

Noticing:

This proposal was noticed pursuant to the CKH Act. Notices were mailed to property owners and registered voters within the annexation area and the surrounding 300’ radius. Additionally, a legal ad was placed in the Fairfield Newspaper.

Base Tax Exchange:

As previously discussed, 4 out of the 88 Assessor Parcel Numbers contain only portions within the proposal area. The base tax exchange amounts below, are based on the values of each of the **entire** Assessor Parcel Number, therefore; are to be used for general informational purposes only and do not accurately reflect the true amount to be exchanged between the affected agencies.

Fund. No.	Fund Name	Add To Base	Deduct From Base
001	General Fund		(\$20,269.79)
046	County Service Area (lighting)		\$0
108	Special Road		\$ 11,714.76
133	Vacaville Fire Protection District		\$ 38,465.08
077	City of Fairfield	\$29,910.05	
196	Suisun-Fairfield-Rockville Cemetery District	\$0	

NOTE: Revised guidelines for exchange of taxes provide in effect that the base year taxes will be exchanged in the fiscal year following the calendar year in which the annexation is completed and that the annual tax increment will commence in the fiscal year following the calendar year in which the annexation is complete. The tax exchange will be made in accordance with the Cooperative Agreement between Solano County and City of Fairfield regarding annexations in the Train Station Specific Plan area. Current and future annual tax increments will be distributed according to the ration of equivalent tax rates for all jurisdictions serving the new tax rate area.

Applicant Response to the Standards and Staff Analysis

The following is an analysis of the proponent’s submitted responses to the LAFCO Standards.

Mandatory Standards:

LAFCO must make determinations of full compliance with the mandatory Standards to approve a proposal.

STANDARD NO. 1: CONSISTENCY WITH SPHERE OF INFLUENCE (SOI) BOUNDARIES

An area proposed for change of organization or reorganization shall be within the affected agency’s Sphere of Influence. An application for change of organization or reorganization for lands outside an adopted Sphere of Influence may be considered concurrently with a request for amendment to the Sphere of Influence, at LAFCO’s discretion.

Applicant Response: The Core Area Annexation is within City’s Sphere of Influence.

Staff Finding: Staff concurs; standard has been met.

STANDARD NO. 2: ANNEXATION TO THE LIMITS OF THE SPHERE OF INFLUENCE (SOI) BOUNDARIES

Annexation to the limits of the SOI boundary shall not be allowed if the proposal includes land designated for open space use by the affected city's general plan for city change of organization or reorganization or County General Plan for district change of organizations or reorganization unless such open space logically relates to existing or future needs of the agency. Open space uses which may be located within agency limits include but are not limited to community and city-wide parks, recreation facilities, permanently protected open space lands, reservoirs, and storm water detention basins.

Applicant Response: The Core Area Annexation is not adjacent to the City's Sphere of Influence.

Staff Finding: Staff concurs; the standard has been met.

STANDARD NO. 3: CONSISTENCY WITH APPROPRIATE CITY GENERAL PLAN, SPECIFIC PLAN, AREA-WIDE PLAN AND ZONING ORDINANCE

An application for a city change of organization or reorganization which involves the conversion of open space lands to urban use shall be denied by LAFCO if the proposed conversion is not consistent with appropriate city plans (general plans, specific plans, area-wide plans and associated zoning ordinance). The determination of consistency shall be the responsibility of the affected agency, and shall be met by a resolution approved by the agency council certifying that the proposed change of organization or reorganization meets all applicable consistency requirements of State Law, including internal consistency between the agency's adopted plans and the zoning ordinance. In the event that plan consistency is contested, LAFCO shall retain the discretion to determine the consistency question and may require additional environmental information.

Applicant Response: The Resolution of Application approved by the City Council on October 2, 2012 includes a finding that annexation is consistent with City's General Plan and Train Station Specific Plan. See Exhibits B-1 and B-2. In addition, Section 3.3.5 of the Train Station Specific Plan calls for the annexation of all areas designated for urban development or which are largely surrounded by urban development.

Staff Finding: Staff concurs; the standard has been met.

STANDARD NO. 4: CONSISTENCY WITH THE COUNTY GENERAL PLAN OF PROPOSED CHANGE OF ORGANIZATION OR REORGANIZATION OR REORGANIZATION OUTSIDE OF A CITY'S SPHERE OF INFLUENCE BOUNDARY

An application for a change of organization or reorganization for lands outside an adopted city Sphere of Influence boundary in unincorporated territory shall be denied by LAFCO if the land use proposed within the affected territory is not consistent with the Solano County General Plan and Zoning Ordinance.

Applicant Response: Standard No. 4 is not applicable to this reorganization application.

Staff Finding: Staff concurs; the standard has been met.

STANDARD NO. 5: REQUIREMENT FOR PRE-APPROVAL

Prior to approval by LAFCo of a city change of organization or reorganization, the affected agency shall have approved, a specific plan, pre-zoning or an equivalent providing similar detail of information on the proposed land use for the affected territory and where the change of organization or reorganization process is clearly described. Prior to approval by LAFCo of a district change of organization or reorganization, the affected agency shall pass a resolution supporting the proposal.

Prior to approval of annexation by LAFCo, the affected agency shall have granted one or more of the following development approvals: (a) rezoning, (b) area-wide plan, (c) specific plan, or (d) development agreement.

Applicant Response: The City has granted pre-approvals for development in the area as follows:

Fairfield Train Station Specific Plan. The City Council approved the Fairfield Train Station Specific Plan on July 26, 2011 through adoption of Resolution No. 2011-159. The Specific Plan was subsequently amended by the City Council on August 21, 2012; through adoption of Resolution No. 2012-196. See Exhibit M-1. No changes in land use or plan boundary were made through that amendment. The Specific Plan covers 2972 acres. Nearly 60% of the Specific Plan area is designated for open space uses, including habitat conservation areas, public open space and public parks. The Specific Plan allows for the development of:

- Up to 6800 dwelling units; housing types include single family detached, townhouses, apartments and condominiums
- 286 acres of industrial development
- 47 acres of commercial and mixed use development
- Elementary school site
- Public parks, including a 50-acre community park (Great Park), 25-acre Lake Park, and 5-acre neighborhood park

The focal point of the Specific Plan is the Fairfield Vacaville Train Station, which is located within the Core Area Annexation. The station will be served by the Capitol Corridor system, which links the Sacramento area to the Bay Area and the BART system. Construction of train

station site improvements is underway and the station itself is expected to be operational by 2014. The Specific Plan is designed as a transit-oriented, walkable community.

Specific Plan PD Overlay Zone District. The Fairfield City Council also approved rezoning to the Train Station Planned Development Overlay Zone District on August 16, 2011 through adoption of Ordinance 2011-11. The Overlay Zone District regulations implement the policies of the Specific Plan. The Overlay Zone was subsequently amended by the City Council on September 4, 2012 through adoption of Ordinance No 2012-13. See Exhibit M-2. The Overlay Zone amendments include regulations for uses which become nonconforming due to annexation.

Pending Rezoning. The City has initiated rezoning of certain territory in the proposed Core Area Annexation which was not part of the original annexation program but added at the request of Solano County. This territory is proposed to be rezoned to the Open Space Conservation, Recreation, and Public Facilities Zone Districts. The Planning Commission conducted its public hearing on the rezoning at their October 10, 2012 meeting and has recommended that the City Council approve the rezoning. See Exhibit M-3 for the staff report and draft ordinance approved the first reading of the rezoning ordinance at its November 20, 2012 meeting. Adoption of the ordinance is scheduled for the December 4, 2012 City Council meeting.

