

YOLO LOCAL AGENCY FORMATION COMMISSION

Regular Meeting AGENDA

April 25, 2019 - 9:00 a.m.

BOARD OF SUPERVISORS CHAMBERS

625 COURT STREET, ROOM 206
WOODLAND, CALIFORNIA 95695

COMMISSIONERS

OLIN WOODS, CHAIR (PUBLIC MEMBER)
DON SAYLOR, VICE CHAIR (COUNTY MEMBER)
WILL ARNOLD (CITY MEMBER)
GARY SANDY (COUNTY MEMBER)
TOM STALLARD (CITY MEMBER)

ALTERNATE COMMISSIONERS

JIM PROVENZA (COUNTY MEMBER)
RICHARD DELIBERTY (PUBLIC MEMBER)
BABS SANDEEN (CITY MEMBER)

CHRISTINE CRAWFORD
EXECUTIVE OFFICER

ERIC MAY
COMMISSION COUNSEL

NOTICE:

This agenda has been posted at least five (5) calendar days prior to the meeting in a location freely accessible to members of the public, in accordance with the Brown Act and the Cortese-Knox-Hertzberg Act.

All persons are invited to testify and submit written comments to the Commission. If you challenge a LAFCo action in court, you may be limited to issues raised at the public hearing or submitted as written comments prior to the close of the public hearing. All written materials received by staff 72 hours before the hearing will be distributed to the Commission. If you wish to submit written material at the hearing, please supply 10 copies.

FPPC - Notice to All Parties and Participants in LAFCo Proceedings

All parties and participants on a matter to be heard by the Commission that have made campaign contributions totaling \$250 or more to any Commissioner in the past 12 months must disclose this fact, either orally or in writing, for the official record as required by Government Code Section 84308.

Contributions and expenditures for political purposes related to any proposal or proceedings before LAFCo are subject to the reporting requirements of the Political Reform Act and the

regulations of the Fair Political Practices Commission, and must be disclosed to the Commission prior to the hearing on the matter.

CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Public Comment: Opportunity for members of the public to address the Yolo County Local Agency Formation Commission (LAFCo) on subjects not otherwise on the agenda relating to LAFCo business. The Commission reserves the right to impose a reasonable limit on time afforded to any topic or to any individual speaker.

CONSENT AGENDA

4. Approve the LAFCo Meeting Minutes of March 28, 2019
5. Review and file Fiscal Year 2018/19 Third Quarter Financial Update
6. Correspondence

PUBLIC HEARINGS

7. Consider and adopt the proposed LAFCo Budget for fiscal year 2019/20 and set May 23, 2019 as the public hearing date to approve the final budget

REGULAR AGENDA

8. Consider the City of Davis annexation of the West Davis Active Adult Community Project (LAFCo No. 932), detaching the territory from the Springlake Fire Protection District, waiving Protest Proceedings and adopting Findings as a Responsible Agency for the Final Environmental Impact Report and Statement of Overriding Considerations pursuant to CEQA (California Environmental Quality Act) Guidelines Section 15096
9. Consider reappointment of Olin Woods as the Regular Public Member of the Yolo LAFCo to another term effective through May 2023
10. Elect a Chair and Vice Chair for the Commission to serve one-year terms, beginning May 23, 2019 and ending May 1, 2020

EXECUTIVE OFFICER'S REPORT

11. A report by the Executive Officer on recent events relevant to the Commission and an update of Yolo LAFCo staff activity for the month. The Commission or any individual Commissioner may request that action be taken on any item listed.
- CALAFCO Legislative Update
 - Long Range Planning Calendar
 - EO Activity Report - March 25 through April 19, 2019

COMMISSIONER REPORTS

12. Action items and reports from members of the Commission, including announcements, questions to be referred to staff, future agenda items, and reports on meetings and information which would be of interest to the Commission or the public.

ADJOURNMENT

13. Adjourn to the next Regular LAFCo Meeting on May 23, 2019.

I declare under penalty of perjury that the foregoing agenda was posted by 5:00 p.m. on Friday, April 19, 2019, at the following places:

- On the bulletin board at the east entrance of the Erwin W. Meier Administration Building, 625 Court Street, Woodland, California; and
- On the bulletin board outside the Board of Supervisors Chambers, Room 206 in the Erwin W. Meier Administration Building, 625 Court Street, Woodland, California.
- On the bulletin board outside the LAFCo office, Suite 107, in the Erwin W. Meier Administration Building, 625 Court Street, Woodland, California.
- On the LAFCo website at: www.yololafco.org.

ATTEST:
Terri Tuck, Clerk
Yolo County LAFCo

NOTICE

If requested, this agenda can be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 and the Federal Rules and Regulations adopted in implementation thereof. Persons seeking an alternative format should contact the Commission Clerk for further information. In addition, a person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting should telephone or otherwise contact the Commission Clerk as soon as possible and at least 24 hours prior to the meeting. The Commission Clerk may be reached at (530) 666-8048 or at the following address:

Yolo County LAFCo
625 Court Street, Room 107
Woodland, CA 95695



Consent 4.

LAFCO

Meeting Date: 04/25/2019

Information

SUBJECT

Approve the LAFCo Meeting Minutes of March 28, 2019

RECOMMENDED ACTION

Approve the LAFCo Meeting Minutes of March 28, 2019.

Attachments

Draft LAFCo Minutes 03.28.19

Form Review

Form Started By: Terri Tuck
Final Approval Date: 04/16/2019

Started On: 04/16/2019 10:45 AM

YOLO LOCAL AGENCY FORMATION COMMISSION

MEETING MINUTES

March 28, 2019

The Yolo Local Agency Formation Commission met on the 28th day of March 2019, at 9:00 a.m. in the Yolo County Board of Supervisors Chambers, 625 Court Street, Room 206, Woodland CA. Voting members present were Chair and Public Member Olin Woods, County Members Don Saylor and Gary Sandy, and City Members Will Arnold and alternate (A) Babs Sandeen. Voting member absent was City Member Tom Stallard. Others present were Executive Officer Christine Crawford, Clerk Terri Tuck, Analyst Mark Krummenacker and Counsel Eric May.

CALL TO ORDER

Chair Woods called the Meeting to order at 9:00 a.m.

Item № 1 Pledge

Babs Sandeen (A) led the Pledge of Allegiance.

Item № 2 Roll Call

PRESENT: Arnold, Sandeen (A), Sandy, Saylor, Woods ABSENT: Stallard

Item № 3 Public Comments

None

CONSENT

Item № 4 Approve both the LAFCo Meeting Minutes and LAFCo Special Meeting Minutes of January 24, 2019

Item № 5 Consider the Executive Officer Telecommuting Application and Telecommuter's Terms and Conditions in accordance with the proposal to work remotely approved by LAFCo on December 6, 2018

Item № 6 Correspondence

Minute Order 2019-13: All recommended actions on Consent were approved.

Approved by the following vote:

MOTION: Sandy SECOND: Arnold

AYES: Arnold, Sandeen (A), Sandy, Saylor, Woods

NOES: None

ABSTAIN: None

ABSENT: None

PUBLIC HEARING**Item № 7 Public Hearing to consider and adopt Resolution 2019-02 approving the Esparto Community Services District (CSD) Sphere of Influence Amendment and Annexation for the Esparto Recreation Center (LAFCo No. 931), adopting findings as a Responsible Agency under CEQA and waiving the protest proceedings, subject to findings and conditions contained in the staff report**

After an overview report by staff, the Chair opened the Public Hearing. There were no comments and the Public Hearing was closed.

Minute Order 2019-14: The recommended action was approved and **Resolution 2019-02** was adopted, subject to the findings and conditions contained in the resolution.

Approved by the following vote:

MOTION: Arnold
 SECOND: Saylor
 AYES: Arnold, Sandeen (A), Sandy, Saylor, Woods
 NOES: None
 ABSTAIN: None
 ABSENT: None

Item № 8 Consider approval of Resolution 2019-03 adopting the Joint Powers Authority (JPA) Service Review for the Yolo Emergency Communications Agency (YECA) (LAFCo No. S-050)

After an overview report by staff, the Chair opened the Public Hearing. Comments were made by Dena Humphrey, YECA Executive Director. The Public Hearing was closed.

Minute Order 2019-15: A motion was made by Chair Woods and seconded by Gary Sandy to have the item brought back next month for approval, directing staff to make the following modifications to the service review:

- Add a recommendation for YECA to consider relocating its board meetings to a more publicly accessible location; and,
- Amend the language under the Shared Services determination to suggest that agencies stay open to any future opportunities for collaboration and shared technology and/or dispatch services that would improve public service; and,
- Amend the recommendation regarding YECA board composition to add that the board should contain at least one elected official; and,
- Directed staff to transmit the YECA Service Review from Chair Woods to each elected official of the member agencies.

After some discussion, Chair Woods amended the motion to adopt the YECA Service Review without bringing it back in April, directing staff to make the above changes to the service review, as specified above. Additionally, the Chair was authorized to sign **Resolution 2019-03**, subject to the findings and recommendations contained in the resolution.

Approved by the following vote:

MOTION: Woods SECOND: Sandeen (A)
AYES: Arnold, Sandeen (A), Sandy, Saylor, Woods
NOES: None
ABSTAIN: None
ABSENT: None

REGULAR

Item № 9 Consider and adopt the LAFCo Annual Work Plan for fiscal year 2019/20

Minute Order 2019-16: The recommended action was approved.

Approved by the following vote:

MOTION: Sandeen (A) SECOND: Arnold
AYES: Arnold, Sandeen (A), Sandy, Saylor, Woods
NOES: None
ABSTAIN: None
ABSENT: None

Item № 10 Select ad hoc Legislative Subcommittee member to replace former County Member Matt Rexroad

Minute Order 2019-17: The recommended action was approved and Don Saylor was appointed.

Approved by the following vote:

MOTION: Woods SECOND: Arnold
AYES: Arnold, Sandeen (A), Sandy, Saylor, Woods
NOES: None
ABSTAIN: None
ABSENT: None

Item № 11 Executive Officer's Report

The Commission was given written reports of the Executive Officer's activities for the period of January 22, 2019 through March 22, 2019, and was verbally updated on recent events relevant to the Commission.

Staff noted that there were significant proposals coming to future meetings, as noted in the Long Range Planning Calendar. The Commission was informed that an annexation to the City of Davis would be on next month's agenda. Additionally, staff indicated that the four upcoming reclamation district proposals, regarding Reclamation Districts 537, 785, 827, and 900, will be coming to the Commission at the May or June meeting. Staff noted that these hearings will be located in the City of West Sacramento to facilitate public input and staff suggested the Commission be prepared for the meeting to be longer than normal, perhaps up to three hours.

Commissioner Saylor noted that Yolo County and the City of Davis have both adopted a tax-sharing agreement for the upcoming annexation to the City of Davis. Additionally, he stated that there has been a memorandum of understanding (MOU) executed between

the developer of the property and Yolo County and does not anticipate any opposition from the County on this annexation.

Commissioner Arnold noted that, for reasons that have nothing to do with legal conflicts of interest, he will be recusing himself from the official action on the City of Davis annexation, out of consistency, as he also recused himself from taking official action as a Davis City Councilmember.

Item № 12 Commissioner Reports

There were no reports.

Item № 13 Adjournment

Minute Order 2019-18: By order of the Chair, the meeting was adjourned at 10:23a.m. to the next Regular LAFCo Meeting on April 25, 2019.

Olin Woods, Chair
Local Agency Formation Commission
County of Yolo, State of California

ATTEST:

Terri Tuck
Clerk to the Commission

LAFCO

Meeting Date: 04/25/2019

Information

SUBJECT

Review and file Fiscal Year 2018/19 Third Quarter Financial Update

RECOMMENDED ACTION

Review and file Fiscal Year 2018/19 Third Quarter Financial Update.

