

APPENDIX “D”

PETITION AND APPLICATION INSTRUCTIONS

LANDOWNER/REGISTERED VOTER PROPOSALS	AGENCY PROPOSALS
<ol style="list-style-type: none"> 1. Submit Notice of Intent to Circulate Petition to Solano LAFCo 2. After submittal of Notice to Circulate Petition the proponent may circulate the Petition for Signatures. 3. Proponent submits Petition, Party Disclosure Form and Consent of Agency, Application for Proceedings, fees and all required additional information. 4. LAFCo staff reviews Application for adequacy and may request additional information. 5. CEQA documentation prepared and finalized 6. LAFCo Executive Officer files Certificate of Filing and sets matter for hearing before the Commission 	<ol style="list-style-type: none"> 1. Agency submits Application for Proceedings, Resolution of Application, CEQA documentation, fees, fee agreement, and all required additional information. 2. LAFCo staff reviews Application and CEQA documentation for adequacy and may request additional information. 3. LAFCo Executive Officer files Certificate of Filing and sets matter for hearing before the Commission

NOTE:

For Landowner/Registered Voter Proposals:

Within 30 days after receiving a Petition/Application, the Executive Officer will have the Petition examined by the Solano Elections Official (registered voter petition) or the County Assessors Office (landowner petition) for sufficiency.

The Executive officer will prepare and distribute a Certificate of Sufficiency indicating whether the petition is signed by the requisite number of signers.

For Landowner/Registered Voter/Agency Proposals:

The Executive Officer will file a Certificate of Filing when he/she deems the application and/or petition complete, but not before at least 20 days if the local agency has not notified all affected local agencies of the proposal. The Executive Officer will place the proposal on the next agenda of the Commission for which the required notification and staff review can occur. In many cases additional information will be required or environmental review documents will need to be prepared before the Certificate of Filing can be filed and the matter set for hearing.

Staff requests that proposals be submitted at a minimum of 45 days prior the next Commission meeting as a minimum 21 day mailed notice to registered voters and landowners is required.

THE PROJECT IS NOT COMPLETE UNTIL THE CERTIFICATE OF COMPLETION IS SIGNED BY THE EXECUTIVE OFFICER AND RECORDED WITH THE SOLANO COUNTY RECORDER’S OFFICE, USUALLY AT LEAST 35 DAYS AFTER A PROJECT IS APPROVED BY THE COMMISSION.

CHECKLIST FOR ALL MAPS & WRITTEN GEOGRAPHIC DESCRIPTIONS

Map(s):

- Is the map accurately drawn to professional standards?
- Is it the original size copy?
- Is a vicinity map included?
- Are existing boundaries shown and identified?
- Are existing streets, roads, and highways referenced with their current names?
- Does it include the township and range, section number(s) and rancho?
- Does it have a north arrow and scale bar?
- Is the Point of Beginning clearly shown?
- Is the boundary made apparent without masking adjacent background features?
- Are all courses numbered to follow the written description?
- Is each parcel that touches the new boundary and is within the project area labeled with an APN?
- Is an enlarge drawing included to show smaller areas of exclusion or inclusion, if applicable?
- Is there a key map for multiple sheets?

Written geographic description:

- Can the geographic description stand alone?
- Is the description of the project area only?
- Does it include township and range, section number(s) or rancho?
- Is there a point of beginning?
- Are the courses numbered to follow a clockwise direction from the point of beginning?
- Is the total acreage included?
- Does the information on the description match with the map(s)?

For detailed information on map and description requirements, please see Appendix E,
Mapping Standards.

CHECK LIST

CITY ANNEXATION PROPOSALS ONLY

The following is required for a complete LAFCO application:

1. One (1) original of the Notice of Intent to Circulate a Petition (for Non-Agency Proposals only). Submit prior to circulating a petition.
2. Check for appropriate LAFCo application fee made payable to Solano LAFCo.
3. One (1) original of the Application (and Petition for Non-Agency Proposals) including a signed Fee Agreement.
4. Completed checklist for completion of metes and bounds legal description and one copy of the metes and bounds legal description.
5. Completed checklist for completion of map and one (1) copy of map and if applicable one (1) copy of map reduced to 8 ½ x 11 for recording with County Recorder
6. Two (2) sets of mailing labels for landowners within 300 feet of project area.
7. One copy and one CD of the Response to LAFCo Standards.
8. Copy of the Fish and Game Receipt filed with the County Administrator's Office.
9. One copy of the Environmental Impact Report or one copy of the Negative Declaration including the Initial Study, along with one CD containing all environmental documents in either Word or PDF format.
10. One copy of the City Councils action Certifying the Environmental Impact Report or adopting the Negative Declaration, and Notice of Determination.
11. One copy of the City Councils finding that the proposed annexation is consistent with the City's General Plan.
12. One copy of the Rezoning Ordinance or Resolution approving an Area-wide Plan or Specific Plan for the Project or Resolution approving a Development Agreement for the project.
13. One copy and one CD of a market study for residential projects over 100 acres in size and commercial and industrial projects over 40 acres in size.
14. One copy of a "will serve" letter from the city.
15. One copy of the city staff report on the project.
16. One copy of the Fair Political Practice Statement of contributions (If applicable).