Consistency with Standard. The City finds the application consistent with Standard #5 for the following reasons:

1. City has approved the Fairfield Train Station Specific Plan.
2. City has approved pre-zoning for portions of the annexation area to the Train Station PD Overlay Zone District
3. City has a pending application to prezone the remaining portion of the annexation area to the Open Space Conservation and Public Facilities Zone Districts. The rezoning is expected to occur prior to the LAFCO hearing on the annexation.

Staff Finding: Staff concurs; the standard has been met.

STANDARD NO. 6: EFFECT ON NATURAL RESOURCES

An application for annexation shall describe the amount of land involved, and the land, water, air, and biological resources affected, including topography, slope, geology, soils, natural drainage, vegetative cover, and plant and animal populations. Effects to be covered include those which will be both positive and negative and the means proposed to offset potential negative impact. LAFCO shall certify that provisions of the Solano LAFCO Environmental Guidelines for the implementation of the California Environmental Quality Act have been complied with.

Applicant Response: As the “lead agency”, as defined by the California Environmental Quality Act (“CEQA”), the City of Fairfield prepared a Final Environmental Impact Report (“EIR”), to address the environmental impacts of Train Station Specific Plan and related actions such as annexation, sphere of influence amendment and adjustment of the Greenbelt boundary. Through adoption of City Council Resolution 2011-158, the City certified the Final EIR, adopted a Statement of Overriding Considerations and approved a Mitigation Monitoring and Reporting Program. As required by CEQA, the City filed a Notice of Determination following approval of the Specific Plan. As a “responsible agency”, as defined by CEQA, LAFCO will rely on the

environmental document prepared by the City in its consideration of the reorganization application.

Consistency with Standard. The City finds the application consistent with Standard #6 for the following reasons:

1. The City has certified an Environmental Impact Report for the Train Station Specific Plan and related actions, including annexation.
2. The City has determined the environmental impacts of the project through the EIR and a Statement of Overriding Consideration.
3. The City will mitigate environmental effects, to the extent feasible through its approved Mitigation Monitoring and Reporting Program.

Staff Finding: Staff concurs; the standard has been met. Staff recommends the Commission adopt the Statement of Overriding Conditions included within the Resolution.

Discretionary Standards

LAFCO may make determinations of less than full compliance with one or more of the discretionary Standards and still have the discretion to approve or deny a proposal. The determinations under each discretionary Standard must be weighed against each other and that when taken as a whole; the proposal must meet the purpose and intent of LAFCO in providing for planned, orderly, and efficient patterns of urban development. Therefore, in the event that determinations of less than full compliance have been made on one or more of the discretionary Standards, LAFCO must make specific findings of fact identifying overriding considerations that justify the decision to approve the proposal.

**STANDARD NO. 7: RELATIONSHIP TO ESTABLISHED BOUNDARIES
STREETS AND ROADS, LINES OF ASSESSMENT,
REMAINING UNINCORPORATED TERRITORY;
PROXIMITY TO OTHER POPULATED AREAS,
ASSESSED VALUATION**

LAFCO shall, where possible, avoid irregularities and overlapping of established boundaries in the annexation process which would otherwise create problems for taxing districts, including the loss of tax revenues required for district operation. City boundaries at County roads and city streets shall be delineated to provide an orderly division of road maintenance, and law enforcement responsibilities between cities and counties.

Applicant Response: Factors favorable to approval of a reorganization include the following: Boundary. The annexation does not create islands or illogical configuration of city limits. In fact, the annexation eliminates a peninsula of unincorporated land which was created through the Canon Station and Goldridge annexations. .See Exhibit D.

Mapping. The boundary of the reorganization is properly drawn. See Exhibit D.

Urban Services. The majority of the annexation area is currently in agricultural or open space uses. However, a substantial portion of the annexation area is already developed. There are

about 135 developed as light industrial and commercial service uses. In addition, there are about 114 acres within the boundary of Travis Air Force Base that is developed as military housing and water treatment facilities. As documented in the response to Standard Nos. 5 and 8, the area has been approved for urban development and is expected to experience significant growth in the next 10 to 20 years.

Proximity to Development. The annexation area is in close proximity to the developed portion of the city, including Travis Air Force Base, the Northbay Regional Water Treatment Plant, the Goldridge neighborhood (west of Peabody Road), and the Madison Square neighborhood (east of Peabody Road). The annexation is also adjacent to planned development in the Canon Station Annexation area and the Villages at Fairfield project by Lewis Company.

Required Documentation

1. Map and legal description

The application includes the following a map and legal description for:

1. annexation to the City of Fairfield;
2. annexation to the Suisun Fairfield Rockville Cemetery District
3. detachment from the Vacaville Fire Protection District
4. detachment from County Service Area

a. Relationship to property lines and road rights-of-way.

The annexation proposal follows property lines, road rights-of-way and railroad rights-of-way along its entire boundary, except in the northeastern portion of the annexation area. In this area, the annexation boundary coincides with the Canon Station Annexation boundary, which did not follow property lines. The Core Area Annexation does not create unincorporated corridors or islands.

b. Relationship of annexation proposal to street rights-of-way lines.

In the southwest portion of the annexation area, the abutting rights-of-way of Cement Hill Road and Peabody are already within the city limits. The entire right-of-way of North Gate Road, along the eastern boundary of the annexation, is included in the annexation proposal.

c. Documentation of area of annexation in acres or square feet

Annexation area contains 1044 acres. See Exhibits C and D.

2. Map showing relationship to city limits, special district boundaries and spheres of influence.

Exhibit D shows the relationship of the annexation to existing Fairfield city limits. Exhibit I shows the relationship of the annexation to the City's Sphere of Influence. Exhibit H shows the boundary of Solano Irrigation District within the vicinity of the Core Area Annexation.

3. Description of Land Uses and population in the vicinity

The majority of the area within the Core Area Annexation is devoted to cattle grazing and open space uses. There are approximately 135 acres of existing light industrial and commercial service uses in the vicinity of the intersection of Peabody Road/Vanden Road/Cement Hill Road. There

are also a few single family dwellings on ranchettes, primarily along Markeley Road. In addition, 114 acres of Travis Air Force Base is proposed for annexation; this area is developed for military housing and water treatment and storage facilities.

The existing land uses in the area surrounding the Core Area Annexation are as follows:

<u>Direction</u>	<u>Existing Land Use</u>
East	open space, grazing
West	single family residential (Goldridge subdivision)
North	open space and grazing (planned for urban development); Northbay Regional Water Treatment Plant
South	Travis Air Force Base, Vanden High School and Tolenas Industrial Park (southwesterly)

4. Map of Lands in agricultural preserves

There are no agricultural preserves within the Core Area Annexation

5. Map showing existing roadways, sewer mains and other public facilities.

The location of existing roadways, sewer mains and other public facilities within the vicinity of the annexation area is shown on Exhibit J attached. The Core Area Annexation contains the following existing roads Vanden Road, Peabody Road, Cement Hill Road, Noonan Lane, Markeley Lane and North Gate Road. Major improvements are proposed to Vanden Road, Peabody Road, Cement Hill Road, as described in the Fairfield Train Station Specific Plan, and summarized elsewhere in this report. Major water and sewer mains are located with Peabody Road.

6. Description of proposed development and necessary public facilities.

The proposed private development and related public facilities are described in the Fairfield Train Station Specific Plan. For the entire Specific Plan area, it allows for the development of:

- Up to 6800 dwelling units; housing types include single family detached, apartments, townhouses and condominiums
- 286 acres of industrial development
- 47 acres of commercial and mixed use development
- Elementary school site
- Public parks, including a 50-acre community park (Great Park), 25-acre Lake Park, and 5-acre neighborhood park

The Specific Plan also calls for significant improvements to roads serving the area including the following:

- Widening of Cement Hill Road from 2 to 6 lanes, from Peabody Road to I-80
- Widening of Peabody Road from the existing 2 or 3 lane configuration to
 - 6 lanes from Air Base Parkway to Linear Park
 - 4 lanes from Linear Park to Vacaville city limits
- Widening of Vanden Road from 2 to 4 lanes
- Construction of New Canon Road from Peabody to North Gate Road as an arterial with 2 to 4 lanes, including a four-lane overcrossing of the railroad and eliminating the existing at-grade crossing at Canon Road

The Specific Plan includes provisions for major improvements to the city's infrastructure within the plan area, including water transmission, wastewater collection and storm drainage conveyance and detention. These are conceptually shown on Figures 11-1, 11-2 and 11-3 of the Specific Plan).

