

APPROVED

FEB 6 1998

BY Linda Terra
CLERK OF THE BOARD



**AGENDA SUBMITTAL TO SOLANO COUNTY
BOARD OF SUPERVISORS**

SUBJECT: Approval of Resolution to call and give notice of an election on June 25, 1996 to form the Rural North Vacaville Water District	BOARD MEETING DATE February 6, 1996	AGENDA NUMBER 23c
CONTACT: Department of Environmental Management Staff: Harry L. Englebright Extension: 6765	SUPERVISOR DIST. NO. <u>4</u>	
	PUBLIC HEARING REQUIRED? YES ___ NO. <u>X</u>	

DEPARTMENTAL RECOMMENDATION:

Adopt the attached resolution to call and give notice of an election to form the Rural North Vacaville Water District on June 25, 1996 (Attachment 1).

CAO RECOMMENDATION:

**APPROVE DEPARTMENT
RECOMMENDATION**

SUMMARY:

Your Board, as the conducting authority designated by Local Agency Formation Commission (LAFCO), is requested to adopt a resolution to call and give notice of an election to form the Rural North Vacaville Water District on June 25, 1996. The election will be held within the boundaries of the proposed district. Two questions will be presented to voters: 1) to approve or deny the formation of the Rural North Vacaville Water District and 2) if the District is formed, shall the mailed ballot be used to conduct all future general district elections.

BACKGROUND

On January 8, 1996, LAFCO made findings and approved the formation of the Rural North Vacaville Water District to provide potable water and water for fire suppression purposes (See Attachments 2 and 3). LAFCO designated the Board of Supervisors as the Conducting Authority. Under LAFCO's conditions of approval, the governing board shall be the appointed by the Board of Supervisors per your Board's September 27, 1994 request. It was your Boards intent to initially appoint yourselves as the governing board until one year after water is delivered, at which time you would call for an

election to determine if the governing board should become an elected board or the continue to be an appointed board. LAFCO's conditions for formation also include criteria for construction of a new well to serve the district to mitigate potential impacts on the groundwater supply and any adjoining wells.

DISCUSSION:

Government Code Section 61110 requires the Board of Supervisors (Conducting Authority) to call for an election within 35 days of LAFCO's action approving formation of the District. The election is to be held within the boundaries of the proposed District. The election must be held at the next regular or special election date not less than 113 nor more than 150 days after the date the Board calls and gives notice of the election. Staff is recommending the election be call for June 25, 1996. The draft resolution authorizes the formation election to be conducted by mail ballot. The draft resolution calls for two questions to be placed before the voters: 1) to approve or deny the formation of the Rural North Vacaville Water District and 2) if the District is formed, shall the mailed ballot be used to conduct all future general district elections.

ALTERNATIVE:

Government Code Section 61110 does not provide for any alternative other than to call and give notice for an election within 35 days for LAFCO's action approving the formation of the District.

OTHER AGENCY INVOLVEMENT:

The Resolution has been reviewed by County Counsel. The Registrar of Voters will administer the election. The County Administrator has reviewed this item and concurs.

FINANCING:

The County is responsible for funding the cost of the Special Election. The Registrar of Voters will make an appropriations request to your Board for the cost of the Election once the cost has been determined. This cost can be reimbursed to the County from the District, if formed, as part of the cost of district formation.

DEPARTMENT HEAD SIGNATURE:

for *Christopher J. Morske*
Birgitta Corsello, Interim Director

RESOLUTION NO. 96-38

**RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS TO
CALL AND GIVE NOTICE OF AN ELECTION TO FORM THE RURAL
NORTH VACAVILLE WATER DISTRICT**

WHEREAS, the Local Agency Formation Commission (LAFCO) of the County of Solano adopted Resolution Nos. 96-01 and 96-02 on January 8, 1996, making findings and approving the proposed formation of the Rural North Vacaville Water District as shown and described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, said resolutions were transmitted to the Board of Supervisors as the designated conducting authority; and

WHEREAS, Section 61110 of the Government Code of the State of California requires said Board to call and give notice of an election within the proposed district within 35 days following LAFCO's approval of the district formation; and

WHEREAS, Section 61110 of the Government Code further requires that the election shall be held at the next regular or special election date not less than 113 nor more than 150 days after the date the Board calls and gives notice of the election; and