CHECK LIST
DISTRICT ANNEXATION PROPOSALS ONLY

The following is required for a complete LAFCO application:

1. One (1) original of the Notice of Intent to Circulate a Petition (for Non-Agency Proposals only). Submit prior to circulating a petition.
2. Check for appropriate LAFCo application fee made payable to Solano LAFCO.
3. One (1) original of the Application (and Petition for Non-Agency Proposals) and signed Fee Agreement.
4. Completed checklist for completion of metes and bounds legal description and have included one copy of the metes and bounds legal description.
5. Completed checklist for completion of map and have included three (3) original copies of map and one (1) copy of map reduced to 8 ½ x 11 for recording with the County Recorder.
6. Two (2) sets of mailing labels for landowners within 300 feet of project area.
7. One (1) copy and one (1) CD of the Response to LAFCO Standards.
8. Copy of the Fish and Game Receipt filed with the County Administrator's Office.
9. One copy of the Environmental Impact Report or one copy of the Negative Declaration including the initial Study, along with one CD containing all environmental documents in either Word or PDF Format.
10. One copy of the Agency's action Certifying the Environmental Impact Report or adopting the Negative Declaration, and Notice of Determination.
11. One Copy of a "will serve" letter from the District.
12. One Copy of the Fair Political Practice Statement of contributions (If applicable).

CHECK LIST
DISTRICT DETACHMENT PROPOSALS ONLY

The following is required for a complete LAFCO application:

1. One (1) original of the Notice of Intent to Circulate a Petition (for Non-Agency Proposals only). Submit prior to circulating a petition.
2. Check for appropriate LAFCo application fee made payable to Solano LAFCo.
3. One (1) original of the Application (and Petition for Non-Agency Proposals) and signed Fee Agreement.
4. Completed checklist for completion of metes and bounds legal description and one copy of the metes and bounds legal description.
5. Completed checklist for completion of map and one copy of the map and one (1) copy of map reduced to 8 ½ x 11 for recording with the County Recorder.
6. Copy of the Fish and Game receipt filled with the County Administrator's Office.
7. One (1) copy and one (1) CD of the Response to LAFCO Standards.
8. Two (2) sets of mailing labels for landowners within 300 feet of project area.
9. One copy of the Environmental Impact Report or one copy of the Negative Declaration including the Initial Study, along with one CD containing all environmental documents in either Word or PDF format.
10. One copy of the Agency's action Certifying the Environmental Impact Report or adopting the Negative Declaration, and Notice of Determination.
11. One Copy of the Fair Political Practice Statement of contributions (If applicable).

District Formation Application Checklist

The following is required for a complete LAFCO application:

1. A Certified Resolution of Application **OR** Original Notice of Intent to Circulate a Petition (for Non-Agency Proposals only). Submit prior to circulating a petition
2. Check for appropriate LAFCo application fee made payable to Solano LAFCo.
3. LAFCo Application to Initiate Proceedings, District Formation Application, and signed Fee Agreement.
4. Completed checklist for completion of metes and bounds legal description and one copy of the metes and bounds legal description.
5. Completed checklist for completion of map and one copy of the map and one (1) copy of map reduced to 8 ½ x 11 for recording with the County Recorder.
6. Copy of the Fish and Game receipt filled with the County Administrator's Office.
7. One copy of the Environmental Impact Report or one copy of the Negative Declaration including the Initial Study, along with one CD containing all environmental documents in either Word or PDF format.
8. One (1) copy and one (1) CD of the Response to LAFCO Standards.
9. Two (2) sets of mailing labels for landowners within 300 feet of project area.
10. A three-year proposed operating budget containing details concerning staffing, benefits, services and supplies, fixed assets, contingency reserves, etc.
11. A Capital Improvement Program budget for proposed capital projects
12. A copy of the proposed By-laws of the District
13. A list of the names and contact of the proposed Board Members

Notice of Intent to Circulate Petition

Mandatory for Landowner and Registered Voter Applications

_____ (Date)

FROM: _____ (Name)

_____ (Address)

_____ (Phone #)

TO: Executive Officer
Solano Local Agency Formation Commission
744 Empire St., Suite 216
Fairfield, CA 94533

SUBJECT: Notice of Intent to Circulate a Petition

Notice is hereby given of the intention to circulate a petition proposing to

_____.

The reason(s) for the proposal is/are (500 words or less):

Signature of Proponent or Proponent's Representative

Note: Proponent must file this notice with the Executive Officer before the Petition is circulated for signatures. Upon receiving the notice, the executive officer shall notify any affected jurisdictions.

Notice of Consent of Agency to Proposal
Mandatory for Landowner and Registered Voter Applications

Proposal Description:

FROM:

_____ (Name of Agency)

_____ (Address)

_____ (Name of Contact Person)

_____ (Phone #)

TO:

**Executive Officer
Solano Local Agency Formation Commission
744 Empire St., Suite 216
Fairfield, CA 94533**

SUBJECT:

Notice of Consent to Proposal

The above named agency has reviewed the change of organization proposed to be initiated by landowner or registered voters and consents to the application for the proposal proceeding before LAFCo with the following terms and conditions:

[Attach additional pages if needed]

Dated:

Signature of Authorized Agency Employee

Note: Proponent must file this notice with the Executive Officer before the Application will be deemed complete.

PARTY DISCLOSURE FORM

Information Sheet

This form must be completed by applicants for, or persons who are the subject of, any proceeding involving a license, permit, and other entitlement for use pending before Solano County Local Agency Formation Commission. (Please see next page for definitions of these terms.)