Within the Core Area annexation area, the following development is allowed by the Specific Plan:

- Up to 3,554 dwelling units; housing types include single family detached, apartments, townhouses and condominiums
- 17 acres of community commercial and 20 acres of mixed-use commercial development
- Fairfield-Vacaville Train Station

Staff Finding: This standard has been met. On September 25, 2012, Solano County and the City of Fairfield reached a Cooperative Agreement regarding the jurisdictional obligations and the exchange of revenue related to the Train Station Specific Plan Annexations. Staff recommends including said Agreement as part of the LAFCO Certificate of Completion documentation.

STANDARD NO. 8: LIKELIHOOD OF SIGNIFICANT GROWTH AND EFFECT ON OTHER INCORPORATED OR UNINCORPORATED TERRITORY

Prior to approving an annexation, LAFCO shall make a determination that the proposed conversion of open space lands to urban use is justified by probable urban growth within a 10-year period of time. A determination on the likelihood of significant growth justifying the conversion shall be based on an analysis of local and regional demand for the proposed use.

Applicant Response: The City has prepared a market study which evaluates the potential for growth of the annexation area. The Study addresses both the Canon Station and Core Area Annexations and uses a 20 year time-frame. The longer time period is used given this is a large scale development which is subject to a development agreement between the majority landowner, Canon Station LLC and the City.

In summary, the study finds that during this 20-year period approximately:

- 90% of the proposed residential units will be constructed
- 90% of the proposed commercial development land will be developed
- 70% of the proposed industrial land will be developed

In addition to the new development, the study notes that the two annexation applications will include a significant amount of existing development, including:

- 114 acres of military housing and water storage and treatment facilities on the unincorporated portion of Travis Air Force Base
- 65 acres of land developed as public roads, railroad facilities and Putah South Canal
- 135 acres of existing commercial service and light industrial development

Most of the existing development is within the Core Annexation Area. The analysis provided in the study demonstrates a "likelihood of significant growth", in accordance with LAFCO policy. As is standard practice, the market study projects future growth in the annexation areas based on trends of development within the city.

Consistency with Standard. The City finds the application consistent with Standard #8 for the following reasons:

1. The City finds that the annexation area is likely to experience significant growth with a 20-year time frame, based on the market study.

Staff Finding: While the application has not fully conformed to this Standard, LAFCO staff believes the applicant's use of a 20-year time frame as opposed to the normal 10-year time frame is logical given the large scale of development. Staff recommends including the Development Agreement between the City and the Canon Station LLC as part of the LAFCO Certificate of Completion documents.

STANDARD NO. 9: PROTECTION OF PRIME AGRICULTURAL LAND

Urban growth shall be guided away from prime agricultural land unless such action would not promote planned, orderly, and efficient development for the agency. Development of existing vacant or non-prime agricultural lands within the agency limits should be encouraged before any proposal is approved for urbanization outside of the agency limits.

Applicant Response: The annexation area does not contain prime agricultural land, as defined by law, based on the following documentation:

1. The mapping done by the US Soil Conservation Service (Soil Survey of Solano County, California, 1977) does not include any soil type with a Storie index of 80 or above.
2. The non-prime agricultural soils area does not qualify as prime grazing land, as it will not support one animal unit per acre. LSA prepared the "Long-term Management Plan: Noonan Ranch Conservation Bank", on behalf of Canon Station. See Exhibit O. This land is within the Core Area Annexation and is representative of other grazing land in the vicinity. The study found that the 190-acre property would support 12 animal units in an average year (0.06 animal units per acre), which is well below the threshold.
3. Based on visual observation, the annexation area is not used for the production of crops, vines or orchards.

The City finds that the Core Area Annexation promotes planned, orderly growth for the following reasons:

1. The annexation meets the requirements of Standard No, 8, as documented in the prior section.
2. The annexation abuts developed portions of the city. The abutting development includes: military housing areas on Travis Air Force Base, Vanden High School, Tolenas Industrial Park, Goldridge and Madison Square residential subdivisions and the Northbay Regional Water Treatment Plant.
3. The City's 2012 Municipal Service Review contains both an Ag Preservation Strategy and Infill Strategy.

Staff Finding: Staff concurs; the standard has been met.

STANDARD NO. 10.

PROVISION AND COST OF COMMUNITY SERVICES

Adequate urban services shall be available to areas proposed for a change of organization or reorganization.

Applicant Response: City has conducted an exhaustive analysis for the providing municipal services and infrastructure to serve the Train Station Specific Plan area. The analysis is provided in four documents:

- Train Station Specific Plan
- Infrastructure Financing Plan (roads, water, sewer, and parks)
- Fiscal Impact Analysis particularly municipal services
- Environmental Impact Report particularly for the analysis regarding traffic impacts and water supply assessment.

Municipal Services. The Fiscal Impact Study found that the Specific Plan area would require municipal services costing about \$10 million per year at buildout (2011 dollars). The area would require 23 additional police officers (plus support staff), with an annual expenditure of \$4.8 million. Public Works expenditures for the cost of maintaining roads, parks and landscaping would be about \$4.5 million per year.

The policies of both the City's General Plan and Train Station Specific Plan require that new development generate sufficient revenue to pay for the cost of municipal services. The Fiscal Impact Analysis prepared in conjunction with the Specific Plan found that new development would generate sufficient revenue to pay for municipal services. The key is the policies which require new development to pay for:

- Park maintenance (full cost);
- Maintenance of rights-of-way landscaping, lighting, walls, sidewalks, etc. (full cost except for maintenance of medians in arterial streets);
- Maintenance of storm water conveyance and detention (full cost); and
- Contribution toward the cost of police and fire services

Property owners have the option of proposing a method of payment, subject to city approval. Likely methods include establishment of a Community Facilities District(s), Lighting Landscaping Maintenance District(s), maintenance by Homeowners Association, or other methods.

Infrastructure Financing. The Financing Plan determined that about \$370 million of backbone infrastructure is needed to accommodate development within the Specific Plan area and other planned development in the Northeast Area. The principal component of the total cost is \$250 million for transportation improvements to roads and linear park. In addition, the City is spending in excess of \$40 million for road and rail improvements for the Train Station itself. The City is updating its Northeast Fee to reflect the additional backbone infrastructure needed to accommodate development of Train Station Specific Plan area. In combination with revenue from citywide development impact fees and grants from regional agencies, the revised fee would provide sufficient revenue to construct all necessary infrastructure.

As part of the EIR for the Specific Plan, the City prepared a Water Supply Assessment (“WSA”), as required by State law. The WSA found that the City has sufficient supply of water for buildout of the City as a whole plus buildout of the Train Station Specific Plan area. The City is projected to have sufficient water supply in normal years, multiple drought years and single drought years.

There is not a precise geographic phasing plan for the Specific Plan area. However, the Specific Plan area is divided into ten Planning Areas. Prior to development, the City must approve a Master PD Permit for each Planning Area (PA 1 through 6, which are the major development areas). Through approval of each Master PD Permit, City will determine the phasing of construction of infrastructure. In the Core Area annexation area, Master PD Permits will be required for PA 1, PA 2 and PA 3 prior to their development.