FISCAL IMPACT

None.

REASONS FOR RECOMMENDED ACTION

The intent of the quarterly financial report is to provide the Commission with an update on how LAFCo performed financially in the previous quarter as compared to the adopted budget and to discuss any issues as appropriate. The practice was recommended during a previous audit as an additional safeguard to ensure sound financial management, given the small size of the LAFCo staff. In accordance with LAFCo Administrative Policies and Procedures, the Commission adopts the final budget and is authorized to make adjustments as appropriate.

BACKGROUND

The LAFCo FY 2018/19 budget was adopted on May 24, 2018. During the first three quarters of the year, LAFCo has remained on track with regards to both revenue and expenditures.

Revenues

By the end of the third quarter of FY 2018/19, LAFCo had received 103.40% (\$453,834), exceeding expected revenues of \$438,925. LAFCo had received 264.62% (\$3,969.30) in investment earnings. LAFCo's most significant revenue source comes from local government agency payments. By the close of the second quarter LAFCo had received 100% (\$433,425) of its funds from the agencies.

Other revenue received during the first three quarters of the year included LAFCo total deposit fees of 411% (\$16,440.04) which is more than four times the \$4,000 that was budgeted. A total of \$3,840.04 in deposit fees were collected during the third quarter. Those fees are from the following LAFCo proposals; the remaining balance of \$1,710.29 for the City of Woodland West Main Street Area Detachment from Willow Oak FPD (LAFCo No. 924), and \$2,100 for the West Davis Active Adult Community Annexation (WDAAC) to the City of Davis (LAFCo No. 932). LAFCo also received \$29.75 for fees related to a Public Records Request.

Expenditures

During the first three quarters of FY 2018/19, LAFCo expended a total of 58.09% (\$274,958) of its annual budgeted costs of \$473,314.

Salary and Employee Benefits

In the third quarter LAFCo expended \$80,233.26 of its Salary and Benefits appropriation. Year to date, LAFCo has expended 69.12% (\$241,375.16) of its annual budgeted costs of \$349, 232 and remains on track for the first three quarters of the fiscal year.

Services and Supplies

In the third quarter LAFCo expended \$7,753.90 of its Services and Supplies appropriation. Year to date, LAFCo has expended 32.54% (\$32,732.97) of its annual budgeted costs of \$100,583.

Other Charges and Other Financing Uses

Year to date, LAFCo has expended 85% (\$850) of its Other Charges appropriation of \$1,000. This budget is used to pay other agency fees in processing LAFCo proposals and the fees are reimbursed by the applicant. LAFCo has not used any of its appropriation for contingencies.

Attached Budget Reports

The Budget Status Summary (Attachment A) is a one-page easy to read summary of the budget. The Income Statement Report (Attachment B) shows the amount expended for the quarter, the year to date amount and budget and the percentage of budget used. The General Ledger Report (Attachment C) shows a running balance of all transactions, including both revenue and expenditure amounts.

Attachments

[ATT A-FY18/19 3rd QTR Budget Status Summary](#)

[ATT B-3rd QTR Income Statement](#)

[ATT C-3rd QTR General Ledger](#)

Form Review

Inbox

Christine Crawford
Form Started By: Terri Tuck
Final Approval Date: 04/17/2019

Reviewed By

Christine Crawford

Date

04/17/2019 09:55 AM
Started On: 04/16/2019 11:07 AM

LAFCO BUDGET - 3rd QUARTER BUDGET STATUS SUMMARY

FISCAL YEAR 2018/19

Account #	Account Name	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Year to Date	FY 18/19 Budget	% Budget
REVENUES								
400700	INVESTMENT EARNINGS-POOL	\$0.00	\$1,653.50	\$2,315.80		\$3,969.30	\$ 1,500	264.62%
402010	OTHER GOVT AGENCY-COUNTY	\$216,713.00	\$0.00	\$0.00		\$216,713.00	\$ 216,713	100%
402030	OTHER GOVT AGENCY-WEST SACRAMENTO	\$69,885.00	\$0.00	\$0.00		\$69,885.00	\$ 69,885	100%
402040	OTHER GOVT AGENCY-WOODLAND	\$63,758.00	\$0.00	\$0.00		\$63,758.00	\$ 63,758	100%
402050	OTHER GOVT AGENCY-WINTERS	\$7,078.00	\$0.00	\$0.00		\$7,078.00	\$ 7,078	100%
402060	OTHER GOVT AGENCY-DAVIS	\$0.00	\$75,991.00	\$0.00		\$75,991.00	\$ 75,991	100%
403460	OTH CHRG FR SVC-LAFCO FEES	\$8,400.00	\$4,200.00	\$3,840.04		\$16,440.04	\$ 4,000	411.00%
	UNUSED FUND BALANCE FROM PREVIOUS FY						\$ 34,388	
	TOTAL AGENCY COST						\$ 433,425	
	TOTAL OTHER LISTED SOURCES						\$ 39,888	
	TOTAL FINANCING SOURCES	\$ 365,834	\$ 81,845	\$ 6,156	\$ -	\$ 453,834	\$ 438,925	103.40%

LAFCO BUDGET - 3rd QUARTER BUDGET STATUS SUMMARY

FISCAL YEAR 2018/19

Account #	Account Name	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Year to Date	FY 18/19 Budget	% Budget
SALARIES AND BENEFITS								
500100	REGULAR EMPLOYEES	\$40,076.58	\$55,371.42	\$45,898.80		\$141,346.80	\$ 201,567	70.12%
500110	EXTRA HELP	\$1,680.00	\$3,460.00	\$3,510.00		\$8,650.00	\$ 20,000	43.25%
500310	RETIREMENT (CALPERS)	\$10,485.59	\$14,491.29	\$12,010.89		\$36,987.77	\$ 50,904	72.66%
500320	OASDI	\$2,650.10	\$3,717.88	\$3,196.59		\$9,564.57	\$ 13,360	71.59%
500330	FICA/MEDICARE TAX	\$619.77	\$869.51	\$747.60		\$2,236.88	\$ 3,516	63.62%
500340	HEALTH INSURANCE (Life Insurance/EAP)	\$33.00	\$39.00	\$36.00		\$108.00	\$ -	0.00%
500360	OPEB - RETIREE HEALTH INSURANCE	\$3,195.12	\$4,415.75	\$3,659.92		\$11,270.79	\$ 18,141	62.13%
500380	UNEMPLOYMENT INSURANCE	\$0.00	\$0.00	\$0.00		\$0.00	\$ 350	0.00%
500390	WORKERS' COMPENSATION INSURANCE	\$441.93	\$0.00	\$0.00		\$441.93	\$ 500	88.39%
500400	OTHER EMPLOYEE BENEFITS	\$9,371.50	\$10,223.46	\$11,173.46		\$30,768.42	\$ 40,894	75.24%
	TOTAL SALARY & BENEFITS	\$68,553.59	\$92,588.31	\$80,233.26	\$0.00	\$241,375.16	\$ 349,232	69.12%
SERVICES AND SUPPLIES								
501020	COMMUNICATIONS	\$278.47	\$392.73	\$408.56		\$1,079.76	\$ 2,500	43.19%
501030	FOOD	\$83.91	\$84.95	\$100.65		\$269.51	\$ 350	77.00%
501051	INSURANCE-PUBLIC LIABILITY	\$500.00	\$0.00	\$0.00		\$500.00	\$ 500	100.00%
501070	MAINTENANCE-EQUIPMENT	\$0.00	\$152.95	\$121.85		\$274.80	\$ 750	36.64%
501071	MAINTENANCE-BLDG IMPROVEMENT	\$0.00	\$450.00	\$18.75		\$468.75	\$ -	0.00%
501090	MEMBERSHIPS	\$2,805.00	\$0.00	\$0.00		\$2,805.00	\$ 3,600	77.92%
501100	MISCELLANEOUS EXPENSE	\$0.00	\$0.00	\$0.00		\$0.00	\$ 250	0.00%
501110	OFFICE EXPENSE	\$155.85	\$296.42	\$261.08		\$713.35	\$ 1,250	57.07%
501111	OFFICE EXP-POSTAGE	\$60.00	\$236.49	\$29.00		\$325.49	\$ 250	130.20%
501112	OFFICE EXP-PRINTING	\$0.00	\$0.00	\$0.00		\$0.00	\$ 800	0.00%
501125	IT SERVICES-DPT SYS MAINT (Dept System Maint.)	\$0.00	\$168.00	\$0.00		\$168.00	\$ 2,000	8.40%
501126	IT SERVICES-ERP (Enterprise/Resource/Planning)	\$719.69	\$719.69	\$719.69		\$2,159.07	\$ 2,879	74.99%
501127	IT SERVICES-CONNECTIVITY	\$708.76	\$1,506.11	\$708.75		\$2,923.62	\$ 3,629	80.56%
501151	PROF & SPEC SVC-AUDITG & ACCTG	\$0.00	\$8,215.00	\$0.00		\$8,215.00	\$ 15,000	54.77%
501152	PROF & SPEC SVC-INFO TECH SVC	\$300.00	\$0.00	\$0.00		\$300.00	\$ 1,300	23.08%
501156	PROF & SPEC SVC-LEGAL SVC	\$0.00	\$0.00	\$3,800.00		\$3,800.00	\$ 7,000	54.29%
501165	PROF & SPEC SVC-OTHER	\$225.00	\$225.00	\$225.00		\$675.00	\$ 40,000	1.69%
501180	PUBLICATIONS AND LEGAL NOTICES	\$63.00	\$344.26	\$105.22		\$512.48	\$ 1,500	34.17%
501190	RENTS AND LEASES - EQUIPMENT	(\$674.54)	\$2,624.79	\$20.00		\$1,970.25	\$ 2,000	98.51%
501192	RENTS & LEASES-RECRDS STRGE (Archives)	\$0.00	\$0.00	\$0.00		\$0.00	\$ 925	0.00%
501205	TRAINING	\$2,850.00	(\$520.00)	\$930.00		\$3,260.00	\$ 4,200	77.62%
501210	MINOR EQUIPMENT (COMPUTERS)	\$0.00	\$0.00	\$0.00		\$0.00	\$ 1,400	0.00%
501250	TRANSPORTATION AND TRAVEL	(\$358.20)	\$2,365.74	\$305.35		\$2,312.89	\$ 8,500	27.21%
	TOTAL SERVICES & SUPPLIES	\$7,716.94	\$17,262.13	\$7,753.90	\$0.00	\$32,732.97	\$ 100,583	32.54%
OTHER CHARGES								
502201	PAYMENTS TO OTHER GOV INSTITUTIONS	\$50.00	\$800.00	\$0.00		\$850.00	\$ 1,000	85.00%
	TOTAL OTHER CHARGES	\$50.00	\$800.00	\$0.00	\$0.00	\$850.00	\$ 1,000	85.00%
OTHER FINANCING USES								
503300	APPROP FOR CONTINGENCY	\$0.00	\$0.00	\$0.00		\$0.00	\$ 22,500	0.00%
	TOTAL APPROPRIATIONS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$ 22,500	0.00%
	TOTAL EXPENDITURES	\$ 76,321	\$ 110,650	\$ 87,987	\$ -	\$ 274,958	\$ 473,315	58.09%

Income Statement

GL293 Date 04/16/19
Time 09:30

Company 1000 - YOLO COUNTY
Income Statement
For Period 7 Through 9 Ending March 31, 2019