Important Notice

Basic Provisions of Government Code Section 84308

- I. If you are an applicant for, or the subject of, any proceeding involving a license, permit, or other entitlement for use, you are prohibited from making a campaign contribution of \$250 or more to any commissioner/board member, his or her alternate, or any candidate for such position. This prohibition begins on the date your application is filed or the proceeding is otherwise initiated, and the prohibition ends three months after a final decision is rendered by Solano County Local Agency Formation Commission. In addition, no commissioner/board member, alternate or candidate may solicit or accept a campaign contribution of \$250 or more from you during this period.

These prohibitions also apply to your agents, and, if you are a closely held corporation, to your majority shareholders as well.

- II. You must file the attached disclosure form and disclose whether you or your agent(s) have in the aggregate contributed \$250 or more to any commissioner / board member, his or her alternate, or any candidate for the position during the 12 month period preceding the filing of the application or the initiation of the proceeding.
- III. If you or your agent have made a contribution to any commissioner/board member, alternate, or candidate during the 12 months preceding the decision on the application or proceeding, that board member must disqualify himself or herself from the decision. However, disqualification is not required if the board member, alternate or candidate returns the campaign contribution within 30 days of learning about both the contribution and the proceedings.

This form should be completed and filed with your application, or with the first written document you file or submit after the proceeding commences.

1. A proceeding involving “a license, permit, or other entitlement for use” includes all business, professional, trade and land use licenses and permits, and all other entitlements for use, including all entitlement for land use; all contracts (other than competitively bid, labor or personal employment contracts) and all franchises.
2. Your agent is someone who represents you in connection with a proceeding involving a license, permit or other entitlement for use. If an individual acting as an agent is also acting in his or her capacity as an employee or member of a law, architectural, engineering, consulting firm, or similar business entity, both the business entity and other individual are agents.
3. To determine whether a campaign contribution of \$250 or more has been made by you, campaign contributions made by you within the preceding 12 months must be aggregated with those made by your agent within the preceding 12 months or the period of the agency, whichever is shorter. Campaign contributions made to different commissioners, their alternates, or candidates are not aggregated.

This notice summarizes the major requirements of Government Code Section 84308 of the Political Reform Act and 2 Cal. Adm. Code Sections 18438-18438.8. For more information, contact the Local Agency Formation Commission, 601 Texas Street, Fairfield, CA 94533, or the Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814, (916) 322-5901.

Prepared by: Legal Division
 Fair Political Practices Commission
 5/86

LAFCo Party Disclosure Form
(Name of Board or Commission)

To be completed only if contributions totaling \$250 or more have been made.

Party's Name: _____

Party's Address: _____

_____ City

_____ State Zip Phone

Application or Proceeding

Title and Number: _____

Board or Commission Member(s) to whom you and/or your agent made campaign contributions totaling \$250 or more and dates of contribution.

Name of Member: _____

Name of Contributor (if other than Party): _____

Date(s): _____

Amount(s): _____

Name of Member: _____

Name of Contributor (if other than Party): _____

Date(s): _____

Amount(s): _____

Name of Member: _____

Name of Contributor (if other than Party): _____

Date(s): _____

Amount(s): _____

Date: _____

Signature of Party and/or Agent

Date

Petition Signatures: Mandatory for Landowner and Registered Voter Applications.

Title of Proposal: _____

APPLICANT SHOULD BE AWARE THAT LAFCO WILL NORMALLY REQUEST ADDITIONAL INFORMATION WITH RESPECT TO THE PROPOSAL AFTER RECEIPT OF THE PETITION/APPLICATION.

NOTE: All signatures must be dated within 6 months of each other and submitted within 60 days of last signature.

WHEREFORE, petitioner(s) request(s) that proceedings be taken in accordance with the provisions of Section 56000 et seq. of the Government Code and herewith affix(es) signature(s) as follows:

Date of Signature	Signature of All Petitioners ₁ (print names below signature)	Residential Street Address <u>or</u> Assessor's Parcel Number ₂	Campaign Contribution (Yes / No) ₃
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

¹If a landowner petition and other than landowner signs, attach proof of authorization.

²Residential street address for resident-voter petitions or Assessor's Parcel Number for landowner petitions.

³If a petitioner has made contributions to any of the elected Commissioner's campaign funds, attach a completed disclosure form.

(MAKE ADDITIONAL COPIES OF FORM, AS NEEDED)

Solano LAFCo Fee Agreement

This *Solano LAFCo Fee Agreement* (“Agreement”) between the Solano County Local Agency Formation Commission (“LAFCo”) and the undersigned person, agency or entity (“Applicant”) is entered into as of the date set forth below and shall be a part of any application submitted concurrently herewith by Applicant. As used herein, “Parties” shall mean and include LAFCo and Applicant.

LAFCo’s Executive Officer is not authorized to issue a *Certificate of Filing* if this Agreement has not been executed and submitted to LAFCo by Applicant.

Payment of Fees

Applicant shall pay all of LAFCo’s costs directly attributable to processing Applicant’s application. Direct costs include all out-of-pocket expenses, staff time necessary to process the application, charges by necessary outside contractors or consultants, and costs of other forms of staff assistance, and may also include LAFCo’s costs incurred on the project that is the subject of the Application prior to receipt of the application in such cases where LAFCo has performed services reviewing the project prior to receipt of the application at the request of or for the benefit of Applicant. Applicant acknowledges receipt of LAFCo’s Fee Schedule for staff charge-out rates.