Consistency with Standard. The City finds the application consistent with Standard #10 for the following reasons:

1. The policies of City’s General Plan and Train Station Specific Plan require that new development contribute towards the cost of municipal services.
2. The Fiscal Impact Study determined what sufficient revenue will be generated by new development in the Specific Plan area to pay for the cost of municipal services.
3. The Financing Plan found that sufficient revenue would be generated to pay for the cost of backbone infrastructure through the City’s Northeast Fee, citywide impact fees and other revenue sources.

Staff Finding:

Staff concurs, the City has adequate service capacities, financial resources, and administrative controls to serve the affected territory based on the City’s: Municipal Service Review; the Train Station Specific Plan; the Infrastructure Financing Plan (Exhibit J-11), roads, water, sewer, and parks; the Fiscal Impact Analysis (Exhibit J-12), particularly municipal services; and the Environmental Impact Report (Exhibits L-1, L-2, and L-3), particularly for the analysis regarding traffic impacts and water supply assessment. This standard has been met.

STANDARD NO. 11: THE EFFECT OF THE PROPOSED ACTION ON ADJACENT AREAS, MUTUAL SOCIAL AND ECONOMIC INTERESTS, AND ON LOCAL GOVERNMENT STRUCTURE

The application shall describe the effect which the annexation could have on adjacent areas and outside the agency. It shall also describe any social and economic benefits, or detriments, which will accrue to the agency and other affected agencies. The proposal should not be motivated by inter city rivalry, land speculation, or other motivates not in the public interest, and should create no significant negative social or economic effects on the County or Neighboring agencies.

Applicant Response: The annexation is consistent with the plans of other agencies not directly affected by the reorganization application:

1. The Airport Land Use Commission determined that the Specific Plan is consistent with the Travis Land Use Compatibility Plan
2. The Solano Transportation Authority has indicated that the design of Jepson Parkway (Vanden Road), as described in the Specific Plan is consistent with their design parameters and has authorized the City of Fairfield to prepare the construction drawings and to manage the construction of the road.

As part of the reorganization application, the City is proposing to detach from Vacaville Fire Protection District, all areas proposed for annexation. The City and Fire District are discussing an agreement which would provide ongoing compensation to the District, equal to the amount of property tax revenue lost by the District as a result of the detachment.

As part of the reorganization application, territory annexed to the City would also be annexed to the Suisun Fairfield Rockville Cemetery District. The City and Cemetery District have entered into a Cooperative Agreement regarding annexations in the Train Station Specific Plan area. See Exhibit F. As part of the Agreement, the Cemetery District would receive annual payments from the City, via a City Community Facilities District, to compensate District for the additional cost for cemetery operations and maintenance. This payment is in lieu of Cemetery District receiving a share of the ad valorem property tax.

As part of the reorganization action, the City supports detaching from SID all lands proposed for residential development, as shown on Exhibit H. The City proposes that this detachment occur at the time of development and not concurrent with the annexation to the City. The reasons for deferring detachment from SID are as follows:

1. The precise boundaries of residential properties will not be determined until subdivision maps are prepared. Land within SID that will remain in as open space or will be developed as public parks, would not be detached from the District and may use SID water for irrigation.
2. Existing businesses in the vicinity of the Peabody/Vanden Road intersections are served by SID through its Peabody Road Improvement District. The city's municipal water system would be expanded incrementally, as new development occurs. It would be better for those businesses to continue to receive SID, subsequent to annexation, until they are ready to develop. At that time, they would connect to the City's municipal water system.

The City and County have entered into a Cooperative Agreement regarding annexations in the Train Station Specific Plan area. See Exhibit E. The Agreement addresses tax transfer provisions associated with the change in jurisdiction, as well as other issues associated with annexation. The City finds that the Core Area annexation would provide substantial public benefits to both Fairfield residents as well as a broader regional community. Those benefits resulting from annexation and subsequent development under City jurisdiction include the following:

1. Supports transit-oriented development by allowing for the construction of approximately 3000 dwelling units within walking distance of the train station
2. Provides for the development of a community shopping area for residents in Northeast Fairfield;
3. Facilitates the construction of improvements to Jepson Parkway (Vanden Road and Cement Hill Road segments);
4. Facilitates the construction of improvements to Peabody Road, a key arterial street serving Fairfield and Vacaville;

5. Provides for the redevelopment of an older industrial area with uses compatible with the Train Station Specific Plan.

Consistency with Standard. The City finds the application consistent with Standard #11 for the following reasons:

1. Annexation will provide substantial property tax revenue to the County at buildout of the annexation area.
2. City has entered into Cooperative Agreements with the County and Suisun Fairfield Rockville Cemetery District.
3. City has committed to ensure residential land is detached from Solano Irrigation District at the time of its development.
4. The annexation will facilitate the construction of Jepson Parkway, a key regional road which has Countywide benefit but especially to the cities of Fairfield, Vacaville, and Suisun City.

Staff Finding: Affected agencies for this proposal include: Solano County, Solano County Service Area (lighting), Suisun-Fairfield-Rockville Cemetery District, Vacaville Fire Protection District, and Solano Irrigation District. Below each affected agency is highlighted and any agreement reached between the affected agency and the City is discussed along with staff recommendations to ensure compliance with this Standard.

Solano County

On September 25, 2012, Solano County and the City of Fairfield reached a Cooperative Agreement regarding the jurisdictional obligations and the exchange of revenue related to the Train Station Specific Plan Annexations. Staff recommends including said agreement as part of the LAFCO Certificate of Completion documentation.

County Service Area

As previously noted, there is no Base Tax Exchange for this agency, staff recommends including a condition to detach the proposal area from County Service Area upon annexation as required by the State Board of Equalization.

Suisun-Fairfield-Rockville Cemetery District

The City of Fairfield and the Suisun-Fairfield-Rockville Cemetery District have reached a Cooperative Agreement and staff recommends including said agreement as part of the LAFCO Certificate of Completion documentation.

Solano Irrigation District

Staff recommends including a condition within the Resolution that upon development of the subject properties, areas no longer receiving non-potable water from the Solano Irrigation District (SID) will be required to detach from SID per the policies of SID and LAFCO.

Vacaville Fire Protection District

On October 15, 2012, the Commission approved the Canon Station Annexation and included a condition for the City of Fairfield to provide a twenty year pass through equal to the amount of property tax revenue lost from the reorganization to the Vacaville Fire Protection District.

Presently, the City and Fire District have not reached an agreement to address this standard. The City reported the following status with respect to negotiations:

- After the Canon Station annexation approval, the City has offered to enter into an agreement with the Vacaville Fire District for both the Canon Station annexation and Core Area annexation. The offer was consistent with the LAFCO action on Canon Station annexation (City pay Fire District for 20 years amount equal to their current property revenue from the annexation area); Chief Wood responded that he wanted to consult with the other fire chiefs in the county; the City has not received a response as yet
- The Fire District share of the property tax is roughly equal to the City's share; in the "post-annexation – pre-development" time frame, the payment to the Fire District will be about equal to the City's property tax revenue. During this time frame, the principal source of revenue to the City from the Core Area annexation will be sales tax and franchise fee revenue. Per the City-County Agreement, the City will receive all sales tax and franchise fee revenue generated within the annexation area and will make a payment to the County of \$62,000 per year for a specified term. The remainder of the sales tax and franchise fee revenue will be the source of funds to pay the cost of municipal services to the existing industrial, commercial and residential uses in the area; this is primarily road maintenance, police and fire.
- In the longer term and as new development occurs, the City expects to receive revenue to compensate for the Fire District detachment cost and annexation to the Cemetery District. The City's Train Station Specific Plan, as amended in 2012, includes this policy:
"14-2-2 Each property annexed to City shall pay its share of any financial mitigation to another public agency due to that property's detachment and/or annexation to a special district(s). The amount of the financial mitigation is that required by LAFCO or as subject to agreement between City and special district(s). The method of payment is subject to approval by City and may be through participation in a Community Facilities District or other means acceptable to City which ensures ongoing revenue to the affected agency"

The City expects to implement this policy through the subsequent development approval process for various properties. It is anticipated that the CFD tax would commence with new development.