WHEREAS, the reason for the formation of said District is for the provision of potable water for home and garden use and water for fire suppression in an area currently served by individual wells which have experienced ground water supply problems or potentially may experience ground water supply problems based on ground water studies of the area; and

WHEREAS, the terms and conditions of the District formation as approved by LAFCO are as follows:

1. That the District shall be known as the Rural North Vacaville Water District.
2. That the District shall be formed for the purpose of providing potable water (home and garden) and water for fire suppression service only.
3. That any fire suppression facilities and improvements shall meet the standards of the Vacaville Fire Protection District.
4. That the County of Solano Board of Supervisors be designated as conducting authority and proceed under Section 57000 et seq. of the Government Code.
5. That the initial Board of Directors shall be composed of five members who shall be appointed by the Board of Supervisors.

6. That a new well be constructed by the District in conformance with the following criteria:
 - a. That the well be located outside of the area identified in Figure 21 of the Draft English Hills Specific Plan where well failures are likely.
 - b. That the well penetrate the deep aquifer of the Tehama formation as the source of water.
 - c. That the well be sealed from shallower aquifers which may be utilized by private wells on adjoining properties.
 - d. That the well be spaced a minimum of one 1000 feet from any other deep water well.
 - e. That the District, when formed, will enter into a Memorandum of Understanding with the City of Dixon, City of Vacaville and Solano Irrigation District to implement monitoring and staged mitigation of pumping for the groundwater resources of North Central Solano County based on the following principles:
 - 1) A five year monitoring period would be conducted to establish baseline information on the aquifer.
 - 2) A two year cautionary period with voluntary cutbacks in pumping would be established if it appears that safe yields are being exceeded.
 - 3) If safe yield is not achieved during the cautionary period, defined cutback levels in pumping would be imposed until safe yield is again achieved.
7. That the effective date of the Formation of the District shall be the date of recordation of the Certificate of Completion, and

WHEREAS, this action is taken pursuant to Section 57000 et seq. and Section 61000 et seq. of the Government Code and Section 4000 et seq. of the Election Code

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of Solano County does hereby call and give notice that an election shall be held on June 25, 1996, within the territory of the proposed district as shown and described in Exhibit "A" attached hereto and incorporated herein by reference;

BE IT FURTHER RESOLVED AND ORDERED that the following questions shall be put to the voters:

1. To approve or deny the formation of the Rural North Vacaville Water District
2. If the District is formed, shall the mailed ballot be used to conduct all future general district elections; and

BE IT FURTHER RESOLVED AND ORDERED that a majority vote is required for confirmation of the District formation and future elections by mailed ballot; and

BE IT FURTHER RESOLVED AND ORDERED that the election shall be conducted by mailed ballot as provided for under Section 4108 of the Election Code and shall be conducted on June 25, 1996.

I, LINDA TERRA, Clerk of the Board of Supervisors, of the County of Solano, State of California, do hereby certify that the foregoing resolution was regularly introduced, passed and adopted by said Board at a regular meeting thereof held on February 6, 1996.

On the motion of Supervisor Kondylis and seconded by Supervisor Schlenker this resolution was adopted by the following vote:

AYES: Supervisors Carroll, Gojkovich, Kondylis, Schlenker and
Chairman Thomson

NOES: Supervisors None

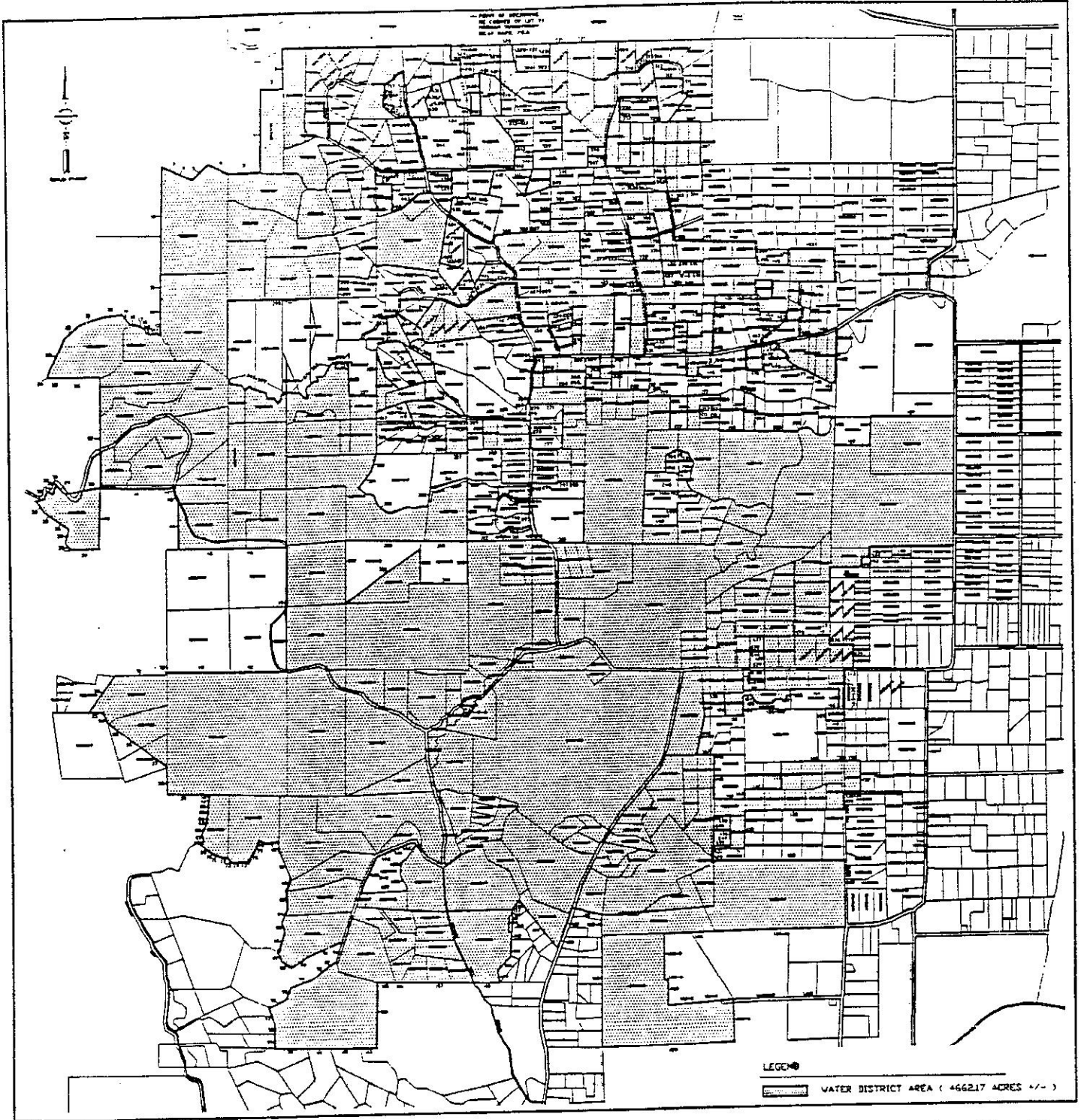
ABSTAIN: Supervisors None

ABSENT: Supervisors None

WITNESS my hand and seal of said Board this 6th day of February, 1996.

LINDA TERRA
Clerk of the Board of Supervisors

By: Linda Terra



DATE	REVISIONS	BY
11-1-85	ADD 23-34-01, 05-2-04, 05-2-11, 15-1-16	222

SOLANO COUNTY TRANSPORTATION DEPARTMENT
 333 SUNSET AVE., SUITE 230, SUDBURY CITY, CA 94965

RURAL NORTH VACAVILLE WATER DISTRICT
 BOUNDARY MAP

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RESOLUTION NO. 96-1
RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF SOLANO
COUNTY MAKING FINDINGS OF COMPLIANCE WITH LAFCO STANDARDS
FOR FORMATION OF THE RURAL NORTH VACAVILLE WATER DISTRICT
(TRISH LANDIS, RAY SILVA, CLIF POOLE PROPONENTS)

WHEREAS, a petition duly executed requesting formation of a Water District to be known as the Rural North Vacaville Water District has been duly received and filed with the Local Agency Formation Commission of Solano County, California; and

WHEREAS, it has been demonstrated that water supplies within the proposed service area of the Water District have become marginal and inadequate to service said area, and

WHEREAS, the Solano Irrigation District has indicated that it has no interest in providing water services to lands located in the area proposed for inclusion in the Water District, and

WHEREAS, no other city, agency, or District has been found willing or able to provide such services to said lands, and

WHEREAS, the proposed formation has been analyzed in terms of each factor required in LAFCO's Standards and Procedures and Section 56841 of the Government Code; and

WHEREAS, a written Report of the Executive Officer required by Section 56833 of the Government Code analyzing each factor and standard has been submitted to the Commission.