The Deposit and Billing

To facilitate payment, Applicant shall submit a monetary deposit with this Agreement. The amount of the deposit is a reasonable estimate of LAFCo’s costs and staff time required to process the application. The application processing cost can seldom be accurately estimated in advance. Therefore, Applicant understands that the actual cost of processing the application may exceed the amount of the deposit and/or any estimate of cost.

Applicant’s deposit will be placed in LAFCo's general account and will not be segregated from other LAFCo funds. No interest will accrue on the deposit. LAFCo will keep an accounting of all amounts charged against the deposit. LAFCo may transfer sums from the deposit to reimburse LAFCo for costs and staff time incurred in processing Applicant’s application as such costs and time are incurred.

In the event a balance of the deposit remains on Applicant’s account after full payment for LAFCo’s services and costs is made, transferred or received at such time as the need LAFCo’s services in connection with the application is at an end, the balance will be remitted to Applicant.

If the deposit is exhausted during the pendency of the application, LAFCo will bill Applicant monthly and may request an additional deposit before continuation of services. LAFCo will bill Applicant on the 10th day of each month for all services performed and costs expended in the previous billing month. Applicant shall pay all amounts in LAFCo’s billing statement shown as due and owing by the 10th day of the following month, unless an alternative payment schedule is agreed to by LAFCo. The period from the time of a billing to the 10th day of the following month is known as the "Payment Period."

Objections to the Bill

Applicant agrees that any questions or disagreements Applicant may have concerning any matter in a bill, or respecting the amount due, shall be communicated in writing to LAFCo prior to the end of the Payment Period along with payment of any undisputed portion of the bill. Applicant understands and

agrees that IF APPLICANT FAILS TO COMMUNICATE IN WRITING TO LAFCo ANY OBJECTION TO OR DISAGREEMENT WITH ANY PORTION OF A BILL PRIOR TO THE END OF THE PAYMENT PERIOD, IT SHALL BE DEEMED THAT APPLICANT AGREES THAT LAFCo IS ENTITLED TO PAYMENT IN THE AMOUNT STATED, THAT THE AMOUNT STATED IS TRUE, CORRECT AND OWING, AND WAIVES ANY RIGHT TO LATER DENY THAT APPLICANT OWES LAFCo THE STATED AMOUNT.

Late Payments

If Applicant fails to pay the full amount due within the Payment Period, Applicant understands and agrees that LAFCo may, in its discretion, cease processing the application. In that event, no hearings will be scheduled and no certificate of completion will be filed until Applicant's account is brought current.

If Applicant is repeatedly late in payment, or fails to pay an outstanding charge for 60 days or more, LAFCo may, before recommencing work on the application, require an additional deposit, in an amount it deems advisable in its sole discretion, to assure future timely payment.

Any unpaid balance owed by Applicant not paid on a bill within the Payment Period will be subject to a MONTHLY FINANCE CHARGE of 0.833% of the amount of the unpaid balance, with a minimum charge of \$1.00, which is equal to an ANNUAL PERCENTAGE RATE of 10%. Any payments made on Applicant's account will be credited first to any interest accrued, then to unpaid principal.

Staff Assignments; Conflicts of Interest

Except as provided in below, LAFCo will assign its staff to tasks in connection with the Application as it determines appropriate and in its absolute discretion. However, if LAFCo determines there is a need for an outside consultant or contractor, LAFCo will follow its policies in connection with hiring of outside consultants and contractors, and Applicant shall pay for the services of such outside consultants and contractors at their standard rates.

If Applicant believes that any of LAFCo's staff has a conflict of interest that could adversely affect the handling of the application, Applicant may submit a written request for disqualification of such staff within 15 days of execution of this Agreement. The letter should explain why Applicant believes a conflict of interest exists. LAFCo's Executive Officer will make an initial determination with regard to the request. If the request for disqualification is denied by LAFCo's Executive Officer, Applicant may appeal that determination to LAFCo's Commission. Any such appeal must be in writing and submitted within 15 days of written notification by LAFCo's Executive Officer that he or she denied Applicant's request for disqualification. The matter shall then be placed on the agenda of the next meeting of LAFCo's Commission for a determination.

In the event a LAFCo staff member is disqualified pursuant to Applicant's request and an outside consultant or contractor must be retained to process the application, Applicant shall pay for the services of such outside consultants and contractors at their standard rates.

Withdrawal or Denial of Application

Applicant understands and agrees that LAFCo's costs for services are owed and payable by Applicant regardless of whether the application is ultimately withdrawn, denied or otherwise terminated

prior to completion. In the event of withdrawal of an application, Applicant shall be responsible to pay all costs and all charges incurred prior to the time of receipt of written notice of withdrawal of the application, plus LAFCo's reasonable charges for closing out the file.

Authority to Sign

The person executing this Agreement below on behalf of Applicant represents and warrants that he or she has the requisite legal authority under California law to enter into this Agreement on behalf of Applicant and to legally bind Applicant to each and every term in this Agreement. In the event that the person signing this Agreement on behalf of Applicant is deemed not to have such requisite authority, the person affixing his or her signature below shall be personally responsible and liable for the performance of each term in this Agreement as though he or she is the Applicant in this Agreement.

Entire Agreement

This Agreement contains the entire agreement between the Parties relating to the subject matter herein.

Applicant

Applicant's Address

Applicant's Signature

Date

LAFCO INDEMNITY AGREEMENT

APPLICANT AND REAL PARTY

If the proposal that is the subject of this Indemnification Agreement has been determined by the Lead Agency to be exempt from the California Environmental Quality Act, Public Resources Code section 21000 *et seq.* ("CEQA"), under a statutory exemption (14 Cal. Code Regs. §§ 15260-15285) or comes within categorical CEQA exemptions (14 Cal. Code Regs. §§ 15300-15333) then the indemnification requirements set forth herein will become operable only in the event an administrative and/or legal action is filed challenging the determination that the proposal is exempt from CEQA.