USD

Item 5-ATT B Page 1

Fiscal Year 2019 Budget 1

Account Nbr	Description	Period Amount	Period Budget	Pct Of Budget	Year To Date Amount	Year To Date Budget	Pct Of Budget
6940	6940 LOCAL AGENCY FORMATION COMM						
NETFUND/POST	NET FUND BALANCE						
REVENUES	REVENUES						
REVUSEMONEY	REVENUE FROM USE OF MONEY AND						
400700-0000	INVESTMENT EARNINGS-POOL	2,315.80-	0.00	0.00	3,969.30-	1,500.00-	264.62
	Total REVENUE FROM USE OF MONE	2,315.80-	0.00	0.00	3,969.30-	1,500.00-	264.62
INTGOVREVENU	INTERGOVERNMENTAL REVENUES						
OTHRGOVAGNCY	OTHER GOVERNMENTAL AGENCIES						
402010-0001	OTHR GOVT AGENCY-OTH CO-CITYS	0.00	0.00	0.00	216,713.00-	216,713.00-	100.00
402030-0001	OTHR GOVT AGENCY-WEST SAC	0.00	0.00	0.00	69,885.00-	69,885.00-	100.00
402040-0001	OTHR GOVT AGCY-WOODLAND	0.00	0.00	0.00	63,758.00-	63,758.00-	100.00
402050-0001	OTHR GOVT AGCY-WINTERS	0.00	0.00	0.00	7,078.00-	7,078.00-	100.00
402060-0001	OTHR GOVT AGCY-DAVIS	0.00	0.00	0.00	75,991.00-	75,991.00-	100.00
	Total OTHER GOVERNMENTAL AGENC	0.00	0.00	0.00	433,425.00-	433,425.00-	100.00
	Total INTERGOVERNMENTAL REVENU	0.00	0.00	0.00	433,425.00-	433,425.00-	100.00
CHG FOR SVCS	CHARGES FOR SERVICES						
403460-0000	OTH CHRG FR SVC-LAFCO FEE	3,840.04-	0.00	0.00	16,440.04-	4,000.00-	411.00
	Total CHARGES FOR SERVICES	3,840.04-	0.00	0.00	16,440.04-	4,000.00-	411.00
	Total REVENUES	6,155.84-	0.00	0.00	453,834.34-	438,925.00-	103.40
EXPENDITURES	EXPENDITURES						
SALARY&BEN	SALARIES AND EMPLOYEE BENEFITS						
SALARY&WAGES	SALARY AND WAGES						
500100-0000	REGULAR EMPLOYEES	45,898.80	0.00	0.00	141,346.80	201,567.00	70.12
500110-0000	EXTRA HELP	3,510.00	0.00	0.00	8,650.00	20,000.00	43.25
	Total SALARY AND WAGES	49,408.80	0.00	0.00	149,996.80	221,567.00	67.70
EMPBENEFITS	EMPLOYEE BENEFITS						
500310-0000	RETIREMENT	12,010.89	0.00	0.00	36,987.77	50,904.00	72.66
500320-0000	OASDI	3,196.59	0.00	0.00	9,564.57	13,360.00	71.59
500330-0000	FICA/MEDICARE	747.60	0.00	0.00	2,236.88	3,516.00	63.62
500340-0000	HEALTH INSURANCE	36.00	0.00	0.00	108.00	0.00	0.00
500360-0000	OPEB - RETIREE HEALTH INSURANC	3,659.92	0.00	0.00	11,270.79	18,141.00	62.13
500380-0000	UNEMPLOYMENT INSURANCE	0.00	0.00	0.00	0.00	350.00	0.00
500390-0000	WORKERS' COMP INSURANCE	0.00	0.00	0.00	441.93	500.00	88.39
500400-0000	OTHER EMPLOYEE BENEFITS	11,173.46	0.00	0.00	30,768.42	40,894.00	75.24
	Total EMPLOYEE BENEFITS	30,824.46	0.00	0.00	91,378.36	127,665.00	71.58
	Total SALARIES AND EMPLOYEE BE	80,233.26	0.00	0.00	241,375.16	349,232.00	69.12
SERVSUPPLIES	SERVICES AND SUPPLIES						
501020-0000	COMMUNICATIONS	408.56	0.00	0.00	1,079.76	2,500.00	43.19
501030-0000	FOOD	100.65	0.00	0.00	269.51	350.00	77.00
501051-0000	INSURANCE-PUBLIC LIABILITY	0.00	0.00	0.00	500.00	500.00	100.00
501070-0000	MAINTENANCE-EQUIPMENT	121.85	0.00	0.00	274.80	750.00	36.64
501071-0000	MAINTENANCE-BLDG IMPROVEMENT	18.75	0.00	0.00	468.75	0.00	0.00
501090-0000	MEMBERSHIPS	0.00	0.00	0.00	2,805.00	3,600.00	77.92
501100-0000	MISCELLANEOUS EXPENSE	0.00	0.00	0.00	0.00	250.00	0.00
501110-0000	OFFICE EXPENSE	261.08	0.00	0.00	713.35	1,250.00	57.07
501111-0000	OFFICE EXP-POSTAGE	29.00	0.00	0.00	325.49	250.00	130.20
501112-0000	OFFICE EXP-PRINTING	0.00	0.00	0.00	0.00	800.00	0.00
501125-0000	IT SERVICE-DPT SYS MAINT	0.00	0.00	0.00	168.00	2,000.00	8.40
501126-0000	IT SERVICE-ERP	719.69	0.00	0.00	2,159.07	2,879.00	74.99

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6940 6940 LOCAL AGENCY FORMATION COMM

Account Nbr	Description	Period Amount	Period Budget	Pct Of Budget	Year To Date Amount	Year To Date Budget	Pct Of Budget
SERVSUPPLIES	SERVICES AND SUPPLIES						
501127-0000	IT SERVICE-CONNECTIVITY	708.75	0.00	0.00	2,923.62	3,629.00	80.56
501151-0000	PROF & SPEC SVC-AUDITG & ACCTG	0.00	0.00	0.00	8,215.00	15,000.00	54.77
501152-0000	PROF & SPEC SVC-INFO TECH SVC	0.00	0.00	0.00	300.00	1,300.00	23.08
501156-0000	PROF & SPEC SVC-LEGAL SVC	3,800.00	0.00	0.00	3,800.00	7,000.00	54.29
501165-0000	PROF & SPEC SVC-OTHER	225.00	0.00	0.00	675.00	40,000.00	1.69
501180-0000	PUBLICATIONS AND LEGAL NOTICES	105.22	0.00	0.00	512.48	1,500.00	34.17
501190-0000	RENTS AND LEASES - EQUIPMENT	20.00	0.00	0.00	1,970.25	2,000.00	98.51
501192-0000	RENTS & LEASES-RECRDS STORAGE	0.00	0.00	0.00	0.00	925.00	0.00
501205-0000	TRAINING	930.00	0.00	0.00	3,260.00	4,200.00	77.62
501210-0000	MINOR EQUIPMENT	0.00	0.00	0.00	0.00	1,400.00	0.00
501250-0000	TRANSPORTATION AND TRAVEL	305.35	0.00	0.00	2,312.89	8,500.00	27.21
	Total SERVICES AND SUPPLIES	7,753.90	0.00	0.00	32,732.97	100,583.00	32.54
OTHERCHARGES	OTHER CHARGES						
502201-0000	PAYMENTS TO OTH GOV INSTITUTIO	0.00	0.00	0.00	850.00	1,000.00	85.00
	Total OTHER CHARGES	0.00	0.00	0.00	850.00	1,000.00	85.00
CONTINGENCY	APPROPRIATION FOR CONTINGENCIE						
503300-0000	APPROPRIATION FOR CONTINGENCY	0.00	0.00	0.00	0.00	22,500.00	0.00
	Total APPROPRIATION FOR CONTIN	0.00	0.00	0.00	0.00	22,500.00	0.00
	Total EXPENDITURES	87,987.16	0.00	0.00	274,958.13	473,315.00	58.09
	Total NET FUND BALANCE	81,831.32	0.00	0.00	178,876.21-	34,390.00	520.14-

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Accounting Unit 69405229816991 LOCAL AGENCY FORMATION COMM Resp Level 6940-0052-02981-6991

Posting	Sy	Pd	Journal/Seq	Inco	Transaction Desc	Activity	Catg	Debit	Credit	Balance
			Account	400700-0000	INVESTMENT EARNINGS-POOL				Begin Balance	1,653.50-
02/01/19	GL	08 N	570-00	1000	12-31-18 INTEREST AP				2,503.20	4,156.70-
02/01/19	GL	08 N	570-00	1000	12-31-18 INTEREST AP				.88	4,157.58-
02/01/19	GL	08 N	572-00	1000	TREAS INV FEES Q2 EN		188.21			3,969.37-
02/01/19	GL	08 N	572-00	1000	TREAS INV FEES Q2 EN		.07			3,969.30-
							Total Activity	Account	188.28	2,504.08
			Account	400700-0000	INVESTMENT EARNINGS-POOL				End Balance	3,969.30-
			Account	402010-0001	OTHR GOVT AGENCY-OTH CO-CITYS				Begin Balance	216,713.00-
			Account	402010-0001	OTHR GOVT AGENCY-OTH CO-CITYS				End Balance	216,713.00-
			Account	402030-0001	OTHR GOVT AGENCY-WEST SAC				Begin Balance	69,885.00-
			Account	402030-0001	OTHR GOVT AGENCY-WEST SAC				End Balance	69,885.00-
			Account	402040-0001	OTHR GOVT AGCY-WOODLAND				Begin Balance	63,758.00-
			Account	402040-0001	OTHR GOVT AGCY-WOODLAND				End Balance	63,758.00-
			Account	402050-0001	OTHR GOVT AGCY-WINTERS				Begin Balance	7,078.00-
			Account	402050-0001	OTHR GOVT AGCY-WINTERS				End Balance	7,078.00-
			Account	402060-0001	OTHR GOVT AGCY-DAVIS				Begin Balance	75,991.00-
			Account	402060-0001	OTHR GOVT AGCY-DAVIS				End Balance	75,991.00-
			Account	403460-0000	OTH CHRG FR SVC-LAFCO FEE				Begin Balance	12,600.00-
01/03/19	CB	07 N	5-00	1000	LAFCo #924-Balance D				1,710.29	14,310.29-
01/22/19	CB	07 N	70-00	1000	ScanFees E.YoloFPDR				29.75	14,340.04-
02/12/19	CB	08 N	26-00	1000	DEP-LAFCo Proposal #				2,100.00	16,440.04-
							Total Activity	Account	3,840.04	
			Account	403460-0000	OTH CHRG FR SVC-LAFCO FEE				End Balance	16,440.04-
			Account	500100-0000	REGULAR EMPLOYEES				Begin Balance	95,448.00
01/11/19	PR	07 N	1-00	1000	Expense accrual		592.90			96,040.90
01/11/19	PR	07 N	1-00	1000	Expense accrual		2,452.19			98,493.09
01/11/19	PR	07 N	1-00	1000	Expense accrual		1,362.33			99,855.42
01/11/19	PR	07 N	1-00	1000	Expense accrual		118.58			99,974.00
01/11/19	PR	07 N	1-00	1000	Expense accrual		1,082.04			101,056.04
01/11/19	PR	07 N	1-00	1000	Expense accrual		51.09			101,107.13
01/11/19	PR	07 N	1-00	1000	Expense accrual		696.66			101,803.79
01/11/19	PR	07 N	1-00	1000	Expense accrual		25.00			101,828.79
01/11/19	PR	07 N	1-00	1000	Expense accrual		1,583.70			103,412.49
01/11/19	PR	07 N	1-00	1000	Expense accrual			314.70		103,097.79
01/25/19	PR	07 N	2-00	1000	Expense accrual		59.30			103,157.09
01/25/19	PR	07 N	2-00	1000	Expense accrual		229.75			103,386.84
01/25/19	PR	07 N	2-00	1000	Expense accrual		102.18			103,489.02
01/25/19	PR	07 N	2-00	1000	Expense accrual		102.17			103,591.19
01/25/19	PR	07 N	2-00	1000	Expense accrual		118.58			103,709.77
01/25/19	PR	07 N	2-00	1000	Expense accrual		2,082.57			105,792.34
01/25/19	PR	07 N	2-00	1000	Expense accrual		5,244.96			111,037.30
01/25/19	PR	07 N	2-00	1000	Expense accrual		25.00			111,062.30

