

RESOLUTION NO. 1420

**SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION
CONDUCTING AUTHORITY**

**RESOLUTION ORDERING THE TRACY VILLAGE REORGANIZATION TO THE CITY
OF TRACY SUBJECT TO CONFIRMATION BY THE REGISTERED VOTERS
(LAFC 24-19)**

WHEREAS, the San Joaquin Local Agency Formation Commission (LAFCo) on October 10, 2019 approved LAFCo Resolution No. 1417 approving the Tracy Village Reorganization to the City of Tracy with concurrent detachment from Tracy Rural Fire District and the San Joaquin County Resource Conservation District;

WHEREAS, the change of organization consisted of the annexation of 180 acres to the City of Tracy;

WHEREAS, the affected boundaries of the annexation are described in Exhibit A of LAFCo Resolution No. 1417;

WHEREAS, the Commission did set forth the reasons for approval of the reorganization, made determinations, including those required by the California Environmental Quality Act (CEQA), and approved terms and conditions for the annexation described in LAFCo Resolution No. 1417, attached hereto and by this reference incorporated herein;

WHEREAS, the Tracy Village Reorganization is inhabited and did not have 100% owner-consent;

WHEREAS, the Commission directed the Executive Officer, pursuant to Government Code Section 56881(d), to initiate protest proceedings pursuant to Part 4 of Government Code commencing with Section 57000;

WHEREAS, the Executive Officer set the proposal for protest hearing on November 14, 2019 at the hour of 9:30 a.m., at Tracy City Hall, Room 203, 333 Civic Center Drive, Tracy;

WHEREAS, notice, in the form and manner required by law, has been given for the conducting authority proceedings by the Executive Officer, pursuant to Government Code Section 57025;

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer has conducted the public hearing for the purpose of receiving written protests;

WHEREAS, the conducting authority proceeding hearing was conducted on November 14, 2019;

WHEREAS, written protests were received from 47.5% of the registered voters residing within the affected territory and one written protest was submitted by a landowner;

WHEREAS, a resolution ordering the change of organization subject to confirmation by registered voters is required pursuant to Part 4 of the Cortese Knox Hertzberg Local Government Reorganization Act of 2000 commencing with Section 57000 of the Government Code.

NOW, THEREFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION HEREBY RESOLVES, DETERMINES, AND ORDERS as follows:

1. The subject annexation is hereby ordered subject to confirmation by the registered voters pursuant to Government Code Section 57075(a)(2).
2. The established boundaries of the annexation are those set forth in Exhibit A of LAFCo Resolution No. 1417.
3. The territory is within the Sphere of Influence of the City of Tracy.
4. The reason for the change of organization is to extend municipal services to the annexed territory.
5. The regular county assessment roll will be utilized.
6. The affected territory will not be taxed for existing general bonded indebtedness for the City of Tracy.
7. Directs the Executive Officer to inform the San Joaquin County Board of Supervisors of the order of the annexation subject to confirmation by the registered voters being ordered under this resolution and request that the Board of Supervisors direct the elections official to conduct the necessary election as required by Government Code Section 57000(d).
8. Directs that the election be conducted within the territory to be annexed as permitted under Government Code Section 57118(d).
9. Directs the Executive Officer to conduct any and all actions necessary or required for this process.

PASSED AND ADOPTED this 12th day of December 2019 by the following vote:

AYES: Commissioners Andrade, Krumeich, Patti, Villapudua, and Chairman Johnson

NOES:

ABSENT: None

A handwritten signature in black ink, appearing to read "Peter M. Johnson", written over a horizontal line.