For all other proposals, the indemnification requirements set forth herein are applicable immediately upon the signing of this Agreement.

Should Solano LAFCo be named as a party in any litigation or administrative proceeding in connection with the Applicant's proposal, Applicant and Real Party agree to indemnify, save harmless, and promptly reimburse Solano LAFCo for 1) all reasonable expenses and attorneys fees in connection with the defense of Solano LAFCo and 2) any damages, penalties, fines or other costs imposed upon or incurred by LAFCo. Applicant and Real Party agree that LAFCo shall have the right to appoint its own counsel to defend LAFCo and conduct its own defense in the manner it deems in its best interest, and that such actions shall not relieve or limit Applicant's and Real Party's obligations to indemnify and reimburse defense costs. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the Applicant and/or Real Party, arising out of or in connection with the decision on this application, whether or not there is concurrent passive or active negligence on the part of the Solano LAFCo, its agents, officers, attorneys, or employees. It shall also include LAFCo's fees for enforcement of this agreement.

If the application has been initiated by a resolution of application by an agency, the term "Applicant" refers to the agency that has filed a resolution of application with LAFCo and "Real Party" refers to the property owner or developer seeking entitlements from that agency and LAFCo. If the application is by landowner petition, then "Applicant" and "Real Party" shall both refer to the landowner/developer.

The party signing this indemnification personally warrants that they have the authority to legally bind the Applicant and that the Applicant shall be legally bound to the terms of this indemnification agreement.

APPLICANT:

Dated: _____, _____

By: _____
Applicant or Authorized officer of Applicant

REAL PARTY:

Dated: _____, _____

By: _____
Real Party or Authorized officer of Real Party



Solano Local Agency Formation Commission

3700 Hilborn Rd. Ste. 600 • Fairfield, California 94534

(707) 439-3897 • FAX: (707) 438-1788

APPLICATION TO INITIATE PROCEEDING FOR CHANGE OF ORGANIZATION/REORGANIZATION

(Pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, Title 5 Commencing with Section 56000, of the Government Code)

LAFCO APPLICATION NO.:	_____
LAFCO PROPOSAL DESIGNATION:	_____
DATE INITIALLY SUBMITTED:	_____
DEPOSIT \$ _____	RECEIPT NO. _____ RECEIVED BY _____
(OFFICE USE ONLY)	

Title of Proposal:

AFFECTED AGENCIES (Cities or Districts)	The specific change(s) of organization proposed is/are (annexation to, detachment from, consolidation of, dissolution of, district formation*, sphere of influence amendment**, etc.
1.	1.
2.	2.
3.	3.
4.	4.
5.	5.

* District Formation requests must be accompanied by the District Formation Supplemental Questionnaire
 ** Sphere of Influence changes must be accompanied by Attachment A – Sphere of Influence Questionnaire

1. General Location Description (i.e. south side of Road A between Road B and Road C):

2. Total acreage of territory:

3. Assessor Parcel Numbers:

APPLICANT INFORMATION

1. Chief Petitioners (maximum of three) or Legal Owner(s) & Representative/Agent:

Name:	Name:
Agency:	Agency:
Address:	Address:
Telephone:	Telephone:

E-mail:	E-mail:
	Applicant's Representative or Agent (this will be the primary Contact for LAFCo staff)
Name:	Name:
Agency:	Agency:
	Address:
Telephone:	Telephone:
E-mail:	E-mail:

2. Authority to File (check one and attach authorization):

- Resolution of Agency
 Landowner
 Registered voter

*Landowner/Registered Voter Applicants must submit a "Notice of Intent to Circulate a Petition" to LAFCo staff **prior** to submittal of this application and a Fair Political Practices Commission Party Disclosure Form along with this application.*

PURPOSE OF THE PROPOSAL

1. Describe in detail the need for this proposal.
2. What are the alternate courses of action to the proposed change or organization/reorganization, if any?

POPULATION AND HOUSING

1. What is the estimated current population of the subject territory?
2. If the proposal territory includes a proposed development, what is the estimated population of the proposed area at build-out?
3. The territory(ies) included in the proposal is (are):
 - inhabited (12 or more registered voters) or
 - uninhabited

LAND USE INFORMATION

NOTE: All properties proposed for annexation to a city must be rezoned to their intended use prior to submission of an application to LAFCo. The zoning may not be changed for two years after annexation, absent extraordinary circumstances.

1. COUNTY:
 - (a) The County General Plan designation is
 - (b) Current County Zoning is
2. CITY:
 - (a) The City General Plan designation is proposed to be
 - (b) Current city rezoning is

3. LAFCo Mandatory Standard Number 5 requires the affected agency(ies) adopt a resolution supporting the proposal. Indicate below all permits or approvals that will be needed or have been granted by the County or any city to complete the project. **Attach a copy of each resolution of approval.** Samples of resolutions can be obtained from LAFCo.

<u>Type of Approval or Permit</u>	<u>Resolution or File No.</u>	<u>Approval Date</u>
City Rezoning (Required)		
Resolution to Initiate Change of Organization/Reorganization (Required)		
Specific Plan (if adopted)		
City/County General Plan Amendment (if applicable)		
(Other)		

4. Please describe the present uses of the property within the territory and whether further development of any of the parcels would be permitted under the applicable land use regulations after the change of organization. If further development would be permitted please identify by parcel, the potential development that could occur.