Given the lack of an agreement, LAFCO's policy is to receive presentation from both parties and the Commission shall determine an appropriate mitigation, if any, and impose said mitigation to the extent within its powers. LAFCO staff recommends the Commission determine an appropriate mitigation and include said mitigation within the Resolution.

Available Commission Actions:

- a) Deny the application as proposed.
- b) Require additional information and continue the public hearing.
- c) Approve the application as proposed with conditions.

Staff Recommendation:

Staff recommends approval of the proposal with the following conditions:

1. That the reorganization is assigned the following short term designation “2012-10 Core Area Annexation to the City of Fairfield”
2. That upon the effective date of the reorganization, the subject territories will be annexed to the City of Fairfield.
3. That Solano LAFCO designates the LAFCO Executive Officer as the Protest Hearing Authority to proceed with noticing, hearing, and election, if required, pursuant to the Cortese-Knox-Hertzberg Act (CKH Act).
4. That the effective date of the reorganization is the date that the signed Certificate of Completion is recorded with the Solano County Recorder’s Office pursuant to the CKH Act.
5. That upon the effective date of the reorganization, the territory will be detached from the Solano County Service Area (lighting).
6. That the Certificate of Completion documents to be recorded include the Development Agreement between the City of Fairfield and the Canon Station LLC.
7. That the Certificate of Completion documents to be recorded include the Cooperative Agreement between the County of Solano and the City of Fairfield Regarding Jurisdictional Obligations and the Exchange of Revenue Related to the Train Station Specific Plan.
8. That the Base Tax Exchange is subject to the Cooperative Agreement between the County of Solano and the City of Fairfield Regarding Jurisdictional Obligations and the Exchange of Revenue Related to the Train Station Specific Plan.
9. That upon the effective date of the re-organization, the subject territories will be annexed to the Suisun-Fairfield-Rockville Cemetery District.
10. That the Certificate of Completion documents to be recorded include the Agreement reached between the City of Fairfield and the Suisun-Fairfield-Rockville Cemetery District.
11. That upon the effective date of the reorganization the affected territories be detached from the Vacaville Fire Protection District.
12. That the Local Agency Formation Commission of Solano County shall determine an appropriate mitigation for the Vacaville Fire Protection District, if any, and impose said mitigation to the extent within its powers.
13. Solano LAFCO adopts the following Statement of Overriding Considerations:

Pursuant to Section 21081 of the California Public Resources Code and Section 15093 of the State CEQA Guidelines, the Solano Local Agency Formation Commission (LAFCO) adopts and makes the following statement of overriding considerations regarding the remaining significant unavoidable impacts of the project, as discussed above, and the anticipated economic, social, and other benefits of the project.

LAFCO finds and determines that (1) the majority of the significant impacts of the project will be reduced to acceptable levels by implementation of the mitigation measures recommended in these findings; (2) LAFCO’s approval of the project as proposed will result in certain significant adverse environmental effects that cannot be avoided or reduced to a less-than-significant level even with the incorporation of all feasible

mitigation measures into the project; and (3) there are no other feasible mitigation measures or feasible project alternatives that will further mitigate, avoid, or reduce to a less-than-significant level the remaining significant environmental effects.

In light of the environmental, social, economic, and other considerations identified in the findings for the Fairfield Train Station Specific Plan, and the considerations set forth below related to this project, LAFCO chooses to approve the project because, in its view, the economic, social, technological, and other benefits resulting from the project substantially outweigh the project's significant and unavoidable adverse environmental effects.

The following statements identify the reasons why, in LAFCO's judgment, the benefits of the project outweigh the significant and unavoidable effects. The substantial evidence supporting the enumerated benefits of the project can be found in the preceding findings, which are herein incorporated by reference; in the project itself; and in the record of proceedings as defined above. Each of the overriding considerations set forth below constitutes a separate and independent ground for finding that the benefits of the project outweigh its significant adverse environmental effects and is an overriding consideration warranting approval.

LAFCO finds that the project, as conditionally approved, will have the following economic, social, technological, and environmental benefits:

- ▶ The project would further the City of Fairfield's General Plan policies and the goals for new residential land uses by providing a transit-oriented development and accommodating a broad range of housing types and densities, public, commercial, office and industrial uses. Specifically, the project includes development of a wide variety of housing types, including larger lots with large homes at low densities, small homes on smaller lots, multiple family housing, and other densities and housing types. The scale of the community would allow for great variety in the type of neighborhood amenities associated with the various housing types, providing a great deal of choice when choosing to buy, share, or rent a home in the City of Fairfield (City). Housing prices and rents would vary considerably, allowing increased housing opportunities for a variety of income levels.
- ▶ The project would also include a variety of non-residential uses. The project includes development of approximately 180,000 square feet of community commercial, approximately 127,000 square feet of commercial mixed use, approximately 55,000 square feet of neighborhood commercial, and approximately 4,600,000 square feet of employment. These non-residential uses would be expected to result in approximately 4,500 jobs within the City of Fairfield. The provision for such an amount of jobs furthers many of the objectives and policies in City's General Plan. By including planned areas of commercial and employment development to be compatible with residential uses, the Specific Plan also furthers City General Plan policies related to the relationships between planned land uses.
- ▶ The project is designed to take advantage of the new Fairfield-Vacaville Multi-Modal Train Station. One of the guiding principles of the Specific Plan is to create a transit oriented development. By fulfilling this objective, the Specific Plan also satisfies Policy HO 1.4 of the Housing Element of the City's General Plan which makes it City policy to support transit

oriented development. The Specific Plan focuses residential density and nonresidential intensity in and around the planned train station site. The Specific Plan represents a master planned community that provides a variety of housing choices for Fairfield residents, including housing near the planned train station. The circulation network provided in the Specific Plan provides multi-modal connectivity with the train station site so that residents can conveniently walk or ride a bicycle to reach the train station. With the Specific Plan's transit orientation, mix and density of land uses, provision of bicycle and pedestrian facilities, and other strategies, the Specific Plan endeavors to capture vehicle trips internally, reduce vehicle trip lengths, and provide practical opportunities for non-automobile trips for future residents and employees within the Specific Plan Area.

- ▶ A major component of the Specific Plan is open space. The Specific Plan proposes to designate approximately 1,499 acres as open space (including wetlands, the Greenbelt recreation/open space areas, habitat conservation areas, mitigation banking areas, a vernal pool conservation area, and open space east of Vanden Road). The extensive preservation of natural land furthers many objectives and policies from numerous elements of the City's General Plan. The Specific Plan would create a Lake Park, a citywide amenity intended to become a gathering place for neighborhood, community and City events, as well as an amenity that residents may use for recreational purposes.
- ▶ The Specific Plan would satisfy City General Plan policies requiring establishment and preservation of a buffer between Fairfield and Vacaville by increasing the amount of land in the Greenbelt. The Specific Plan establishes a boundary and funding mechanism for permanently preserving a greenbelt between the two cities. Overall, the Specific Plan would result in a net increase of 400 acres of Greenbelt above the original greenbelt concept. Approximately 148 acres would be removed from the Greenbelt east of Vanden Road and 115 acres of land would be removed from the Greenbelt west of Vanden Road. Within the Vanden Road corridor, about 663 acres would be added to the Greenbelt.
- ▶ The creation and development of new, additional job-generating uses is crucial to achieving various goals of the City's General Plan. In addition to creating approximately 4,500 new employment opportunities through the commercial and employment components of the project, implementation of the Specific Plan would create thousands of construction jobs in addition to hundreds of jobs created by addition of schools, restaurants, retail locations, and other service-oriented establishments.
- ▶ The Specific Plan is also required to provide planning for infrastructure and public services, including a financing plan. The Specific Plan is required to provide a financing plan that defines the specific mechanisms required to fund capital costs of infrastructure necessary as a result of Specific Plan buildout. A financing plan for the Specific Plan has been prepared. The plan estimates infrastructure and public service costs associated with build-out of the Specific Plan, and summarizes financing mechanisms available to address these costs. The plan concludes, based on conservative assumptions, that the Specific Plan is feasible, and that necessary infrastructure and service costs can be financed. (See Economic & Planning Systems, Inc., Fairfield Train Station Specific Plan – Financing Plan (June 24, 2011)).
- ▶ The City's objectives for the project include the requirement that new development pay all costs associated with increased demand for municipal services. (Draft EIR, p. 3-25.) A Fiscal

Impact Analysis has been prepared for the Proposed Project. The analysis concludes that, using conservative assumptions, the project will generate sufficient revenue to meet the cost of providing such services. (Economic & Planning Systems, Inc., Fairfield Train Station Specific Plan – Fiscal Impact Analysis (June 24, 2011)).