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Posting	Sy	Pd	Journal/Seq	Inco	Transaction Desc	Activity	Catg	Debit	Credit	Balance
								-----		-----
Account	500100-0000			REGULAR EMPLOYEES					Balance Fwd	111,062.30
01/25/19	PR	07	N	2-00	1000	Expense accrual			314.70	110,747.60
02/08/19	PR	08	N	1-00	1000	Expense accrual	237.16			110,984.76
02/08/19	PR	08	N	1-00	1000	Expense accrual	544.93			111,529.69
02/08/19	PR	08	N	1-00	1000	Expense accrual	22.23			111,551.92
02/08/19	PR	08	N	1-00	1000	Expense accrual	647.10			112,199.02
02/08/19	PR	08	N	1-00	1000	Expense accrual	118.58			112,317.60
02/08/19	PR	08	N	1-00	1000	Expense accrual	2,112.22			114,429.82
02/08/19	PR	08	N	1-00	1000	Expense accrual	3,388.78			117,818.60
02/08/19	PR	08	N	1-00	1000	Expense accrual	868.49			118,687.09
02/08/19	PR	08	N	1-00	1000	Expense accrual	25.00			118,712.09
02/08/19	PR	08	N	1-00	1000	Expense accrual		314.70		118,397.39
02/22/19	PR	08	N	5-00	1000	Expense accrual	415.03			118,812.42
02/22/19	PR	08	N	5-00	1000	Expense accrual	148.22			118,960.64
02/22/19	PR	08	N	5-00	1000	Expense accrual	68.12			119,028.76
02/22/19	PR	08	N	5-00	1000	Expense accrual	118.58			119,147.34
02/22/19	PR	08	N	5-00	1000	Expense accrual	1,808.35			120,955.69
02/22/19	PR	08	N	5-00	1000	Expense accrual	5,244.96			126,200.65
02/22/19	PR	08	N	5-00	1000	Expense accrual	136.24			126,336.89
02/22/19	PR	08	N	5-00	1000	Expense accrual	25.00			126,361.89
02/22/19	PR	08	N	5-00	1000	Expense accrual		314.70		126,047.19
03/08/19	PR	09	N	1-00	1000	Expense accrual		44.47		126,002.72
03/08/19	PR	09	N	1-00	1000	Expense accrual	237.16			126,239.88
03/08/19	PR	09	N	1-00	1000	Expense accrual	544.93			126,784.81
03/08/19	PR	09	N	1-00	1000	Expense accrual	136.24			126,921.05
03/08/19	PR	09	N	1-00	1000	Expense accrual	118.58			127,039.63
03/08/19	PR	09	N	1-00	1000	Expense accrual	1,941.77			128,981.40
03/08/19	PR	09	N	1-00	1000	Expense accrual	4,631.91			133,613.31
03/08/19	PR	09	N	1-00	1000	Expense accrual	136.23			133,749.54
03/08/19	PR	09	N	1-00	1000	Expense accrual	237.16			133,986.70
03/08/19	PR	09	N	1-00	1000	Expense accrual	25.00			134,011.70
03/08/19	PR	09	N	1-00	1000	Expense accrual		314.70		133,697.00
03/22/19	PR	09	N	6-00	1000	Expense accrual	136.23			133,833.23
03/22/19	PR	09	N	6-00	1000	Expense accrual	118.58			133,951.81
03/22/19	PR	09	N	6-00	1000	Expense accrual	2,134.46			136,086.27
03/22/19	PR	09	N	6-00	1000	Expense accrual	3,678.28			139,764.55
03/22/19	PR	09	N	6-00	1000	Expense accrual	1,634.79			141,399.34
03/22/19	PR	09	N	6-00	1000	Expense accrual	237.16			141,636.50
03/22/19	PR	09	N	6-00	1000	Expense accrual	25.00			141,661.50
03/22/19	PR	09	N	6-00	1000	Expense accrual		314.70		141,346.80
Total Activity Account								47,831.47	1,932.67	
500100-0000 REGULAR EMPLOYEES								End Balance		141,346.80
-----								-----		-----
Account	500110-0000			EXTRA HELP					Begin Balance	5,140.00
01/25/19	PR	07	N	2-00	1000	Expense accrual	690.00			5,830.00
02/08/19	PR	08	N	1-00	1000	Expense accrual	390.00			6,220.00
03/08/19	PR	09	N	1-00	1000	Expense accrual	1,400.00			7,620.00
03/22/19	PR	09	N	6-00	1000	Expense accrual	1,030.00			8,650.00

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Posting	Sy	Pd	Journal/Seq	Inco	Transaction Desc	Activity	Catg	Debit	Credit	Balance

Account			500110-0000	EXTRA HELP					Balance Fwd	8,650.00
Total Activity Account								3,510.00		
									End Balance	8,650.00

Account			500310-0000	RETIREMENT					Begin Balance	24,976.88
01/11/19	PR	07	N	1-00	1000	Summarized transacti		2,001.81		26,978.69
01/25/19	PR	07	N	2-00	1000	Summarized transacti		2,001.82		28,980.51
02/08/19	PR	08	N	1-00	1000	Summarized transacti		2,001.81		30,982.32
02/22/19	PR	08	N	5-00	1000	Summarized transacti		2,001.81		32,984.13
03/08/19	PR	09	N	1-00	1000	Summarized transacti		2,001.82		34,985.95
03/22/19	PR	09	N	6-00	1000	Summarized transacti		2,001.82		36,987.77
Total Activity Account								12,010.89		
									End Balance	36,987.77

Account			500320-0000	OASDI					Begin Balance	6,367.98
01/11/19	PR	07	N	1-00	1000	Summarized transacti		533.18		6,901.16
01/25/19	PR	07	N	2-00	1000	Summarized transacti		529.46		7,430.62
02/08/19	PR	08	N	1-00	1000	Summarized transacti		510.86		7,941.48
02/22/19	PR	08	N	5-00	1000	Summarized transacti		499.08		8,440.56
03/08/19	PR	09	N	1-00	1000	Summarized transacti		573.48		9,014.04
03/22/19	PR	09	N	6-00	1000	Summarized transacti		550.53		9,564.57
Total Activity Account								3,196.59		
									End Balance	9,564.57

Account			500330-0000	FICA/MEDICARE					Begin Balance	1,489.28
01/11/19	PR	07	N	1-00	1000	Summarized transacti		124.70		1,613.98
01/25/19	PR	07	N	2-00	1000	Summarized transacti		123.82		1,737.80
02/08/19	PR	08	N	1-00	1000	Summarized transacti		119.48		1,857.28
02/22/19	PR	08	N	5-00	1000	Summarized transacti		116.72		1,974.00
03/08/19	PR	09	N	1-00	1000	Summarized transacti		134.11		2,108.11
03/22/19	PR	09	N	6-00	1000	Summarized transacti		128.77		2,236.88
Total Activity Account								747.60		
									End Balance	2,236.88

Account			500340-0000	HEALTH INSURANCE					Begin Balance	72.00
01/11/19	PR	07	N	1-00	1000	Summarized transacti		6.00		78.00
01/25/19	PR	07	N	2-00	1000	Summarized transacti		6.00		84.00
02/08/19	PR	08	N	1-00	1000	Summarized transacti		6.00		90.00
02/22/19	PR	08	N	5-00	1000	Summarized transacti		6.00		96.00
03/08/19	PR	09	N	1-00	1000	Summarized transacti		6.00		102.00
03/22/19	PR	09	N	6-00	1000	Summarized transacti		6.00		108.00
Total Activity Account								36.00		
									End Balance	108.00

									End Balance	108.00

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Posting	Sy	Pd	Journal/Seq	Inco	Transaction Desc	Activity	Catg	Debit	Credit	Balance
			Account	500360-0000	OPEB - RETIREE HEALTH INSURANCE				Begin Balance	7,610.87
01/11/19	PR	07 N	1-00	1000	Summarized transacti			609.98		8,220.85
01/25/19	PR	07 N	2-00	1000	Summarized transacti			609.99		8,830.84
02/08/19	PR	08 N	1-00	1000	Summarized transacti			609.99		9,440.83
02/22/19	PR	08 N	5-00	1000	Summarized transacti			609.98		10,050.81
03/08/19	PR	09 N	1-00	1000	Summarized transacti			609.99		10,660.80
03/22/19	PR	09 N	6-00	1000	Summarized transacti			609.99		11,270.79
Total Activity Account								3,659.92		
			Account	500360-0000	OPEB - RETIREE HEALTH INSURANCE				End Balance	11,270.79
			Account	500390-0000	WORKERS' COMP INSURANCE				Begin Balance	441.93
			Account	500390-0000	WORKERS' COMP INSURANCE				End Balance	441.93
			Account	500400-0000	OTHER EMPLOYEE BENEFITS				Begin Balance	19,594.96
01/11/19	PR	07 N	1-00	1000	Summarized transacti			750.00		20,344.96
01/11/19	PR	07 N	1-00	1000	Expense accrual			447.32		20,792.28
01/11/19	PR	07 N	1-00	1000	Expense accrual			404.63		21,196.91
01/11/19	PR	07 N	1-00	1000	Expense accrual			851.96		22,048.87
01/25/19	PR	07 N	2-00	1000	Expense accrual			447.32		22,496.19
01/25/19	PR	07 N	2-00	1000	Expense accrual			404.63		22,900.82
01/25/19	PR	07 N	2-00	1000	Expense accrual			851.96		23,752.78
02/08/19	PR	08 N	1-00	1000	Expense accrual			447.32		24,200.10
02/08/19	PR	08 N	1-00	1000	Expense accrual			404.63		24,604.73
02/08/19	PR	08 N	1-00	1000	Expense accrual			851.96		25,456.69
02/22/19	PR	08 N	5-00	1000	Expense accrual			200.00		25,656.69
02/22/19	PR	08 N	5-00	1000	Expense accrual			447.32		26,104.01
02/22/19	PR	08 N	5-00	1000	Expense accrual			404.63		26,508.64
02/22/19	PR	08 N	5-00	1000	Expense accrual			851.96		27,360.60
03/08/19	PR	09 N	1-00	1000	Expense accrual			447.32		27,807.92
03/08/19	PR	09 N	1-00	1000	Expense accrual			404.63		28,212.55
03/08/19	PR	09 N	1-00	1000	Expense accrual			851.96		29,064.51
03/22/19	PR	09 N	6-00	1000	Expense accrual			447.32		29,511.83
03/22/19	PR	09 N	6-00	1000	Expense accrual			404.63		29,916.46
03/22/19	PR	09 N	6-00	1000	Expense accrual			851.96		30,768.42
Total Activity Account								11,173.46		
			Account	500400-0000	OTHER EMPLOYEE BENEFITS				End Balance	30,768.42
			Account	501020-0000	COMMUNICATIONS				Begin Balance	671.20
01/11/19	GL	07 N	226-00	1000	185-1 12/18 INTERNAL			124.86		796.06
01/16/19	GL	07 N	315-00	1000	185-1 11/18 INTERNAL			8.50		804.56
01/31/19	GL	07 N	560-00	1000	185-1 11/18 INTERNAL			8.50		813.06
01/31/19	GL	07 N	560-00	1000	185-1 12/18 INTERNAL			8.50		821.56
02/05/19	GL	08 N	138-00	1000	185-1 01/19 INTERNAL			125.70		947.26
03/13/19	GL	09 N	267-00	1000	185-1 01/19 INTERNAL			8.50		955.76
03/13/19	GL	09 N	276-00	1000	185-1 02/19 INTERNAL			124.00		1,079.76