5. Describe the predominant uses of adjacent land (vacant, residential, commercial, etc.).

North:

East:

South:

West:

6. Describe the topography/physical features (rivers, creeks, drainage basins, etc.) and natural boundaries of the subject territory.

7. Indicate with a if any portion of the territory contains the following:

Agricultural land uses* Acreage

Agricultural Preserve Acreage

Open Space** Acreage

Wetlands Acreage

Unusual features:

**If the proposal involves conversion of Ag Land, applicant must attach a narrative addressing Solano LAFCo Discretionary Standard No. 9.*

***If the proposal involves conversion of open space land, applicant must attach a narrative addressing Solano LAFCo Mandatory Standard No. 3 and Discretionary Standard No. 8.*

8. (For City Annexations Only) Is any part of the annexation territory under a Williamson Act contract?

YES NO

If yes, please answer the following:

a) Did the City protest the contract under the “one-mile” provision?

YES NO

If yes, please attach a copy of the City’s protest resolution.

You may contact Solano County Resource Management at (707)784-6765 to obtain the following information:

b) Contract Number: Date of Resolution: Resolution Number:

c) Please list only the parcels under a Williamson Act contract:

9. Is the proposed area within the existing sphere of influence of the annexing agency? YES NO

*Note: If no, submit a **Sphere of Influence Amendment Questionnaire Attachment A** in addition to this application and a separate narrative addressing LAFCo Mandatory Standards numbers 1, 2, and 4.*

PLAN FOR PROVIDING SERVICES

Pursuant to Government Code 56653, any local agency submitting an application for a change in organization must also submit a plan for providing services to the subject territory. Please address the following:

1. An enumeration and description of the services to be extended to the affected territory.

2. The level and range for those services.

3. An indication of when those services can feasibly be extended to the affected territory.

4. An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.

5. Information with respect to how those services to the area will be financed.

ADDITIONAL REQUIREMENTS

1. List below each parcel included in the proposal and check whether or not there is a letter or petition indicating in favor or opposed to the proposal. Attach petitions or letters.

	Assessor Parcel Number	# Acres	Current Property Owner(s) (Per Assessors Records)	Letter In Favor	Letter Opposed
1.					
2.					
3.					
4.					
5.					
6.					

7.					
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(Note: If necessary, continue list)

CERTIFICATION OF 100% CONSENT APPLICATION (Agency Applications Only)

I certify that I have checked the number of owners of property located within the change of organization or reorganization proposed by this application, and that the signatures shown on the attached petitions and/or letters represent all of the owners of property included in this proposal. **I further certify** that, pursuant to GCS 56663(c)(1), the applying local government agency waives the requirement for a protest hearing.

Print Name:

Title:

Signature: _____

Date:

2. List other names and addresses of any persons, organizations or agencies known to you who may be opposed to this proposal:

3. List any terms or conditions requested for inclusion in LAFCo Resolution of Approval as part of this proposal:

4. Provide **detailed** written responses to LAFCo Standards 1 through 11, included in packet. (Indicate N/A if Standard is not applicable to the proposal). **GENERALLY, A YES OR NO RESPONSE WILL NOT BE SUFFICIENT**

Resolution No. _____
SAMPLE CITY/DISTRICT RESOLUTION OF APPLICATION

**A RESOLUTION OF APPLICATION BY THE
(INSERT NAME OF CITY/DISTRICT)
REQUESTING THE SOLANO LOCAL AGENCY FORMATION COMMISSION TO
INITIATE PROCEEDINGS FOR THE REORGANIZATION OF TERRITORY**

RESOLVED by the Council/Board of Directors of the *(insert name of city/district)*, that,

WHEREAS, the *(insert name of city/ district)* desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Act of 2000, commencing with the section 56000 of the California Government Code, for a reorganization which would concurrently annex territory to the *(insert name of city/district)* and detach territory from *(insert name of agency)*; and,

WHEREAS, notice of intent to adopt this resolution of application has been given, and this Council/Board has conducted a public hearing based upon this notification; and

WHEREAS, the principal reasons for the proposed reorganizations are as follows: (State principal reasons); and,

WHEREAS, the following agency or agencies would be affected by the proposed jurisdictional changes:

<u>Agency</u>	<u>Nature of Change</u>
<i>(Insert agency name)</i>	<i>(i.e., annexation, detachment)</i>

and,

WHEREAS, the territory proposed to be reorganized is Inhabited/Uninhabited (use one), and a map and description of the boundaries of the territory are attached hereto as Exhibits A & B and by this reference incorporated herein; and,

WHEREAS, it is desired to provide that the proposed reorganization be subject to the following terms and conditions: (List of terms and conditions or insert "None"); and,

WHEREAS, this proposal is consistent with the adopted spheres of influence for the agencies subject to this reorganization; and,

Or

WHEREAS, this proposal is not consistent with one or more of the adopted sphere of influence for the agencies which would be affected by reorganization; therefore, it is proposed that spheres of influence be concurrently amended; and,

WHEREAS, this Council/Board of Directors certifies that **[Insert appropriate CEQA findings such as: The proposal will not have a significant effect on the environment based on the initial study prepared in connection with this proposal];**

NOW, THEREFORE, this Resolution of Application is hereby adopted and approved by the Council/Board of Directors of the *(insert name of city/district)*, and the Local Agency Formation of Solano County is hereby requested to take proceedings for the annexation of territory as authorized and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

PASSED AND ADOPTED the ____ day of _____, 20____, By the Council/Board of Directors of the *(insert name of city/district)*, County of Solano, State of California, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

(Insert Name), Mayor/Chairman
Council/Board of Directors
(Insert name of District)

ATTEST:

(Insert Name)
Council/Board Clerk

SPHERE OF INFLUENCE AMENDMENT QUESTIONNAIRE

Attachment “A” to Application to Initiate Proceedings for a Change of Organization/Reorganization

Pursuant to Government Code Section 56425, provide the following information if the proposal requires a Sphere of Influence (SOI) amendment.