- ▶ The Specific Plan is consistent with the planning principles and strategies identified in the Climate Change Scoping Plan adopted by the California Air Resources Board to reach the greenhouse gas reduction goals required under Assembly Bill 32. The Climate Change Scoping Plan states that mixed-use and transit-oriented developments are methods to reduce greenhouse gas emissions. The Specific Plan would develop a range of residential densities, with higher-density development occurring closer to the previously approved train station. Providing these land uses within proximity of the train station provides opportunities for reduced vehicle trips and VMT in the region associated with commute, shopping, and recreational activities. The Specific Plan would accommodate office, retail, commercial services, parks, trails, and other destination land uses in proximity of residential development. The Specific Plan would also accommodate bicycle, pedestrian, and transit throughout proposed development areas.
- ▶ ABAG has identified the Fairfield/Vacaville Train Station as a Priority Development Area, which is defined as infill development opportunity area within an existing community. Developing in Priority Development Areas, such as the Fairfield/Vacaville Train Station, will assist the region to site an increased amount of housing and jobs in greenhouse gas-efficient locations.
- ▶ The Specific Plan enhances the City’s ability to take better advantage of the Fairfield/Vacaville Train Station by providing the City with the ability to relocate current industrial users in the Peabody Road/Vanden Road area whose businesses are located near the new Fairfield-Vacaville Train station to the planned industrial uses. The Specific Plan provides land and the ability to relocate businesses within the same proximity.
- ▶ The Specific Plan provides the City and Solano Transportation Authority the ability to construct an important portion of the Jepson Parkway, which is designed to provide relief to other regional routes, as well as serve the needs of the Specific Plan Area.
- ▶ The Specific Plan provides the City and Travis Air Force Base the ability to an improved entrance to Travis Air Force Base, including safer travel ways and elimination of the at-grade rail crossing at Cannon and Vanden roads through the construction of New Canon Road.
- ▶ The Specific Plan provides a range of housing opportunities to serve the needs of existing and future residents of Fairfield, including employees working at Travis Air Force Base.
- ▶ The Specific Plan provides the City and Travis Air Force Base the opportunity to secure portions of the Travis Reserve in permanent open space.

RESOLUTION NO. 12-___

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION
OF SOLANO COUNTY APPROVING THE ANNEXATION OF LANDS
KNOWN AS CORE AREA ANNEXATION TO THE CITY OF FAIRFIELD
(PROPOSANTS - CITY OF FAIRFIELD BY RESOLUTION)**

WHEREAS, an application duly executed requesting reorganization of certain lands known as Core Area annexation to the City of Fairfield including concurrent annexation to the Suisun-Fairfield-Rockville Cemetery District, detachment from the Vacaville Fire Protection District, and detachment from the Solano County Service Area has been duly received and filed with the Local Agency Formation Commission of Solano County, California; and

WHEREAS, it has been determined by this Commission that the proposed boundaries involved in said reorganization are definite and certain; and,

WHEREAS, this matter was noticed for public hearing on December 10, 2012 at 10:00 a.m. at which time a full and impartial public hearing was held; and,

WHEREAS, this Commission has received an Executive Officer's Report which analyzes each of the Standards for the Factors to be Considered; and,

WHEREAS, this Commission has adopted a resolution on this date finding the reorganization to be in compliance with LAFCO's "Standards for Evaluation of Annexation Proposals" which are Standards for the Factors to be Considered (Government Code Section 56668); and,

WHEREAS, as the "lead agency", as defined by the California Environmental Quality Act ("CEQA"), the City of Fairfield prepared a Final Environmental Impact Report ("EIR"), to address the environmental impacts of Train Station Specific Plan and related actions including annexation to the City of Fairfield. Through adoption of City Council Resolution 2011-158, the City certified the Final EIR, adopted a Statement of Overriding Considerations and approved a Mitigation Monitoring and Reporting Program. As required by CEQA, the City filed a Notice of Determination following approval of the Specific Plan. As a "Responsible Agency", as defined by CEQA, LAFCO will rely on the environmental document prepared by the City in its consideration of the reorganization application.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Local Agency Formation Commission of Solano County that the reorganization of land known as Core Area Annexation to the City of Fairfield is approved with the following conditions:

1. That the reorganization is assigned the following short term designation “2012-10 Core Area Annexation to the City of Fairfield”
2. That upon the effective date of the reorganization, the subject territories will be annexed to the City of Fairfield.
3. That Solano LAFCO designates the LAFCO Executive Officer as the Protest Hearing Authority to proceed with noticing, hearing, and election, if required, pursuant to the Cortese-Knox-Hertzberg Act (CKH Act).
4. That the effective date of the reorganization is the date that the signed Certificate of Completion is recorded with the Solano County Recorder’s Office pursuant to the CKH Act.
5. That upon the effective date of the reorganization, the territory will be detached from the Solano County Service Area (lighting).
6. That the Certificate of Completion documents to be recorded include the Development Agreement between the City of Fairfield and the Canon Station LLC.
7. That the Certificate of Completion documents to be recorded include the Cooperative Agreement between the County of Solano and the City of Fairfield Regarding Jurisdictional Obligations and the Exchange of Revenue Related to the Train Station Specific Plan.
8. That the Base Tax Exchange is subject to the Cooperative Agreement between the County of Solano and the City of Fairfield Regarding Jurisdictional Obligations and the Exchange of Revenue Related to the Train Station Specific Plan.
9. That upon the effective date of the re-organization, the subject territories will be annexed to the Suisun-Fairfield-Rockville Cemetery District.
10. That the Certificate of Completion documents to be recorded include the Agreement reached between the City of Fairfield and the Suisun-Fairfield-Rockville Cemetery District.
11. That upon the effective date of the reorganization the affected territories be detached from the Vacaville Fire Protection District.
12. That the Local Agency Formation Commission of Solano County shall determine an appropriate mitigation for the Vacaville Fire Protection District, if any, and impose said mitigation to the extent within its powers.
13. Solano LAFCO adopts the following Statement of Overriding Considerations:

Pursuant to Section 21081 of the California Public Resources Code and Section 15093 of the State CEQA Guidelines, the Solano Local Agency Formation Commission (LAFCO) adopts and makes the following statement of overriding considerations regarding the remaining significant unavoidable impacts of the project, as discussed above, and the anticipated economic, social, and other benefits of the project.

LAFCO finds and determines that (1) the majority of the significant impacts of the project will be reduced to acceptable levels by implementation of the mitigation measures recommended in these findings; (2) LAFCO’s approval of the project as proposed will result in certain significant adverse environmental effects that cannot be avoided or

reduced to a less-than-significant level even with the incorporation of all feasible mitigation measures into the project; and (3) there are no other feasible mitigation measures or feasible project alternatives that will further mitigate, avoid, or reduce to a less-than-significant level the remaining significant environmental effects.