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Posting	Sy	Pd	Journal/Seq	Inco	Transaction Desc	Activity	Catg	Debit	Credit	Balance
			Account	501020-0000	COMMUNICATIONS				Balance Fwd	1,079.76
					Total Activity	Account	408.56			
			Account	501020-0000	COMMUNICATIONS				End Balance	1,079.76
03/31/19	GL	09	N	193-00	1000	Stackd&Brewd-YEDSpri		100.65	Begin Balance	168.86
					Total Activity	Account	100.65			269.51
			Account	501030-0000	FOOD				End Balance	269.51
			Account	501051-0000	INSURANCE-PUBLIC LIABILITY				Begin Balance	500.00
			Account	501051-0000	INSURANCE-PUBLIC LIABILITY				End Balance	500.00
			Account	501070-0000	MAINTENANCE-EQUIPMENT				Begin Balance	152.95
02/12/19	AP	08	N	48-00	1000	16728WIZIX TECHN		112.82		265.77
02/12/19	AP	08	N	48-00	1000	16728WIZIX TECHN		1.13		266.90
02/12/19	AP	08	N	48-00	1000	16728WIZIX TECHN		7.05		273.95
02/12/19	AP	08	N	48-00	1000	16728WIZIX TECHN		.85		274.80
					Total Activity	Account	121.85			
			Account	501070-0000	MAINTENANCE-EQUIPMENT				End Balance	274.80
			Account	501071-0000	MAINTENANCE-BLDG IMPROVEMENT				Begin Balance	450.00
01/31/19	GL	07	N	41-00	1000	11/18 Facility Work		18.75		468.75
					Total Activity	Account	18.75			
			Account	501071-0000	MAINTENANCE-BLDG IMPROVEMENT				End Balance	468.75
			Account	501090-0000	MEMBERSHIPS				Begin Balance	2,805.00
			Account	501090-0000	MEMBERSHIPS				End Balance	2,805.00
			Account	501110-0000	OFFICE EXPENSE				Begin Balance	452.27
01/02/19	AP	07	N	3-00	1000	10246ALHAMBRA		7.18		459.45
01/17/19	AP	07	N	105-00	1000	Office Supplies		79.46		538.91
01/30/19	AP	07	N	159-00	1000	10246ALHAMBRA		3.59		542.50
01/31/19	GL	07	N	84-00	1000	DailyDemocrat-Annual		160.08		702.58
02/25/19	AP	08	N	126-00	1000	10246ALHAMBRA		3.59		706.17
03/21/19	AP	09	N	108-00	1000	10246ALHAMBRA		7.18		713.35
					Total Activity	Account	261.08			
			Account	501110-0000	OFFICE EXPENSE				End Balance	713.35
			Account	501111-0000	OFFICE EXP-POSTAGE				Begin Balance	296.49
01/31/19	GL	07	N	84-00	1000	USPS-LAFCo Agenda Pa		14.50		310.99
02/28/19	GL	08	N	88-00	1000	USPS-Meeting Agenda		14.50		325.49
					Total Activity	Account	29.00			
			Account	501111-0000	OFFICE EXP-POSTAGE				End Balance	325.49

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Posting	Sy	Pd	Journal/Seq	Inco	Transaction Desc	Activity	Catg	Debit	Credit	Balance

Account			501125-0000		IT SERVICE-DPT SYS MAINT			Begin Balance		168.00
			501125-0000		IT SERVICE-DPT SYS MAINT			End Balance		168.00

Account			501126-0000		IT SERVICE-ERP			Begin Balance		1,439.38
03/15/19	GL	09	N	60-00	1000 LAFCO Q3 IT CHGS-ERP			719.69		2,159.07
					Total Activity	Account		719.69		
			501126-0000		IT SERVICE-ERP			End Balance		2,159.07

Account			501127-0000		IT SERVICE-CONNECTIVITY			Begin Balance		2,214.87
03/15/19	GL	09	N	60-00	1000 LAFCO Q3 IT CHGS-CON			708.75		2,923.62
					Total Activity	Account		708.75		
			501127-0000		IT SERVICE-CONNECTIVITY			End Balance		2,923.62

Account			501151-0000		PROF & SPEC SVC-AUDITG & ACCTG			Begin Balance		8,215.00
			501151-0000		PROF & SPEC SVC-AUDITG & ACCTG			End Balance		8,215.00

Account			501152-0000		PROF & SPEC SVC-INFO TECH SVC			Begin Balance		300.00
			501152-0000		PROF & SPEC SVC-INFO TECH SVC			End Balance		300.00

Account			501156-0000		PROF & SPEC SVC-LEGAL SVC			Begin Balance		0.00
02/04/19	GL	08	N	102-00	1000 LEGAL SERVICES 2ND Q			3,800.00		3,800.00
					Total Activity	Account		3,800.00		
			501156-0000		PROF & SPEC SVC-LEGAL SVC			End Balance		3,800.00

Account			501165-0000		PROF & SPEC SVC-OTHER			Begin Balance		450.00
01/17/19	AP	07	N	88-00	1000 16780DIGITAL DEP			75.00		525.00
02/19/19	AP	08	N	86-00	1000 16780DIGITAL DEP			75.00		600.00
03/18/19	AP	09	N	87-00	1000 16780DIGITAL DEP			75.00		675.00
					Total Activity	Account		225.00		
			501165-0000		PROF & SPEC SVC-OTHER			End Balance		675.00

Account			501180-0000		PUBLICATIONS AND LEGAL NOTICES			Begin Balance		407.26
01/31/19	GL	07	N	84-00	1000 CA Newspapers-Notice			105.22		512.48
					Total Activity	Account		105.22		
			501180-0000		PUBLICATIONS AND LEGAL NOTICES			End Balance		512.48

Account			501190-0000		RENTS AND LEASES - EQUIPMENT			Begin Balance		1,950.25
01/02/19	AP	07	N	3-00	1000 10246ALHAMBRA			5.00		1,955.25
01/30/19	AP	07	N	159-00	1000 10246ALHAMBRA			5.00		1,960.25
02/25/19	AP	08	N	126-00	1000 10246ALHAMBRA			5.00		1,965.25
03/21/19	AP	09	N	108-00	1000 10246ALHAMBRA			5.00		1,970.25
					Total Activity	Account		20.00		
			501190-0000		RENTS AND LEASES - EQUIPMENT			End Balance		1,970.25

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Accounting Unit 69405229816991 LOCAL AGENCY FORMATION COMM Resp Level 6940-0052-02981-6991

Posting	Sy	Pd	Journal/Seq	Inco	Transaction Desc	Activity	Catg	Debit	Credit	Balance

Account			501205-0000		TRAINING				Begin Balance	2,330.00
02/12/19	AP	08	N	57-00	1000 CALAFCOWorkshopRegFe			930.00		3,260.00
					Total Activity	Account		930.00		

			501205-0000		TRAINING				End Balance	3,260.00

Account			501250-0000		TRANSPORTATION AND TRAVEL				Begin Balance	2,007.54
01/07/19	AP	07	N	31-00	1000 FY18/19 2ndQTRMileag			71.40		2,078.94
01/31/19	GL	07	N	103-00	1000 Sac Parking-DWR CDAG			5.99		2,084.93
01/31/19	GL	07	N	103-00	1000 Southwest-CALAFCOret			226.96		2,311.89
03/31/19	GL	09	N	193-00	1000 WyndhamIrvine-CALAFC			1.00		2,312.89
					Total Activity	Account		305.35		

			501250-0000		TRANSPORTATION AND TRAVEL				End Balance	2,312.89

Account			502201-0000		PAYMENTS TO OTH GOV INSTITUTION				Begin Balance	850.00
			502201-0000		PAYMENTS TO OTH GOV INSTITUTION				End Balance	850.00
			69405229816991		LOCAL AGENCY FORMATION COMM				End Balance	178,876.21-
=====										

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Accounting Unit 69409900010001 LOC AGENCY FORM BSU ONLY Resp Level 6940-0099-00001-0001

Posting	Sy	Pd	Journal/Seq	Inco	Transaction Desc	Activity	Catg	Debit	Credit	Balance
			Account	100000-0000	CASH IN TREASURY				Begin Balance	380,936.19
01/02/19	AP	07	N	3-00	1000 Auto Offset From Zon				12.18	380,924.01
01/03/19	CB	07	N	5-00	1000 Auto Offset From Zon		1,710.29			382,634.30
01/07/19	AP	07	N	31-00	1000 Auto Offset From Zon				71.40	382,562.90
01/11/19	PR	07	N	1-00	1000 Auto Offset From Zon				13,379.37	369,183.53
01/11/19	GL	07	N	226-00	1000 Auto Offset From Zon				124.86	369,058.67
01/16/19	GL	07	N	315-00	1000 Auto Offset From Zon				8.50	369,050.17
01/17/19	AP	07	N	88-00	1000 Auto Offset From Zon				75.00	368,975.17
01/17/19	AP	07	N	105-00	1000 Auto Offset From Zon				79.46	368,895.71
01/22/19	CB	07	N	70-00	1000 Auto Offset From Zon		29.75			368,925.46
01/25/19	PR	07	N	2-00	1000 Auto Offset From Zon				13,314.81	355,610.65
01/30/19	AP	07	N	159-00	1000 Auto Offset From Zon				8.59	355,602.06
01/31/19	GL	07	N	41-00	1000 Auto Offset From Zon				18.75	355,583.31
01/31/19	GL	07	N	84-00	1000 Auto Offset From Zon				279.80	355,303.51
01/31/19	GL	07	N	103-00	1000 Auto Offset From Zon				232.95	355,070.56
01/31/19	GL	07	N	560-00	1000 Auto Offset From Zon				17.00	355,053.56
02/01/19	GL	08	N	574-00	1000 APPR REST CASH Q2 EN				.81	355,052.75
02/01/19	GL	08	N	570-00	1000 Auto Offset From Zon		2,504.08			357,556.83
02/01/19	GL	08	N	572-00	1000 Auto Offset From Zon				188.28	357,368.55
02/04/19	GL	08	N	102-00	1000 Auto Offset From Zon				3,800.00	353,568.55
02/05/19	GL	08	N	138-00	1000 Auto Offset From Zon				125.70	353,442.85
02/08/19	PR	08	N	1-00	1000 Auto Offset From Zon				12,991.84	340,451.01
02/12/19	CB	08	N	26-00	1000 Auto Offset From Zon		2,100.00			342,551.01
02/12/19	AP	08	N	48-00	1000 Auto Offset From Zon				121.85	342,429.16
02/12/19	AP	08	N	57-00	1000 Auto Offset From Zon				930.00	341,499.16
02/19/19	AP	08	N	86-00	1000 Auto Offset From Zon				75.00	341,424.16
02/22/19	PR	08	N	5-00	1000 Auto Offset From Zon				12,787.30	328,636.86
02/25/19	AP	08	N	126-00	1000 Auto Offset From Zon				8.59	328,628.27
02/28/19	GL	08	N	88-00	1000 Auto Offset From Zon				14.50	328,613.77
03/08/19	PR	09	N	1-00	1000 Auto Offset From Zon				14,079.12	314,534.65
03/13/19	GL	09	N	267-00	1000 Auto Offset From Zon				8.50	314,526.15
03/13/19	GL	09	N	276-00	1000 Auto Offset From Zon				124.00	314,402.15
03/15/19	GL	09	N	60-00	1000 Auto Offset From Zon				1,428.44	312,973.71
03/18/19	AP	09	N	87-00	1000 Auto Offset From Zon				75.00	312,898.71
03/21/19	AP	09	N	108-00	1000 Auto Offset From Zon				12.18	312,886.53
03/22/19	PR	09	N	6-00	1000 Auto Offset From Zon				13,680.82	299,205.71
03/31/19	GL	09	N	193-00	1000 Auto Offset From Zon				101.65	299,104.06
Total Activity Account								6,344.12	88,176.25	
			Account	100000-0000	CASH IN TREASURY				End Balance	299,104.06
			Account	101000-0144	RC-LAFCO PC REPL				Begin Balance	146.57
02/01/19	GL	08	N	574-00	1000 APPR REST CASH Q2 EN			.81		147.38
Total Activity Account								.81		
			Account	101000-0144	RC-LAFCO PC REPL				End Balance	147.38