1. Is the SOI amendment over 40 acres? If **yes**, contact LAFCo staff as the agency’s Municipal Service Review must address the area proposed for amendment.

2. Describe any existing or future areas of social or economic interest within the proposal area:

3. Describe the present and probable need for public facilities and services in the proposed area:

4. Describe in detail the present capacity of public facilities and adequacy of public services the agency provides or is authorized to provide:

5. Provide documentation regarding consultation that has occurred between the City and the County, with regard to an agreement on boundaries, development standards, and zoning requirements within the sphere. Include the agreement, if so reached, during the required City and County meeting prior to the LAFCo hearing (Gov’t. Code Section 56425(b)). A signed letter from City/County officials will meet this requirement.

6. Attach a map showing present and planned SOI boundary.

7. Any proposed amendment to the SOI is subject to CEQA. Please provide all related studies and signed resolutions.

NOTE: Any proposed amendments require a response to LAFCo Mandatory Standards 1, 2, and 4.

DISTRICT FORMATION SUPPLEMENTAL QUESTIONNAIRE

A. Justification

1. Is the proposed district a registered voter district or a landowner voter district?
2. Under what principal act will the new district be formed? *(Note: Pursuant to §56100, proceedings for the formation of a district shall be conducted as authorized by the principal act of the district proposed to be formed, except that the commission shall serve as the conducting authority and the procedural requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 shall apply and shall prevail in the event of a conflict with the procedural requirements of the principal act of the district.)*
3. Explain why the formation of a new district is being proposed.
4. List all of the services to be provided by the proposed district and discuss why the services are necessary at this time.
5. Explain why a new district should be formed instead of annexing territory to an existing district. *(Note: Pursuant to §56886.5, if a proposal includes the formation of a district, the commission shall determine whether existing agencies can feasibly provide the needed service or services in a more efficient and accountable manner. If a new single-purpose local agency is deemed necessary, the commission shall consider reorganization with other single-purpose local agencies that provide related services.)*
6. Describe how the district's board of directors would be established (elected, appointed by the County Board of Supervisors, or the County Board of Supervisors themselves).
7. What is the potential for the proposed district to be expanded in the future or provide similar services to a larger area?
8. Why or how will the formation provide greater efficiency in the delivery of governmental services?

B. Boundaries and Sphere of Influence Information *(Note: A "sphere of influence" is defined as a plan for the probable physical boundaries and service area of a district, as determined by LAFCO [§56076]).*

1. Describe the rationale and methods used to establish the boundaries of the proposed district.
2. Will the district boundaries and sphere of influence boundary, be coterminous?

3. If a sphere of influence is proposed to exceed the proposed district boundaries, explain the rationale used to support the larger sphere of influence. Please show the sphere boundaries on the map of the district boundaries.
4. Does the proposed district or its proposed sphere of influence overlap with any other local agency boundaries or sphere of influence boundaries? If yes, please list the affected local agencies.
5. Does the proposed district require extension of main lines through other communities or ag lands and would those areas be eligible to request service?
6. Does the proposed district boundary only cover part of a discrete community? Will there be islands or peninsulas of land that will be un-served?

C. Plan for Services / Municipal Service Review

Please prepare a Plan for Services and Feasibility Study that provides the following information that specifically describes how the proposed district will provide the identified services. *(Note: Pursuant to Government Code Section 56653, whenever a local agency submits a resolution of application for a change of organization or reorganization, the local agency shall submit with the resolution of application a plan for providing services within the affected territory. The Plan for Services will provide the baseline of information to LAFCO in order to prepare a Municipal Service Review (MSR) pursuant to Government Code Section 56430 and to establish the sphere of influence for the new district.)*

1. Provide a thorough description of the level and range of each service to be provided to the territory within the proposed district.
2. When can the identified services be feasibly extended to the affected territory?
3. Identify any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the new district needs to impose upon the affected territory.
4. Provide the estimated cost of extending the service, a description of how the service or required improvements will be financed, anticipated structure of the governing body and a projected five year budget for revenues and expenditures.
5. What is the anticipated cost annually to each of the homeowners?

6. How will the homeowners be charged? (i.e. Special tax, parcel charge on tax bill, monthly billing, or special assessment?)
7. What provisions are being made to accommodate possible future costs increases given the constraints of Prop 218?
8. If retail water service is to be provided through the new district, provide a description of the timely availability of water supplies for the projected needs within the new district boundaries based upon the factors found in §65352.5 as required by §56668(k).
9. Please complete the following table of service providers:

<i>Service</i>	<i>Presently Provided By</i>	<i>Proposed Provider</i>
<i>Fire Protection</i>		
<i>Police Protection</i>		
<i>Domestic Water Service</i>		
<i>Agricultural Water Service</i>		
<i>Sewer Service</i>		
<i>Road/Street Maintenance</i>		
<i>Street Lighting</i>		
<i>Planning & Zoning</i>		

D. Land Use

1. How many acres will the proposed district encompass? ____
2. Describe any significant land use issues that will result from the proposed district formation.
3. Are there any undeveloped land in the proposed district boundary that would be able to develop as a result this district formation?

