

**RESOLUTION MAKING DETERMINATIONS, ADDING CONDITIONS AND APPROVING**

**The Brighton Landing Phase II Detachment from Solano Irrigation District**

**(LAFCO PROJECT 2017-01)**

WHEREAS, a resolution making application for the proposed detachment of certain territory from the Solano Irrigation District in Solano County was filed with the Executive Officer of this Local Agency Formation Commission pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act, commencing with Section §56000, et seq. of the Government Code by the Solano Irrigation District; and

WHEREAS, the Executive Officer has examined the proposal and certified that it is complete and has accepted the proposal for filing as of March 8, 2017; and

WHEREAS, the proposal is exempt from the requirements for notice and hearing pursuant to Government Code §56663, because it consists of detachment only, and 100% of landowners have given their written consent to the proposal; and

WHEREAS, the Executive Officer, pursuant to Government Code §56665 has reviewed this proposal and prepared a report including her recommendations, and has furnished a copy of this report to each person entitled to a copy; and

WHEREAS, the City of Vacaville, as lead agency for the Brighton Landing Specific Plan has certified an environmental impact report (EIR) (State Clearing House # 2011022044) on February 7, 2013, the Commission, as responsible agency, has reviewed and considered the environmental documents prepared and approved by the City of Vacaville including the EIR, findings, overriding considerations, mitigations and mitigation monitoring plans, and related documents; and

WHEREAS, the Commission has received, heard, discussed and considered all oral and written testimony related to the proposal, including but not limited to comments and objections, the Executive Officer's report and recommendation, the environmental document and determination, plans for providing service, spheres of influence and applicable General and specific plans;

WHEREAS, the Commission does hereby make the following determinations regarding the proposal:

1. The subject territory is “uninhabited” per Government Code §54046. Application for this reorganization is made subject to Government Code §56650 et. seq. by resolution of the Solano Irrigation District. All landowners have consented to the reorganization.
2. The territory proposed for detachment and the remainder of the Brighton Landing Specific Plan Area is within the Sphere of Influence of the Solano Irrigation District and within the boundaries of the City of Vacaville and is appropriate to be removed from the district sphere.
3. The boundaries are definite and certain and conform to lines of ownership and parcel lines. The detachment will provide a logical and orderly boundary and planned subsequent boundary changes will detach the remaining Brighton Landing Specific Plan area from Solano Irrigation District.
4. The Environmental Documents approved by the City of Vacaville as lead agency (SCH # 2011022044) on February 7, 2013, are found to satisfy the requirements of the California Environmental Quality Act. The environmental impacts of the detachment have been disclosed and adequately addressed by the lead agency and the potential environmental effects have been adequately mitigated. The City of Vacaville has fulfilled its obligations under the California Environmental Quality Act and their environmental impact report (SCH # 2011022044) and associated environmental documents for the Brighton Landing Specific Plan adequately disclose and describe the detachment of Brighton Landing Phase II from Solano Irrigation District.
5. The reorganization is in the best interests of the citizens within the affected area and adjacent areas.
6. The reorganization will not result in negative impacts to the cost and adequacy of services otherwise provided in the area; mitigations, conditions of approval and agreements associated with this project will ensure that the detachment will not have a significant adverse effect on the cost and adequacy of services
7. Conditions of approval, developer-funded improvements and funding mechanisms, including financial mitigation payments to the district are sufficient and these funding mechanisms are adequate to ensure that there will be revenues sufficient for adequate services within Solano Irrigation District.

NOW, THEREFORE, BE IT HEREBY RESOLVED, DETERMINED AND ORDERED as follows:

1. Pursuant to Section 15096 of the CEQA Guidelines, LAFCO has considered the environmental documents adopted by the Lead Agency, which contains measures that fully mitigate all potential negative environmental impacts except for those impacts for which a Statement of Overriding Considerations has been made. LAFCO hereby adopts such mitigation measures and Statement of Overriding Considerations as approved by the Lead Agency and the Statement of Overriding Considerations, mitigations, mitigation monitoring plans and conditions of approval are made a part of this action.

2. The sphere of influence of the Solano Irrigation District is amended to remove the Brighton Landing Phase II detachment area and the remainder of the Brighton Landing Specific Plan area.
3. The Brighton Landing Phase II detachment is approved, subject to conditions listed below and attached as "Exhibit B" to this resolution.
4. Said territory is detached as proposed and as set forth and described in the attached descriptive map and legal description marked "Exhibit A" and by this reference incorporated herein.
5. Said territory includes approximately 17.36 +/- acres and is found to be uninhabited, and the territory is assigned the following short form designation:

Brighton Landing Phase II Detachment from Solano Irrigation District

6. The following changes of organization or reorganization are approved:

Detachment from Solano Irrigation District

7. All subsequent proceedings in connection with this annexation shall be conducted only in compliance with the approved boundaries and conditions set forth in the attachments and any terms and conditions specified in this resolution.
8. Conducting Authority proceedings are waived.
9. The Executive Officer is hereby directed to file a Notice of Determination in compliance with the California Environmental Quality Act and local ordinances implementing the same.
10. The effective date shall be the date of recording of the Certificate of Completion.