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Posting	Sy	Pd	Journal/Seq	Inco	Transaction Desc	Activity	Catg	Debit	Credit	Balance
			Account	190200-0000	FUTURE LONG TERM DEBT REQUIRE				Begin Balance	654,193.00
01/01/19	GL	07 N	201-00	1000	2018	Audit Adjust			38,808.00	615,385.00
			Total Activity		Account				38,808.00	
			Account	190200-0000	FUTURE LONG TERM DEBT REQUIRE				End Balance	615,385.00
			Account	195010-0000	DEFERRED OUTFLOWS-PENSIONS				Begin Balance	123,779.00-
01/01/19	GL	07 N	201-00	1000	2018	Audit Adjust		320,305.00		196,526.00-
			Total Activity		Account			320,305.00		
			Account	195010-0000	DEFERRED OUTFLOWS-PENSIONS				End Balance	196,526.00
			Account	195020-0000	DEFERRED OUTFLOWS-OPEB				Begin Balance	0.00
01/01/19	GL	07 N	201-00	1000	2018	Audit Adjust		20,293.00		20,293.00
			Total Activity		Account			20,293.00		
			Account	195020-0000	DEFERRED OUTFLOWS-OPEB				End Balance	20,293.00
			Account	210900-0000	COMPENSATED ABSENSES (S/T)				Begin Balance	2,605.50-
			210900-0000		COMPENSATED ABSENSES (S/T)				End Balance	2,605.50-
			Account	220501-0000	DEFERRED INFLOWS PENSION				Begin Balance	72,443.00-
01/01/19	GL	07 N	201-00	1000	2018	Audit Adjust		66,751.00		5,692.00-
			Total Activity		Account			66,751.00		
			Account	220501-0000	DEFERRED INFLOWS PENSION				End Balance	5,692.00-
			Account	220510-0000	DEFERRED INFLOWS OTHER				Begin Balance	0.00
01/01/19	GL	07 N	201-00	1000	2018	Audit Adjust			447.00	447.00-
			Total Activity		Account				447.00	
			Account	220510-0000	DEFERRED INFLOWS OTHER				End Balance	447.00-
			Account	230000-0000	COMPENSATED ABSENSES (L/T)				Begin Balance	2,604.50-
			230000-0000		COMPENSATED ABSENSES (L/T)				End Balance	2,604.50-
			Account	230600-0000	OTHER POST EMPLOYMENT BENEFITS				Begin Balance	58,485.00-
01/01/19	GL	07 N	201-00	1000	2018	Audit Adjust			114,269.00	172,754.00-
			Total Activity		Account				114,269.00	
			Account	230600-0000	OTHER POST EMPLOYMENT BENEFITS				End Balance	172,754.00-
			Account	230650-0000	NET PENSION LIABILITY				Begin Balance	394,276.00-
01/01/19	GL	07 N	201-00	1000	2018	Audit Adjust			253,825.00	648,101.00-
			Total Activity		Account				253,825.00	
			Account	230650-0000	NET PENSION LIABILITY				End Balance	648,101.00-

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Accounting Unit 69409900010001 LOC AGENCY FORM BSU ONLY Resp Level 6940-0099-00001-0001

Posting	Sy	Pd	Journal/Seq	Inco	Transaction Desc	Activity	Catg	Debit	Credit	Balance
Account			300600-0001		FD BAL-ASSIGNED-CAP ASSET REPL			Begin Balance		1,343.85-
			300600-0001		FD BAL-ASSIGNED-CAP ASSET REPL			End Balance		1,343.85-
Account			300999-0000		UNASSIGNED			Begin Balance		119,031.38-
			300999-0000		UNASSIGNED			End Balance		119,031.38-
			69409900010001		LOC AGENCY FORM BSU ONLY			End Balance		178,876.21

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Company 1000 Totals:
Debit Transactions 503,802.04
Credit Transactions 503,802.04
Debit Balances 1,406,413.57
Credit Balances 1,406,413.57
P/L Debit Transactions 90,108.11
P/L Credit Transactions 8,276.79
Net Loss 81,831.32

General Ledger Report

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JOB SUBMISSION PARAMETERS

User Name: YLLSFPD\TTuck
Job Name: GL290TT
Step Nbr: 1

Company: 1000 YOLO COUNTY USD
or Company Group:
Reports: RUNNING BAL TRANS

Year Code: or Posting Dates: -
or Year: 2019
Periods: 7 - 9

Accounting Unit: 6940 LOCAL AGENCY FORMATION COMM
Accounts: -
Subaccounts: -
Report Currency: B Base

Consent 6.

LAFCO

Meeting Date: 04/25/2019

Information

SUBJECT

Correspondence

RECOMMENDED ACTION

Receive and file the following correspondence:

A. CHW Newsletter - Spring 2019

Attachments

ATT A-CHW Newsletter-Spring 2019

Form Review

Form Started By: Terri Tuck

Started On: 04/16/2019 02:10 PM

Final Approval Date: 04/16/2019



COLANTUONO
HIGHSMITH
WHATLEY, PC

Newsletter | Spring 2019

Update on Public Law Courts Advance Public Finance Law

By Michael G. Colantuono

We have two recent public finance developments. *Paradise Irr. Dist. v. Commission on State Mandates* concludes local water agencies cannot claim reimbursement for the cost of water quality and safety laws as unfunded mandates. Reimbursement is not available if a local agency can cover its costs by imposing fees. Water districts argued Prop. 218's majority protest procedure could prevent them from imposing fees. The Sacramento Court of Appeal ruled this did not eliminate their fee-setting power so as to make water laws reimbursable mandates. This repeats an earlier decision the Court withdrew after CH&W pointed out weaknesses in its original reasoning for the League of Cities and CSAC. The case is helpful to local governments in one respect – it describes 2018's SB 231 (Hertzberg, D-Van Nuys) as permissibly construing Prop. 218 to allow storm sewer charges to be approved without voter approval (but with a majority protest), as are sanitary sewer and water fees. Many agencies face large unfunded costs to comply with the state and federal environmental mandates as to storm drains, so the possibility of new fee-setting authority is of wide interest. An earlier decision of the San Jose Court of Appeal requires elections for storm sewer fees, so cities and counties should seek legal advice before relying on SB 231.

Our Supreme Court heard *City and County of San Francisco v. UC Regents* on April 3rd. The case asks whether charter cities can compel state agencies to collect local parking taxes on garages they own and operate. This is of interest to just a handful of cities and counties, the case may address limits on State agencies' power protect their customers, students, clients, etc. from local regulation — an issue of wider interest. Decision is due by July and may come sooner.

For more information on this subject, contact Michael at MColantuono@chwlaw.us or (530) 432-7359.

CH&W Welcomes Senior Counsel

CH&W welcomes litigator Carmen Brock. She brings 26 years' public litigation experience, most recently as a land use and public finance litigator for San Diego. She has also litigated for school and water districts in areas including eminent domain, public contracting, ADA, construction, project labor agreements, police matters, administrative hearings and code enforcement.

Levin (who uses one name) joins us after 31 years as a staff attorney to Sacramento's Third District Court of Appeal. He has extraordinarily deep experience in appellate and law and motion practice in such diverse areas as mandamus, water law, liability for flooding, CEQA, contracts and various torts, including claims under the Fair Employment and Housing Act and in whistleblower matters.

Welcome Carmen and Levin!

New Cannabis Delivery Rules Test Local Control

By David J. Ruderman and Nikhil S. Damle

On January 16, 2019, the Bureau of Cannabis Control adopted permanent regulations governing commercial cannabis supply chains under the Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”). They largely duplicate earlier emergency regulations, but authorize cannabis delivery anywhere in California, even in communities which permit no cannabis sales. Proposition 64 states local agencies retain local control of business licensing and land use. It states a city or county can “completely prohibit the establishment or operation of one or more types of businesses licensed under this division within the local jurisdiction.” Many cities and counties have banned or regulated retail delivery under this section.

BCCs regulations purport to override this local authority by authorizing cannabis delivery statewide if a delivery retailer is licensed by the state and the jurisdiction in which the delivery originates (i.e., where the dispensary is located): “A delivery employee may deliver to any jurisdiction within the State of California provided that such delivery is conducted in compliance with all delivery provisions of this division.” The regulation appears to violate Proposition 64 and MAUCRSA. One county and some two dozen cities sued BCC in Fresno Superior Court. Assemblyman Cooley (D-Rancho Cordova) also introduced AB 1530 to overturn the BCC regulation.

In the meantime, cities and counties can require business licenses for those who make retail deliveries in their boundaries. They can also establish a delivery-only permit. They might be able to require a separate permit for each cannabis delivery driver — as is common of taxi regulations.

Finally, cities may continue to regulate or ban deliveries, preparing to rebut a defense based on the BCC regulation. Each option has advantages and varying levels of risk. You should consult legal

counsel before choosing among them until the delivery issue is resolved in court or by the Legislature.

For more information on this subject, contact David at DRuderman@chwlaw.us or (530) 798-2417, or Nikhil at NDamle@chwlaw.us or (213) 542-5709.

Brown Act Updates

By Ryan A. Reed

The San Diego Court of Appeal recently decided *Ricasa v. Office of Administrative Hearings*, addressing when the Brown Act requires 24 hours’ notice to employees for closed sessions on personnel matters. The Brown Act allows closed sessions “to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee, or to hear complaints or charges brought against the employee by another person or employee.” If specific complaints or charges are to be discussed, the affected employee is entitled to 24 hours’ notice and can choose to require discussion in public. Failure to give notice invalidates any disciplinary action resulting from the closed session.

In *Ricasa*, a public employee pleaded guilty to a misdemeanor violation of the Political Reform Act in her role as an elected official for another agency. Her employer demoted her after closed session discussion whether the facts established by her guilty plea were a sufficient to justify that discipline. She challenged the discipline because she did not receive 24 hours’ notice.

The court distinguished this case from *Bell v. Vista Unified School Dist.*, a 2000 decision requiring notice to a football coach fired in closed session

(continued on page 3)

Pension Reform at PERB

By Holly O. Whatley

The San Diego Court of Appeal recently decided the latest chapter in the ongoing legal battle over San Diego's pension reform initiative. *Boling v. Public Employee Relations Board* follows the state Supreme Court's 2018 decision requiring the City to meet and confer with unions before placing the initiative on the ballot because the mayor sponsored it. The Supreme Court remanded so the Court of Appeal could address the remedy.

The Court of Appeal rejected the Union's request that the court invalidate the initiative. Because the voters had amended the City charter, challenge to "purported irregularities in the legislative process of a charter amendment" requires a quo warranto proceeding — a particular kind of lawsuit the unions had not filed. The challenge raised a new and difficult question — whether voters can determine charter city employees' compensation despite the duty to bargain. The Court concluded that question is best resolved in a separate quo warranto proceeding in which all interested parties, including unrepresented employees and the Attorney General, can participate.