E. Significant Issues

1. Describe any unique issues and/or pre-existing uses or conditions such as flooding, groundwater contamination, animal keeping, agricultural uses, ecological preserves, airport activity, traffic movement, pedestrian uses, etc. that characterize the area proposed for a new district.

F. Intergovernmental Coordination

1. Has the proposal been circulated to all affected local agencies? Yes No

2. Attach any responses/comments that have been received from the affected agencies listed.
3. What functions of identified agencies will be duplicated as a result of the district formation?
4. What are the impacts on other affected local agencies, i.e. fire protection, police protection?
5. Are there any conditions requested by affected government agencies that will substantially affect or impact the formation of the new district? Yes No
(If yes, please describe)

G. Environmental Determination

1. Indicate what the Lead Agency has done to comply with the requirements of the California Environmental Quality Act (CEQA).
 Categorical Exemption Negative Declaration (*with mitigations*)
 Environmental Impact Report Other, *please specify*

Copies of the complete environmental documentation prepared by the Lead Agency (including the initial study, any technical reports, and any written comments or recorded public testimony relative to the environmental documents), and a copy of the Notice of Determination/Notice of Exemption, showing the date filed with the County Clerk.

2. Was the environmental documentation (Notice of Intent/Notice of Preparation) circulated to the Solano Local Agency Formation Commission prior to adoption by the Lead Agency?
3. Yes No
(If no, please explain why.)
3. Attach comments received from LAFCO, if any.

H. Support/Protest

1. How many residents are presently in the proposed district? _____ If the proposal is for a registered voter district, how many registered voters are within the district boundaries? _____
2. If the district formation facilitates development of parcels, how many residents are anticipated to be in the district following formation?
3. What is the source of your calculations? _____
4. Provide a list of all affected property owners within the proposed district area that includes (*Note: A sample table for both a registered voter district and a landowner voter district is provided.*):

If it is a landowner voter district:

- ❖ Assessor's Parcel Number (APN);
- ❖ Situs Address of parcel;
- ❖ Property owner(s) name and mailing address(es);
- ❖ Size of property in acres;
- ❖ Responses in favor of formation, opposed to formation or no response; and
- ❖ Assessed land value as determined by the County Assessor.

If it is a registered voter district:

- ❖ Assessor's Parcel Number (APN);
- ❖ Situs Address of parcel;
- ❖ Property owner(s) name and mailing address(es);
- ❖ Size of property in acres;
- ❖ Responses in favor of formation, opposed to formation or no response;
- ❖ Assessed land value as determined by the County Assessor; and
- ❖ Number and names of Registered Voters at each site address.

I. Public Notice Requirements

1. Provide a mailing list of all property owners AND/OR registered voters (depending on type of district) located within the area to be formed AND a separate mailing list for those properties located within 300 feet of the exterior boundaries of the area to be formed. These mailing lists must be extracted from the most recent assessment rolls and registered voter rolls prepared by the County at the time the local agency adopts a resolution of application. Mailing lists shall be submitted with the application. The mailing list shall also be submitted in electronic format compatible with Microsoft Word. The mailing list shall include:

- ❖ The property owners and/or registered voters name residing at address;
- ❖ Mailing address and situs address;
- ❖ The Assessor's Parcel Number; and
- ❖ Mailing labels.

The LAFCO Application is intended to provide the Commission with all relevant data in order to make an informed decision. LAFCO staff will review each application for completeness within 30 days of submittal and inform the applicant in writing of any deficiencies or additional information required.

Exhibit "B"
Registered Voter Proposal

Ownership List

Project Name

APN	NAME (mailing)	ADDRESS (situs)	REGISTERED VOTER NAME(S) (If other than owner)	ALV	Acres	RV	TRA	ZONE	Y/N
000-111- 222	Doe, John (see situs)	353 JD Street Dixon CA 95620	John Voter 1 Jonna Voter 2	\$29,799.0 0	.28	2	062011	R1/CM	Yes
Totals				\$29,799.0 0	0.28	2			

KEY:

- APN: Assessor's Parcel Number. Can be obtained from the Solano County Assessor's Office.
- NAME: The legal landowner and mailing address. This may differ from Situs Address if parcel is not owner occupied.
- ADDRESS: The actual physical site address of an individual parcel. May differ from Mailing Address if not owner occupied.
- REGISTERED VOTER NAME(S): The name or names of all registered voters registered at the situs address.
- ALV: Assessed Land Value. This is the official land value assessment established by the Solano County Assessor's Office.
- Acres: The actual size of the affected parcel.
- RV: Registered Voters. This is the number of registered voters associated with the situs address. Can be obtained from the Solano County Registrar of Voters. NOTE: Registered voter information will ONLY be released to representatives of the affected agency, not the general public.
- TRA: Tax Rate Area. This is a number assigned to each parcel by the State Board of Equalization for taxation purposes. Can be obtained from LAFCO or the Solano County Assessor's Office.
- ZONE: The land use designation (zoning) established by the governing agency.
- Y/N: Yes/No. This reflects the landowners' position on the application. May be left blank if no indication from landowner is available.