The foregoing resolution was duly passed and adopted by the Local Agency Formation Commission of Solano County at a regular meeting, held on the 10th day of April, 2017, by the following vote:

AYES:

NOES:

ABSENT:

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Harry T. Price, Vice-Chair  
Presiding Officer Solano Local Agency  
Formation Commission

ATTEST:

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Michelle McIntyre, Clerk to the Commission

Attachments: Exhibit A –Map and Legal Description  
Exhibit B –Terms and Conditions

**DRAFT**

**Exhibit B TO LAFCO RESOLUTION NO. 17-05  
CONDITIONS OF APPROVAL**

**BRIGHTON LANDING PHASE II DETACHMENT FROM SOLANO IRRIGATION DISTRICT  
(LAFCO PROJECT #2017-01)**

1. Upon and after the effective date of said Detachment, the affected territory, all inhabitants within such territory, and all persons entitled to vote by reasons of residing or owning land within the territory:
  - a) Shall be no longer be subject to the jurisdiction of the Solano Irrigation District
  - b) Shall not be liable for the payment of any authorized or existing taxes, fees, assessments and any bonded indebtedness of the District, including amounts which shall become due on account of any outstanding or then authorized but thereafter issued obligations of the District;
  - c) Shall not be subject to the collection of all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment;
  - d) Shall not be subject to the rules, regulations, ordinances of the District as now existing or hereafter amended.
  
2. The applicant shall complete map and legal description requirements for final recording and filing, including documents required by the State Board of Equalization, within 180 days of the adoption of this resolution.
  
3. The Certificate of Completion shall be issued and recorded subsequent to final payment by the applicant of all LAFCO fees, costs and charges associated with the project and necessary to complete the required filings and transmittals.

**DRAFT**

Meeting Handout  
Item 7B



## Solano Local Agency Formation Commission

675 Texas St. Ste. 6700 • Fairfield, California 94533  
(707) 439-3897 • FAX: (707) 438-1788

April 10, 2017

The Honorable Tom Lackey  
State Capitol  
Sacramento, CA 95814

DRAFT

**Re: Assembly Bill 979 (Lackey) —SUPPORT**

Dear Assembly Member Lackey:

The Solano Local Agency Formation Commission (LAFCO) is pleased to support AB 979, which will facilitate special district representation on LAFCOs.

LAFCOs administer and approve the formation, dissolution, and boundaries of the cities and special districts in each county. LAFCOs are composed of representatives from the county's cities, the county, and a member of the public. Special districts have the ability to opt in to representation on LAFCOs. Since 1972, special districts have obtained LAFCO representation in 30 of the 58 counties in California.

Under current law, special districts may acquire representation on a LAFCO if a majority of all special districts in the county pass a board resolution supporting such action within a one-year period. This is a time intensive process that requires resources for an organized effort.

AB 979 simplifies this bureaucratic process by mirroring the existing election process for appointment of LAFCO commissioners through the county's independent special districts selection committee. The change would allow special district representation on LAFCO to be achieved through a more streamlined process while still allowing for each district to vote on the matter.

Simplifying the LAFCO representation process would empower special districts in the 28 counties with no special district representation (such as Solano LAFCO) to more effectively consider their participation on LAFCO. In cases where special districts choose to participate, special district representation on LAFCO would provide a more diverse and representative decision-making foundation to the LAFCO. Special districts are often instrumental in solving communities' service deficiencies and their input in these processes is of great value. Using the independent special

### Commissioners

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### Alternate Commissioners

Len Augustine • Skip Thomson

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districts selection committee process upholds the principle of local flexibility and ensures every independent special district has the opportunity to participate in the election process.

For these reasons, Solano LAFCO is pleased to support AB 979. Please feel free to contact me if you have any questions.

Yours sincerely,

Harry T. Price, Vice-Chair  
Presiding Officer Solano Local Agency  
Formation Commission

CC: Mark Isidro, Office of Assemblyman Tom Lackey  
Senator Bill Dodd  
Assembly Member Cecilia M. Aguiar-Curry  
Assembly Member Jim Frazier  
Assembly Member Timothy S. Grayson  
Rylan Gervase, Legislative Representative, California Special Districts Association  
Pamela Miller, Executive Director, California Association of Local Agency Formation Commissions

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