The Court invalidated administrative remedies PERB had ordered that the City pay represented employees the difference between the benefits the initiative allowed and the earlier PERS pensions, plus 7 percent interest, until the initiative was no longer in effect or until the City and unions agreed otherwise. This remedy made the initiative "perpetually ineffectual." The Court required the City to pay the difference in benefits only until bargaining is complete, including any impasse. This compensates employees for delay and encourages the City to bargain efficiently.

The Court also modified PERB's order that the City meet and confer with employee unions before placing on the ballot *any* citizen's initiative touching on negotiable issues. This remedy impermissibly

assumed any future initiative would be subject to bargaining before any court so ruled. The Court required the City to meet and confer at the union's request as to initiatives advanced by the City which address negotiable subjects.

The unions will likely take up the invitation to file a quo warranto suit. In the meantime, however, the Court has clarified that PERB cannot achieve by remedial orders what it cannot do directly— invalidate initiatives touching negotiable subjects.

For more information on this subject, contact Holly at HWhatley@chwlaw.us or (213) 542-5704.

Brown Act Updates (cont.)

based on findings of a state athletic federation. *Ricasa* clarifies that a public agency can rely on prior undisputed findings to impose discipline in closed session without providing 24 hours' notice if the employee had opportunity to be heard in the earlier proceeding.

2016's Assembly Bill 2257 took effect January 1, 2019 to require agendas to be posted as a direct link on the home page of local agency websites. This means that links must open directly to the current agenda without having to click through other links or menus. If your agency an integrated agenda management platform (like Granicus), you need not provide a direct link on your home page provided the most current agenda is available at the top of the list of agendas.

The Brown Act changes a bit with each legislative session. As always, we will keep you posted!

For more information on this subject, contact Ryan at RReed@chwlaw.us or (530) 270-9490.



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HIGHSMITH
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Public Hearings 7.

LAFCO

Meeting Date: 04/25/2019

Information

SUBJECT

Consider and adopt the proposed LAFCo Budget for fiscal year 2019/20 and set May 23, 2019 as the public hearing date to approve the final budget

RECOMMENDED ACTION

1. Receive staff presentation and public comments on the Draft LAFCo Budget for fiscal year 2019/20.
2. Close the public hearing and provide staff direction as desired.
3. Set May 23, 2019 as the public hearing to consider approval of the Final LAFCo Budget for fiscal year 2019/20.

FISCAL IMPACT

The attached LAFCo budget includes proposed revenues and expenditures for LAFCo for the next fiscal year (FY). This proposed budget maintains adequate support for the Commission to meet its responsibilities under the Cortese-Knox-Hertzberg (CKH) Act and the shared services priorities identified in the LAFCo Annual Work Plan.

REASONS FOR RECOMMENDED ACTION

Yolo County LAFCo adopts an annual budget with notice to the four cities and Yolo County. In accordance with the CKH Act, a proposed budget must be adopted by May 1 and final budget by June 15 of each year. Following approval of the final budget and no later than July 1, the auditor requests payment from each agency. In order to meet these time lines, the final budget is scheduled to be adopted at the May 23, 2019 LAFCo Commission meeting and invoices will go out thereafter.

In accordance with the CKH Act, the cities and County split the cost of LAFCo funding 50/50. A formula for the split of the cities' share is outlined in Government

Code Section 56381 (b)(1); which would be in proportion to a city's tax revenue or an alternative method approved by a majority of the cities. Beginning in FY 2007-08, the cities developed an alternative formula to apportion their 50% of LAFCo funding by averaging a city's general tax revenue (less grant monies) and population.

A more detailed table describing the formula is attached for review (this agenda software program does not handle tables well). In summary, the breakdown of agency apportionment of the LAFCo budget for FY 2019/20 is as follows:

City of Davis	16.95%
City of West Sacramento	16.34%
City of Winters	1.63%
City of Woodland	15.08%
County of Yolo	50.00%

BACKGROUND

The budget is relatively "flat" compared to last year with a total appropriation of \$472,476. Although salaries and pension costs continue to rise, there is a compensating offset due to the Executive Officer's house exchange and reduced hours this fall which results in 85% of the position's typical salary costs. However, this offset will occur this fiscal year only and may feel like a "bump" in the following fiscal year (FY 20/21) when this position is back at 100%. The Services and Supplies costs are also very similar to last year reducing somewhat because LAFCo budgeted for an audit last fiscal year that is only done every three years.

Even though the total apportionment is "flat", there is additional carryover fund balance as compared to last year, therefore, total agency cost goes down by 4.34%. The following itemizes the draft budget cost for each agency (and net increase as compared to the previous fiscal year).

City of Davis	\$70,423 (decrease of \$5,568)
City of West Sacramento	\$67,863 (decrease of \$2,022)
City of Winters	\$6,787 (decrease of \$291)
City of Woodland	\$62,627 (decrease of \$1,131)
County of Yolo	\$207,700 (decrease of \$9,013)

Following Commission direction on the draft budget at the April meeting, staff will make any changes as directed by the Commission and send the proposed budget to the city/county managers for review and comment. Staff will report on all feedback received during the final budget hearing on May 23, 2019.

Form Review

Inbox

Christine Crawford (Originator)
Form Started By: Christine Crawford
Final Approval Date: 04/17/2019

Reviewed By

Christine Crawford

Date

04/17/2019 01:26 PM
Started On: 04/15/2019 03:16 PM

PROPOSED DRAFT LAFCO BUDGET - FINANCING SOURCES - SCHEDULE A

Item 7-ATT A FISCAL YEAR 2019/20
 ACCOUNTING UNIT: 69405229816991

Account #	Account Name	FY 18/19 Revenue Budgeted	FY 19/20 Revenue Budgeted	Net Change	Agency Apportionment FY 19/20
REVENUES					
400700	INVESTMENT EARNINGS-POOL	\$ 1,500	\$ 3,000	\$ 1,500	
402010	OTHER GOVT AGENCY-COUNTY	\$ 216,713	\$ 207,700	\$ (9,013)	50.00%
402030	OTHER GOVT AGENCY-WEST SACRAMENTO	\$ 69,885	\$ 67,863	\$ (2,022)	16.34%
402040	OTHER GOVT AGENCY-WOODLAND	\$ 63,758	\$ 62,627	\$ (1,131)	15.08%
402050	OTHER GOVT AGENCY-WINTERS	\$ 7,078	\$ 6,787	\$ (291)	1.63%
402060	OTHER GOVT AGENCY-DAVIS	\$ 75,991	\$ 70,423	\$ (5,568)	16.95%
403460	CHARGES FOR SERVICES - LAFCO	\$ 4,000	\$ 4,000	\$ -	
	CARRYOVER FUND BALANCE	\$ 34,388	\$ 50,076	\$ 15,688	
	TOTAL AGENCY COST	\$ 433,425	\$ 415,400	\$ (18,025)	
	TOTAL OTHER SOURCES	\$ 5,500	\$ 7,000	\$ 1,500	
	TOTAL FINANCING SOURCES	\$ 473,313	\$ 472,476	\$ (837)	
FUND BALANCE AT END OF PREVIOUS FY					
	FUND BALANCE (AT CLOSE OF FY 18/19)	\$ 120,376			
	RESERVE (AUDITS EVERY 3 YRS)	\$ -			Monies held for audits every 3 years
	RESERVE (COMPUTER REPLACEMENT 4 YRS)	\$ (2,800)			Monies held for computer replacement
300600	FUND BALANCE ASSIGNED (CONTINGENCY)	\$ (67,500)			Contingency 15% held in fund balance (per policy)
	TOTAL TO REMAIN IN FUND BALANCE	\$ 70,300			
	"EXTRA" FUND BALANCE TO OFFSET COSTS	\$ 50,076			Extra fund balance applied to offset agency costs

PROPOSED DRAFT LAFCO BUDGET - FINANCING USES - SCHEDULE B

FISCAL YEAR 2019/20
ACCOUNTING UNIT: 69405229816991

Account #	Account Name	FY 18/19 Budget	FY 19/20	Net Change	Explanation of Change
SALARIES AND BENEFITS					
500100	REGULAR EMPLOYEES	\$ 201,567	\$ 189,431	\$ (12,136)	EO@ 85% FTE this FY only
500110	EXTRA HELP	\$ 20,000	\$ 30,000	\$ 10,000	
500310	RETIREMENT (CALPERS)	\$ 50,904	\$ 60,065	\$ 9,161	
500320	OASDI	\$ 13,360	\$ 13,602	\$ 242	
500330	FICA/MEDICARE TAX	\$ 3,516	\$ 3,655	\$ 139	
500340	HEALTH INSURANCE (EAP & Life Insurance)		\$ 160	\$ 160	
500360	OPEB - RETIREE HEALTH INSURANCE	\$ 18,141	\$ 17,953	\$ (188)	
500380	UNEMPLOYMENT INSURANCE	\$ 350	\$ 350	\$ -	
500390	WORKERS' COMPENSATION INSURANCE	\$ 500	\$ 500	\$ -	
500400	OTHER EMPLOYEE BENEFITS	\$ 40,894	\$ 40,894	\$ (0)	
	TOTAL SALARY & BENEFITS	\$ 349,231	\$ 356,610	\$ 7,379	
SERVICES AND SUPPLIES					
501020	COMMUNICATIONS	\$ 2,500	\$ 2,500	\$ -	
501030	FOOD	\$ 350	\$ 350	\$ -	
501051	INSURANCE-PUBLIC LIABILITY	\$ 500	\$ 500	\$ -	
501070	MAINTENANCE-EQUIPMENT	\$ 750	\$ 750	\$ -	
501071	MAINTENANCE-BLDG IMPROVEMENT	\$ -	\$ 500	\$ 500	
501090	MEMBERSHIPS	\$ 3,600	\$ 4,020	\$ 420	CALAFCO 16.25% dues increase
501100	MISCELLANEOUS EXPENSE	\$ 250	\$ 250	\$ -	
501110	OFFICE EXPENSE	\$ 1,250	\$ 1,250	\$ -	
501111	OFFICE EXP-POSTAGE	\$ 250	\$ 300	\$ 50	
501112	OFFICE EXP-PRINTING	\$ 800	\$ -	\$ (800)	County print shop costs no longer needed (see below)
501125	IT SERVICES-DPT SYS MAINT (Dept System Maint.)	\$ 2,000	\$ 2,000	\$ -	
501126	IT SERVICES-ERP (Enterprise/Resource/Planning)	\$ 2,879	\$ 3,087	\$ 208	
501127	IT SERVICES-CONNECTIVITY	\$ 3,629	\$ 4,719	\$ 1,090	
501151	PROF & SPEC SVC-AUDITG & ACCTG	\$ 15,000	\$ 5,000	\$ (10,000)	Budgeted for audit FY 18/19. Build reserve for next in 3 yrs.
501152	PROF & SPEC SVC-INFO TECH SVC	\$ 1,300	\$ 1,200	\$ (100)	
501156	PROF & SPEC SVC-LEGAL SVC	\$ 7,000	\$ 7,000	\$ -	
501165	PROF & SPEC SVC-OTHER	\$ 30,000	\$ 30,000	\$ -	
501165	PROF & SPEC SVC-OTHER (Shared Services) (6992)	\$ 10,000	\$ 10,000	\$ -	
501180	PUBLICATIONS AND LEGAL NOTICES	\$ 1,500	\$ 1,500	\$ -	
501190	RENTS AND LEASES - EQUIPMENT	\$ 2,000	\$ 2,500	\$ 500	Leased high capacity printer at net cost savings
501192	RENTS & LEASES-RECRDS STRGE (Archives)	\$ 925	\$ 840	\$ (85)	
501205	TRAINING	\$ 4,200	\$ 4,200	\$ -	
501210	MINOR EQUIPMENT (COMPUTERS)	\$ 1,400	\$ 1,400	\$ -	
501250	TRANSPORTATION AND TRAVEL	\$ 8,500	\$ 8,500	\$ -	
502201	PAYMENTS TO OTHER GOV INSTITUTIONS	\$ 1,000	\$ 1,000	\$ -	
	TOTAL SERVICES & SUPPLIES	\$ 101,583	\$ 93,366	\$ (8,217)	
OTHER FINANCING USES					
503300	APPROP FOR CONTINGENCY	\$ 22,500	\$ 22,500	\$ -	20% Total - 5% Appropriated/15% in Fund Balance
	TOTAL APPROPRIATIONS	\$ 473,314	\$ 472,476	\$ (838)	