In light of the environmental, social, economic, and other considerations identified in the findings for the Fairfield Train Station Specific Plan, and the considerations set forth below related to this project, LAFCO chooses to approve the project because, in its view, the economic, social, technological, and other benefits resulting from the project substantially outweigh the project's significant and unavoidable adverse environmental effects.

The following statements identify the reasons why, in LAFCO's judgment, the benefits of the project outweigh the significant and unavoidable effects. The substantial evidence supporting the enumerated benefits of the project can be found in the preceding findings, which are herein incorporated by reference; in the project itself; and in the record of proceedings as defined above. Each of the overriding considerations set forth below constitutes a separate and independent ground for finding that the benefits of the project outweigh its significant adverse environmental effects and is an overriding consideration warranting approval.

LAFCO finds that the project, as conditionally approved, will have the following economic, social, technological, and environmental benefits:

- ▶ The project would further the City of Fairfield's General Plan policies and the goals for new residential land uses by providing a transit-oriented development and accommodating a broad range of housing types and densities, public, commercial, office and industrial uses. Specifically, the project includes development of a wide variety of housing types, including larger lots with large homes at low densities, small homes on smaller lots, multiple family housing, and other densities and housing types. The scale of the community would allow for great variety in the type of neighborhood amenities associated with the various housing types, providing a great deal of choice when choosing to buy, share, or rent a home in the City of Fairfield (City). Housing prices and rents would vary considerably, allowing increased housing opportunities for a variety of income levels.
- ▶ The project would also include a variety of non-residential uses. The project includes development of approximately 180,000 square feet of community commercial, approximately 127,000 square feet of commercial mixed use, approximately 55,000 square feet of neighborhood commercial, and approximately 4,600,000 square feet of employment. These non-residential uses would be expected to result in approximately 4,500 jobs within the City of Fairfield. The provision for such an amount of jobs furthers many of the objectives and policies in City's General Plan. By including planned areas of commercial and employment development to be compatible with residential uses, the Specific Plan also furthers City General Plan policies related to the relationships between planned land uses.
- ▶ The project is designed to take advantage of the new Fairfield-Vacaville Multi-Modal Train Station. One of the guiding principles of the Specific Plan is to create a transit oriented development. By fulfilling this objective, the Specific Plan also satisfies Policy HO 1.4 of the

Housing Element of the City's General Plan which makes it City policy to support transit oriented development. The Specific Plan focuses residential density and nonresidential intensity in and around the planned train station site. The Specific Plan represents a master planned community that provides a variety of housing choices for Fairfield residents, including housing near the planned train station. The circulation network provided in the Specific Plan provides multi-modal connectivity with the train station site so that residents can conveniently walk or ride a bicycle to reach the train station. With the Specific Plan's transit orientation, mix and density of land uses, provision of bicycle and pedestrian facilities, and other strategies, the Specific Plan endeavors to capture vehicle trips internally, reduce vehicle trip lengths, and provide practical opportunities for non-automobile trips for future residents and employees within the Specific Plan Area.

- ▶ A major component of the Specific Plan is open space. The Specific Plan proposes to designate approximately 1,499 acres as open space (including wetlands, the Greenbelt recreation/open space areas, habitat conservation areas, mitigation banking areas, a vernal pool conservation area, and open space east of Vanden Road). The extensive preservation of natural land furthers many objectives and policies from numerous elements of the City's General Plan. The Specific Plan would create a Lake Park, a citywide amenity intended to become a gathering place for neighborhood, community and City events, as well as an amenity that residents may use for recreational purposes.
- ▶ The Specific Plan would satisfy City General Plan policies requiring establishment and preservation of a buffer between Fairfield and Vacaville by increasing the amount of land in the Greenbelt. The Specific Plan establishes a boundary and funding mechanism for permanently preserving a greenbelt between the two cities. Overall, the Specific Plan would result in a net increase of 400 acres of Greenbelt above the original greenbelt concept. Approximately 148 acres would be removed from the Greenbelt east of Vanden Road and 115 acres of land would be removed from the Greenbelt west of Vanden Road. Within the Vanden Road corridor, about 663 acres would be added to the Greenbelt.
- ▶ The creation and development of new, additional job-generating uses is crucial to achieving various goals of the City's General Plan. In addition to creating approximately 4,500 new employment opportunities through the commercial and employment components of the project, implementation of the Specific Plan would create thousands of construction jobs in addition to hundreds of jobs created by addition of schools, restaurants, retail locations, and other service-oriented establishments.
- ▶ The Specific Plan is also required to provide planning for infrastructure and public services, including a financing plan. The Specific Plan is required to provide a financing plan that defines the specific mechanisms required to fund capital costs of infrastructure necessary as a result of Specific Plan buildout. A financing plan for the Specific Plan has been prepared. The plan estimates infrastructure and public service costs associated with build-out of the Specific Plan, and summarizes financing mechanisms available to address these costs. The plan concludes, based on conservative assumptions, that the Specific Plan is feasible, and that necessary infrastructure and service costs can be financed. (See Economic & Planning Systems, Inc., Fairfield Train Station Specific Plan – Financing Plan (June 24, 2011)).

- ▶ The City’s objectives for the project include the requirement that new development pay all costs associated with increased demand for municipal services. (Draft EIR, p. 3-25.) A Fiscal Impact Analysis has been prepared for the Proposed Project. The analysis concludes that, using conservative assumptions, the project will generate sufficient revenue to meet the cost of providing such services. (Economic & Planning Systems, Inc., Fairfield Train Station Specific Plan – Fiscal Impact Analysis (June 24, 2011)).
- ▶ The Specific Plan is consistent with the planning principles and strategies identified in the Climate Change Scoping Plan adopted by the California Air Resources Board to reach the greenhouse gas reduction goals required under Assembly Bill 32. The Climate Change Scoping Plan states that mixed-use and transit-oriented developments are methods to reduce greenhouse gas emissions. The Specific Plan would develop a range of residential densities, with higher-density development occurring closer to the previously approved train station. Providing these land uses within proximity of the train station provides opportunities for reduced vehicle trips and VMT in the region associated with commute, shopping, and recreational activities. The Specific Plan would accommodate office, retail, commercial services, parks, trails, and other destination land uses in proximity of residential development. The Specific Plan would also accommodate bicycle, pedestrian, and transit throughout proposed development areas.
- ▶ ABAG has identified the Fairfield/Vacaville Train Station as a Priority Development Area, which is defined as infill development opportunity area within an existing community. Developing in Priority Development Areas, such as the Fairfield/Vacaville Train Station, will assist the region to site an increased amount of housing and jobs in greenhouse gas-efficient locations.
- ▶ The Specific Plan enhances the City’s ability to take better advantage of the Fairfield/Vacaville Train Station by providing the City with the ability to relocate current industrial users in the Peabody Road/Vanden Road area whose businesses are located near the new Fairfield-Vacaville Train station to the planned industrial uses. The Specific Plan provides land and the ability to relocate businesses within the same proximity.
- ▶ The Specific Plan provides the City and Solano Transportation Authority the ability to construct an important portion of the Jepson Parkway, which is designed to provide relief to other regional routes, as well as serve the needs of the Specific Plan Area.
- ▶ The Specific Plan provides the City and Travis Air Force Base the ability to an improved entrance to Travis Air Force Base, including safer travel ways and elimination of the at-grade rail crossing at Cannon and Vanden roads through the construction of New Canon Road.
- ▶ The Specific Plan provides a range of housing opportunities to serve the needs of existing and future residents of Fairfield, including employees working at Travis Air Force Base.
- ▶ The Specific Plan provides the City and Travis Air Force Base the opportunity to secure portions of the Travis Reserve in permanent open space.