PETER M. JOHNSON, CHAIRMAN
San Joaquin Local Agency
Formation Commission

RESOLUTION NO. 1417

**BEFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION
APPROVING THE TRACY VILLAGE REORGANIZATION TO THE CITY OF
TRACY WITH CONCURRENT DETACHMENTS FROM TRACY RURAL FIRE
PROTECTION DISTRICT AND THE SAN JOAQUIN COUNTY RESOURCE
CONSERVATION DISTRICT (LAFC 24-19)**

WHEREAS, the above entitled proposal was initiated by resolution by the City of Tracy and on September 10, 2019 the Executive Officer certified the application filed for processing in accordance with the Local Government Reorganization Act of 2000; and

WHEREAS, the Commission held a public hearing on the proposed reorganization on October 10, 2019 in the Board of Supervisors Chambers, 44 North San Joaquin Street, 6th Floor, Stockton, CA, pursuant to notice of hearing which was published, posted, and mailed in accordance with State law; and

WHEREAS, at said hearing the Commission heard and received evidence, both oral and written regarding the proposal, and all persons present were given an opportunity to be heard; and

WHEREAS, the City of Tracy certified and adopted an Environmental Impact Report (State Clearinghouse No. 2016112016) and approved Mitigation Measures/Monitoring and Reporting Program for the Tracy Village Development Project;

WHEREAS, the subject territory is inhabited and does not have 100% owner consent;

WHEREAS, the Commission has, in evaluating the proposal considered the report submitted by the Executive officer, the factors set forth in Section 56668 of the California Government Code and testimony and evidence presented at the public hearing held on October 10, 2019;

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

Section 1. Certifies that, as a Responsible Agency, the Commission has independently reviewed and considered the Tracy Village Environmental Impact Report (State Clearinghouse No 2016112016) and adopts the CEQA Mitigation Measures/Monitoring and Reporting Program as certified by the City of Tracy.

Section 2. Finds that the proposal is inhabited and does not have 100% owner consent.

Section 3. Finds that written protests were received by landowners or registered voters within the project area by the conclusion of the hearing; and therefore, directs the

Executive Officer to conduct protest proceedings pursuant to Chapter 4 (commencing with Section 56065 of Part 4 of the Government Code;

Section 4. Approves the annexation of the Tracy Village Reorganization to the City of Tracy with concurrent detachments from the Tracy Rural Fire Protection District and the San Joaquin County Resource Conservation District with the boundary attached hereto as Exhibit A.

Section 5. Finds, pursuant to Government Code Section 56856.5, the reorganization is necessary to provide services to planned, well-ordered, and efficient urban development patterns that include appropriated consideration of the reservation of open-space lands within those urban development patterns.

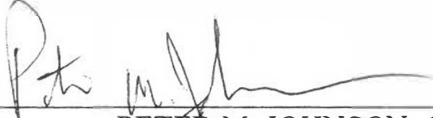
Section 6. Finds, that Tracy Rural Fire District has not demonstrated that the action will negatively impact the special district's budget or services or require the continuation of services without the provision of adequate funding.

PASSED AND ADOPTED this 10th day of October 2019 by the following roll call vote:

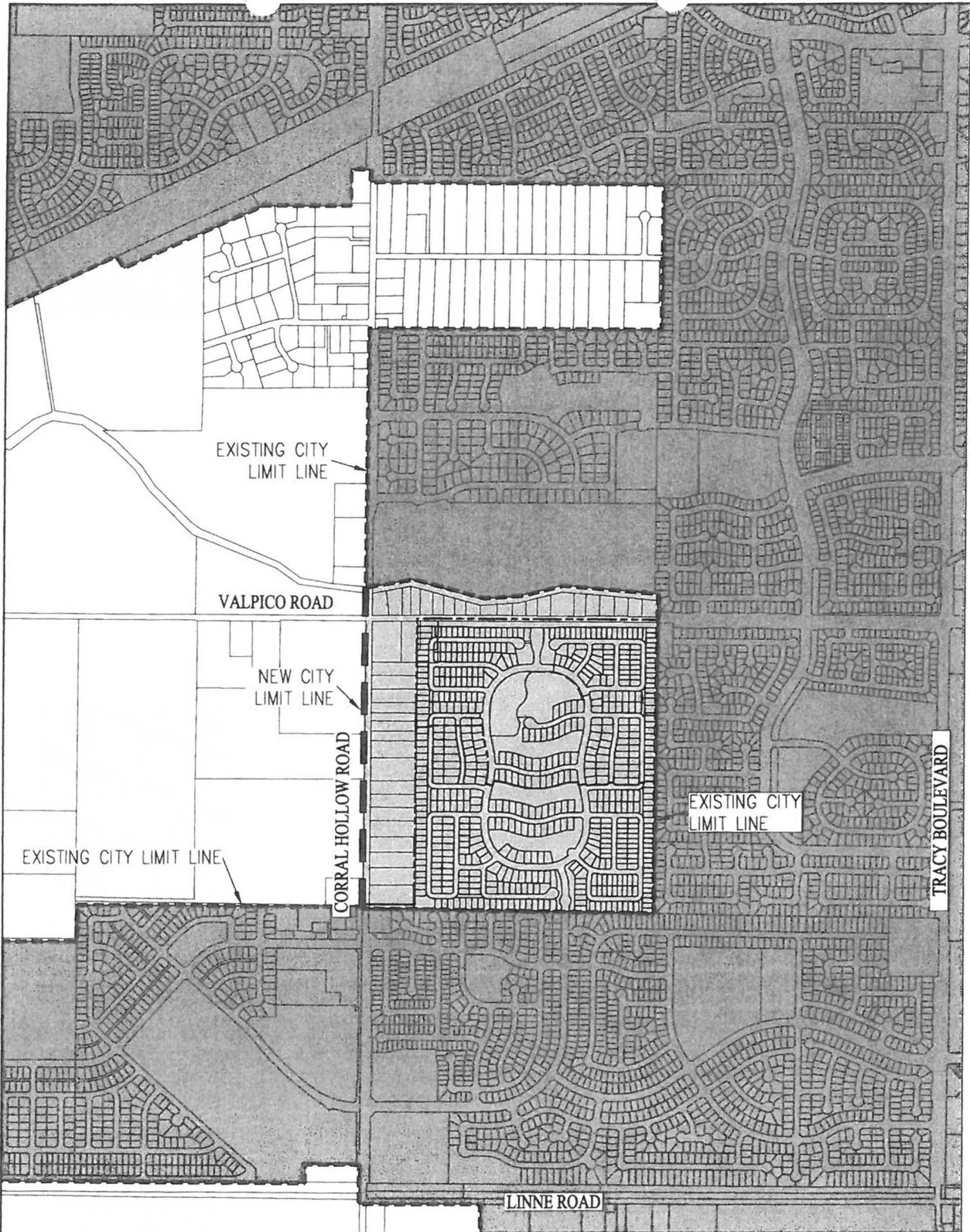
AYES: Commissioners Andrade, Krumeich, Patti, Villafudua, and Chairman Johnson

NOES:






ABSENT: None



PETER M. JOHNSON, CHAIRMAN
San Joaquin Local Agency Formation Commission

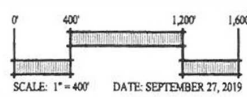


LEGEND


-  NEW CITY LIMIT LINE
-  EXISTING CITY LIMIT LINE
-  TRACY VILLAGE BOUNDARY LINE
-  ANNEXATION AREA
-  CITY LIMITS

**TRACY VILLAGE ANNEXATION
VICINITY MAP**

SAN JOAQUIN COUNTY CALIFORNIA



DATE: SEPTEMBER 27, 2019

 **Carlson, Barbee & Gibson, Inc.**
 CIVIL ENGINEERS SURVEYORS PLANNERS
 www.cbginc.com

SAN FRANCISCO, CALIFORNIA 415.777.0222
 SACRAMENTO, CALIFORNIA 916.275.1477