NOW, THEREFORE, BE IT RESOLVED, that the Solano County Local Agency Formation Commission makes the following findings on the degree of compliance or non-compliance with each of its Standards:

STANDARD NO. 1: CONSISTENCY WITH SPHERE OF INFLUENCE:

FINDING: No inconsistency would be created by incorporating selected parcels currently located within SID's Sphere of Influence into the proposed CSD in order to obtain potable water, while leaving them within SID's Sphere of Influence for purposes of obtaining irrigation water. Adoption of a Sphere of Influence for the proposed CSD concurrently with its formation will fully meet the requirements of Standard No. 1.

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

FINDING: This standard is not applicable to the formation of Districts.

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

FINDING: This standard is not applicable to the formation of Districts.

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

FINDING: The proposed formation of a water District is consistent with the

County General Plan.

STANDARD NO. 5: REQUIREMENT FOR PRE-APPROVAL

FINDING: Since this application is not an application for annexation, this standard is not applicable. Any future petitions for annexation to the CSD, once formed, will require a "will serve" letter from the CSD indicating its ability to serve the proposed development.

STANDARD NO. 6: EFFECT ON NATURAL RESOURCES

FINDING: A Negative Declaration has been prepared and circulated for the proposed project. The document complies with the LAFCO Environmental Guidelines for the implementation of CEQA and a Negative Declaration will be adopted.

DISCRETIONARY STANDARDS

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

FINDING: The proposed annexation as amended herein by the Commission meets the requirements and intent of Standard No. 7 by avoiding irregularities and the overlapping of established boundaries.

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

FINDING: Given the existing marginal ground water within the area proposed to be served by the CSD, there is a need for a public water system to serve the existing development and development projected under the Solano County General Plan.

STANDARD NO. 9: PROTECTION OF PRIME AGRICULTURAL LAND

FINDING: Formation of the proposed District will facilitate development of rural residential land uses consistent with the Solano County General Plan which directs rural residential development to non-prime agricultural land, but will not facilitate any resubdivision of agricultural lands not otherwise envisioned or anticipated by the General Plan.

STANDARD NO. 10: PROVISION AND COST OF SERVICES

FINDING: The proposed annexation complies with Standard No. 10 since:

- a. its inclusion of the mitigation measures recommended by SWA's "North Central Solano County Groundwater Resources Report" into the project description will ensure that the water supply available to the CSD will be adequate to serve demand in its projected service area, and
- b. its economic feasibility has been demonstrated by the analysis contained in staff's *Update on Formation of a Community Services District (CSD) for Development of a Public Water System in the Rural North Vacaville Area*, the analysis contained in the DeWante and Stowell Report (November 1,

1991) for the Steiger Hill group, and the analysis prepared by the California Water Service Company (1995).

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

FINDING: The proposed annexation complies with Standard No. 11 because the positive social and economic benefits as demonstrated by the proponents outweigh any adverse impacts of the project.

BE IT FURTHER RESOLVED, by the Local Agency Formation Commission of Solano County that, based on our analysis and review of the Factors to be Considered, the Executive Officer's Report, public testimony and other evidence, the proponents of the Rural North Vacaville Water District have fully complied with each Standard.

I, **BIRGITTA CORSELLO**, Interim 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 thereof held January 8, 1996, by the following vote:

EXHIBIT "A"

AYES:	COMMISSIONERS:	<u>Rubier, Spering, Carroll, Thomson,</u> <u>Chairman Hamel</u>
NOES:	COMMISSIONERS:	<u>None</u>
ABSENT:	COMMISSIONERS:	<u>None</u>
ABSTAINED:	COMMISSIONERS:	<u>None</u>

WITNESS my hand for the said Local Agency Formation Commission on this 8th day of January, 1996.