I, Michelle McIntyre, Acting Executive Officer of the Local Agency Formation Commission of Solano County, California, do hereby certify that the above and foregoing resolution was regularly introduced, passed, and adopted by said Commission at a regular meeting hereof held December 10, 2012, by the following vote:

AYES: Commissioners: _____

NOES: Commissioners: _____

ABSENT: Commissioners: _____

ABSTAINED: Commissioners: _____

WITNESS my hand for the said Local Agency Formation Commission on this 10th day of December, 2012.

ATTEST:

Michelle McIntyre, Acting Executive Officer
Local Agency Formation Commission
County of Solano, State of California

RESOLUTION HONORING
JAN VICK
ALTERNATE COMMISSIONER
LOCAL AGENCY FORMATION COMMISSION
SOLANO COUNTY

WHEREAS, JAN VICK has served diligently as Alternate Commissioner on the Solano Local Agency Formation Commission since January 2011; and,

WHEREAS, Jan Vick has served the citizens of Solano County with full commitment to her responsibilities as Alternate Commissioner of Solano LAFCO; and,

WHEREAS, Jan Vick represented Solano LAFCO with distinction at various local and State meetings; and,

WHEREAS, the LAFCO Commission and staff benefited greatly from Jan's knowledge, experience, and insight; and,

NOW, THEREFORE, BE IT RESOLVED by the Local Agency Formation Commission of Solano County recognizes the public service of Jan Vick and the benefit that service has brought to local government.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this Commission and its staff extend our best wishes toward your future endeavors.

PRESENTED, ADOPTED, AND APPROVED this 10th day of December 2012.

DR. JOHN R. SAUNDERSON, Chairman
Solano Local Agency Formation Commission

ATTEST:

Michelle McIntyre, Acting Executive Officer

December 10, 2012

Proposal:

The Commission will consider appointing a subcommittee to work with LAFCO staff to review and recommend revisions and updates to LAFCO policies and procedures.

Discussion:

The Cortese-Knox-Hertzberg Act requires each LAFCO to establish written policies and procedures. Presently Solano LAFCO has a mix of adopted policies and procedures. Many of these adopted policies require clean up that are administrative in nature, however; staff anticipates a few existing policies will require substantial policy recommendations. Additionally, staff anticipates there are policies and procedures which will have to be drafted. It is recommended that ultimately the Commission establish a handbook to centralize all policies and procedures. It is anticipated that this process will require several months to complete.

The subcommittee could accomplish the following:

- Inventory existing policies and procedures
- Review existing documents
- Begin creating a handbook
- Update existing policies and procedures
- Draft potential policies and procedures
- Make policy and procedure recommendations to the Commission

Staff Recommendation:

Staff recommends the Commission establish a Policies and Procedures Subcommittee to work with staff to review, update, draft, and make policy and procedure recommendations to the Commission.

December 10, 2012

Proposal:

The Commission will consider increasing the monetary amount for an existing contract to scan LAFCO's project file and create an electronic database system, enter into an agreement for temporary administrative support, and approve an appropriation transfer request.

Discussion:

In the last few years scanning and creating an electronic backup of LAFCOs over 60 years of project files has been on staff's work plan. In the spring of 2011, LAFCO received two quotes for this project. Quote number one was in the amount of \$50,050 and included scanning records into Adobe Acrobat (pdf) files that would be searchable, re-stapling the records, and scanning would be completed at an off-site location. The second quote was in the amount of \$24,964.50 and included scanning the records on site into searchable pdf files. The second quote did not include scanning the large format maps and both quotes did not include creating a database system, this portion of the project would have been completed by staff.

LAFCO's existing purchasing policy delegates purchasing authority to the Executive Officer on behalf of the Commission to procure property and services not to exceed \$10,000 aggregate per vendor. On July 2, 2012, the Executive Officer entered into an agreement with Frank Weber to scan and create a document management system from LAFCO's project files for \$10,000 with the intent of submitting a request to the Commission to increase the contract amount at a later time. As of October, the maximum amount for the contract has been reached. To date, the project is nearly 50% complete with half of LAFCO's records having been scanned and the database is a work in progress. Staff is requesting an additional \$10,000 to complete this project.

On October 15, 2012, the Acting Executive Officer entered into a second services agreement contract with Frank Weber for administrative support on an as needed bases. At this time, it is difficult to anticipate the amount needed for this contract, however; given that it is nearly mid-fiscal year, staff believes that \$10,000 would be sufficient. As previously stated, LAFCO's policy allows the Executive Officer to enter into a contract not to exceed \$10,000 per vendor and not per contract thus requiring the Commission approve the second contract for administrative support.

Both of these expenses fall under the Professional Services subobject or category and LAFCO has \$7,000 allocated for miscellaneous staff support. Staff is requesting the approval of an appropriation transfer request to transfer the remaining \$23,000 from the Contracted Services subobject to the Professional Services subobject. Presently, there is \$85,000 allocated to contracted services with no expenses thus far for this fiscal year. Normally, the Contracted Services subobject is dedicated to Municipal Service Reviews (MSR) and Sphere of Influence

(SOI) Studies, however; this fiscal year, staff has been able to complete all MSR & SOI studies without the need for a consultant.

Staff Recommendation:

Staff Recommends approval of: increasing the monetary amount for the Consulting Services Agreement to scan and create an electronic database system for LAFCO's project files from \$10,000 to \$20,000; entering into a consulting services agreement with Frank Weber for administrative support on a as-needed basis amount not to exceed \$10,000; and authorizing the Chair to sign an Appropriation Transfer Request to transfer \$23,000 from the Contracted Services subobject 2245 to Professional Services subobject 2250.

Attachments:

Consulting Services Agreement for Scanning LAFCO Documents and creating a document management system

Consulting Services Agreement for LAFCO Administrative Support (first page & attachment #1 only, all other pages are duplicative of the scanning agreement)

December 10, 2012

Proposal:

The Commission will consider acceptance of the Solano County Auditor/Controller's engagement letter for auditing services for fiscal years ended June 30, 2012 and 2011.

Discussion:

On June 11 2012, the Commission adopted LAFCO's budget for fiscal year 2012-2013 which included funds for an audit encompassing the fiscal years ending June 30, 2012 and 2011. The Solano County Auditor/Controller's Office has submitted an engagement letter for the Commission's consideration. The audit is expected not to exceed 140 hours at \$89/hour or approximately \$12,460 and is expected to commence shortly after the Commission's acceptance of said engagement.

Staff Recommendation:

Staff Recommends the Commission accept the Engagement Letter to enter into an agreement with the Solano County Auditor/Controller's office for auditing services for fiscal year ended June 30, 2012 and 2011.

Attachment – Engagement Letter from the Auditor Controller's Office

December 10, 2012

Proposal:

The Commission will consider scheduling a hearing to receive presentation from Paul M. Davis, Attorney at Law, on his request for the Commission to initiate a reorganization study for the City of Vallejo.

Discussion:

The Commission has received a request from Mr. Davis for LAFCO to initiate a reorganization study analyzing disincorporation for the City of Vallejo. Pursuant to Government Code Section 56378, the Commission may initiate and make studies of existing governmental agencies; however, its decision to do so is discretionary.

A city disincorporation may be initiated through resolution of any affected local agency, which includes the City, the County, or any Special District within the City. Alternatively, LAFCO may be formally petitioned by more than 25% of the City's registered voters to initiate a disincorporation.

The Commission has a scheduled public hearing on February 11, 2013. The Commission could include an item on the agenda to receive presentations from interested parties and to consider a possible reorganization study for the City of Vallejo.

Staff Recommendation:

Staff recommends the Commission include a presentation item from Mr. Davis and the City of Vallejo at its February 11, 2013 meeting.

Attachment:

Correspondence from Mr. Davis