Birgitta CORSELLO, Interim Executive Officer
Local Agency Formation Commission

By Bobbi Farrion
Bobbi Farrion, LAFCO Secretary

RESOLUTION NO. 96-2
RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION
OF SOLANO COUNTY APPROVING THE FORMATION OF
THE RURAL NORTH VACAVILLE WATER DISTRICT
(TRISH LANDIS, RAY SILVA, CLIF POOLE PROPONENTS)

WHEREAS, a petition duly executed requesting formation of a Community Services District to be known as the Rural North Vacaville Water District 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 formation of the Water District are definite and certain; and

WHEREAS, this matter was noticed for public hearing on January 8, 1996 at 10:00 a.m. at which time a full and impartial public hearing was held; and

WHEREAS, this Commission has reviewed and considered the Negative Declaration of Environmental Impact which covers the potentially significant environmental impacts that could result from this application, and the Commission finds that this document meets the requirements of CEQA for the Commission's consideration of this amendment; 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 making findings regarding the degree of compliance of the Formation of the Rural North Vacaville Water

District with LAFCO's Standards and the Factors to be Considered under Government Code Section 56841.

WHEREAS, the Solano County Board of Supervisors has indicated that the initial Board of Directors of the District, once formed, will consist of the five members of the Board of Supervisors, and that an election will be held one year after water deliveries have commenced in order to determine whether the Board of Supervisors should continue as the Governing Board for the District, or whether an independent Board should be established with Board members elected from within the District.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Local Agency Formation Commission of Solano County that a Negative Declaration is hereby adopted as being adequate for this District formation, needing no supplementation and satisfying the requirements of CEQA.

BE IT FURTHER RESOLVED AND ORDERED that the formation of the Community Services District, described in Exhibit "A" attached hereto and made a part hereof as though recited verbatim and at length, is approved upon the following conditions:

1. That the District shall be known as the Rural North Vacaville Water District.
2. That the District shall be formed for the purpose of providing potable water (home and garden) and water for fire suppression service only.
3. That any fire suppression facilities and improvements shall meet the standards of the Vacaville Fire Protection District.
4. That the County of Solano Board of Supervisors be designated as con-

ducting authority and shall hold a public hearing and proceed under Section 57000 et seq. of the Government Code.

5. That the initial Board of Directors shall be composed of five members who shall be appointed by the Board of Supervisors.
6. That a new well be constructed by the District in conformance with the following criteria:
 - a. That the well be located outside of the area identified in Figure 21 of the Draft English Hills Specific Plan where well failures are likely.
 - b. That the well penetrate the deep aquifer of the Tehama formation as the source of water.
 - c. That the well be sealed from shallower aquifers which may be utilized by private wells on adjoining properties.
 - d. That the well be spaced a minimum of 1,000 ft. from any other deep water well.
 - e. That the District, when formed, will enter into a Memorandum of Understanding with the City of Dixon, City of Vacaville and Solano Irrigation District to implement monitoring and staged mitigation of pumping for the groundwater resources of North Central Solano County based on the following principles:

- 1) A five year monitoring period would be conducted to establish baseline information on the aquifer.
 - 2) A two year cautionary period with voluntary cutbacks in pumping would be established if it appears that safe yields are being exceeded.
 - 3) If safe yield is not achieved during the cautionary period, defined cutback levels in pumping would be imposed until safe yield is again achieved.
7. It is hereby amended to include the Reynold's Property, APN's 105-200-160 and 105-210-040 and Stocking Property, APN's 123-040-07, 105-200-140 and 105-200-150 into the Rural North Vacaville Water District.
 8. That the effective date of the Formation of the District shall be the date of recordation of the Certificate of Completion.

I, **BIRGITTA CORSELLO**, Interim 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 thereof held January 8, 1996, by the following vote:

AYES:	COMMISSIONERS:	<u>Rubier, Spering, Carroll, Thomson,</u> <u>Chairman Hamel</u>
NOES:	COMMISSIONERS:	<u>None</u>

ABSENT: COMMISSIONERS: None
ABSTAINED: COMMISSIONERS: None

WITNESS my hand for the said Local Agency Formation Commission on this 8th day of January, 1996.

BIRGITTA CORSELLO, Interim Executive Officer
Local Agency Formation Commission

By Bobbi Farrior
Bobbi Farrior, LAFCO Secretary