Agency	Tax Revenue	% of Total Tax Revenue	City Population DOF 2018	% of Total City Pop	Average % of Revenue and Population	LAFCo Apportionment
Davis	\$ 49,974,973	31%	68,704	36%	33.91%	16.95%
West Sacramento	\$ 59,183,496	37%	53,163	28%	32.67%	16.34%
Winters	\$ 4,249,999	3%	7,292	4%	3.27%	1.63%
Woodland	\$ 45,922,319	29%	59,347	31%	30.15%	15.08%
Yolo County						50.00%
Total	\$ 159,330,787	100%	188,506	100%	100%	100.00%

LAFCO

Meeting Date: 04/25/2019

Information

SUBJECT

Consider the City of Davis annexation of the West Davis Active Adult Community Project (LAFCo No. 932), detaching the territory from the Springlake Fire Protection District, waiving Protest Proceedings and adopting Findings as a Responsible Agency for the Final Environmental Impact Report and Statement of Overriding Considerations pursuant to CEQA (California Environmental Quality Act) Guidelines Section 15096

RECOMMENDED ACTION

1. Receive staff presentation and open the Public Hearing for public comments on this item.
2. Close the Public Hearing and consider the information presented in the staff report and during the Public Hearing.
3. Consider the Final Environmental Impact Report (EIR) for the West Davis Active Adult Community Project, and approve Resolution 2019-04 adopting findings as a Responsible Agency for the Final EIR and Statement of Overriding Considerations.
4. Adopt Resolution 2019-05 approving the City of Davis annexation of the West Davis Active Adult Community Project, detaching the territory from the Springlake Fire Protection District, and waiving protest proceedings.

FISCAL IMPACT

No fiscal impact. The City of Davis as the proposal applicant submitted a deposit and will reimburse LAFCo for all processing costs.

REASONS FOR RECOMMENDED ACTION

Government Code Section 56375 provides LAFCo with the power to review and approve proposals for "changes in organization" consistent with policies adopted by the commission. Government Code Section 56021 defines "changes of organization" to include annexation to a city, among other actions.

On June 12, 2018, The City of Davis approved the West Davis Active Adult Community Project and the voters of the City of Davis, on November 6, 2018, ratified the General Plan Amendment and the Baseline Project Features for the Project. Government Code Section 56650 authorizes proceedings for a change of organization or a reorganization to be initiated by a Resolution of Application as adopted by a local agency. On January 8, 2019 the City of Davis adopted a Resolution of Application to annex the West Davis Active Adult Community Project (APN: 036-060-05) and the proposal application was submitted to Yolo LAFCo on February 8, 2019. The proposal also includes detaching the territory from the Springlake Fire Protection District as fire protection services would instead be provided by the City of Davis.

The subject parcel is included within the Sphere of Influence for the City of Davis as approved by the Yolo LAFCo.

BACKGROUND

Proposal Description

The project site consists of approximately 74 acres located northwest and adjacent to the City of Davis within the City of Davis Sphere of Influence (SOI) of unincorporated Yolo County. The project site is bounded by existing agricultural land within unincorporated Yolo County (within the City's SOI) to the west, nine mapped but undeveloped 13- to 23-acre residential lots to the north, the Sutter Davis Hospital and Risling Court to the east, and West Covell Boulevard to the south. The project site is currently undeveloped and has been previously used for agricultural uses.

The City of Davis approval changed the general plan land use designation from Agriculture to Residential – Medium Density, Residential – High Density, Neighborhood Mixed Use, and Urban Agriculture Transition Area. Correspondingly, the parcel has also been pre-zoned to Planned Development. The project includes development of: 150 affordable, age-restricted apartments; 32 attached, age-restricted cottages; 94 attached, age-restricted units; 129 single-family detached, age-restricted units; 77 single-family detached, non-age-restricted units; an approximately three-acre continuing care retirement community, which would likely consist of 30 assisted living, age-restricted detached units; an approximately 4.3-acre mixed use area, which would likely consist of a health club, restaurant, clubhouse, and up to 48 attached, age-restricted units; dog exercise area and tot lot; associated greenways, drainage, agricultural buffers; and off-site stormwater detention facilities. Upon completion of the project, the approximately 74-acre site would provide up to 560 dwelling units and 4.5 miles of off street biking and walking paths within the project area and an additional 0.22 miles of off street biking and walking paths offsite.

Factors to be Considered

In accordance with Government Code Section 56668, the factors to be considered in the review of a proposal shall include, but is not limited to, all of the following:

1. Population, land use, natural boundaries, proximity to other populated areas, and likelihood of significant growth in the area during the next 10 years;
2. The need for organized community services, the adequacy of governmental services and controls in the area, the probable effect of annexation and alternative courses of action;
3. The effect of the proposed action (and alternative actions) on the adjacent areas, social and economic interests and local governmental structure of the county;
4. The conformity of the proposal and its effects with adopted commission policies on providing planned, orderly and efficient patterns or urban development;
5. The effect of the proposal on maintaining the physical and economic integrity of agricultural lands;
6. The definiteness of the boundaries with parcel lines and the creation of any "islands" or corridors of unincorporated territory;

7. A regional transportation plan;
8. The proposal's consistency with city or county general and specific plans;
9. The sphere of influence of any applicable local agency;
10. The ability of the receiving entity to provide services and the sufficiency of revenues for those services;
11. Availability of water supplies;
12. The extent to which the proposal will affect a city in achieving its regional housing needs as determined by its council of governments;
13. Any information or comments from landowners, voters or residents for the affected territory;
14. Any information relating to existing land use designations;
15. The extent to which the proposal will promote environmental justice, meaning the fair treatment of people of all races, cultures and incomes with the respect to the provision of public services; and
16. Any local hazard plan or safety element of a general plan that identify land as a very high fire hazard zone.

Yolo LAFCo's local standards of evaluation for proposals (Section 2.0) elaborates on these state mandated factors with the following additional standards:

1. Favoring municipal services by cities in urbanized areas rather than the County or special districts;
2. Consider not only present service needs of the area under consideration, but shall also consider future services which may be required to take care of future growth or expansion;
3. Requiring a service plan that describes the extension, financing and timing of services;
4. SACOG's regional housing needs for the agency, recent update (and certification) of the agency's housing element, whether the agency's inclusionary housing ordinance complies with SACOG's Affordable Housing Compact, the degree to which the proposal meets the agency's "low income" and "very low income" housing targets, and the extent to which the proposal advances or inhibits the agency's housing element; and
5. Consistency with the Agricultural Conservation Policy.

Analysis

The proposed annexation area is within the City's sphere of influence and is a logical and orderly extension of the City's urban area. The proposed development will need urban services and the City has the capacity and is the appropriate agency to provide services (as opposed to the County). The proposal is consistent with the City's general plan land use designations.

The City's Environmental Impact Report (EIR) analyzes the capacity and availability of public services and utilities and concludes that the City has capacity to serve the project. There is no indication that the City would not have capacity to additionally serve any future adjacent areas in its sphere of influence. The project is consistent with the regional growth projections prepared by SACOG. Additionally, the City's requirements associated with the 1% Growth Policy and the City's Phased Allocation Ordinance would ensure that the population growth associated with the project is consistent with the City's growth management requirements. The project would provide 150 affordable housing units.

The project site is currently undeveloped and has been previously used for agricultural uses. The project site is designated as Farmland of Local Importance by the California Department of Conservation's Farmland Mapping and Monitoring Program. The Soil Survey of Yolo County, shows that the project site contains Capability Class IV (non irrigated) soils, and Class I-IV (irrigated soils) which indicate the soils have very severe limitations that restrict the choice of plants or that require very careful management, or both. The project site is not under a Williamson Act contract, nor are any of the parcels that are located immediately adjacent to the project site. Even though the project site soils have limitations, the City's EIR mitigation measures require a minimum ratio of 2:1 set aside as an agricultural conservation easement conforming with LAFCo policy. Notwithstanding, the EIR concludes that impacts to agricultural land remains significant and unavoidable.

The City and County have approved a property tax exchange agreement. Therefore, staff concludes that the annexation proposal complies with required state factors and local standards of evaluation.

Action Without Notice and Waiver of Protest Proceedings

Government Code Section 56662 allows LAFCo to approve an annexation without notice and hearing, and may waive protest proceedings entirely if: the territory is uninhabited; an affected local agency has not submitted a written demand for hearing; and there is 100% landowner approval. The Springlake Fire Protection District was notified of the proposed detachment and has not objections. Staff erred on the side of transparency and published a notice of this item in the Davis Enterprise and mailed notifications to landowners within 300' of the subject property, but recommends waiver of protest proceedings is appropriate considering there is only one landowner (i.e. the developer).

CEQA

The annexation is a discretionary action subject to CEQA. The City of Davis certified a Final Environmental Impact Report on June 12, 2018 for the West Davis Active Adult Community Project which analyzes and discloses the significant environmental effects associated with development in the annexation area.

LAFCo is considered a "responsible agency" under CEQA, which means a public agency, other than the "lead agency" (i.e. the City), which has responsibility for carrying out or approving a project. In other words LAFCo approval (i.e. the annexation) is required for the City to carry out development under its project approval. Pursuant to Government Code Section 15096, LAFCo as a responsible agency complies with CEQA by considering the EIR prepared by the City and reaching its own conclusions on whether and how to approve the annexation. LAFCo is required to make findings for each significant environmental effect of the project. CEQA requires the decision-making agency to balance the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental effects when determining whether to approve the project. If the benefits outweigh the adverse effects, they may be considered "acceptable". The City's Final EIR for the West Davis Active Adult Community Project identified significant and unavoidable impacts in the following areas: aesthetics and visual resources; agriculture resources; air quality; and traffic and circulation. The City's EIR have not been attached due to size considerations, but can be found here: <https://cityofdavis.org/city-hall/community-development-and-sustainability/development-projects/west-davis-active-adult-community>. Staff provided comments to the Notice of Preparation to ensure the EIR was consistent with LAFCo policy.

Attachments

[ATT A-Resolution 2019-04 CEQA for City of Davis Annexation of WDAAC](#)

[ATT B-Resolution 2019-05 City of Davis Annexation of WDAAC & Detach of Springlake FPD](#)

[ATT C-Agency Correspondence](#)

[ATT D-WDAAC Annexation Proposal Application-02.08.19](#)

Form Review

Inbox

Christine Crawford (Originator)
Form Started By: Christine Crawford
Final Approval Date: 04/17/2019

Reviewed By

Christine Crawford

Date

04/17/2019 02:52 PM
Started On: 04/16/2019 10:57 AM

YOLO LOCAL AGENCY FORMATION COMMISSION

Resolution № 2019-04

**Adopting Findings as a Responsible Agency for the Final Environmental Impact Report
and Statement of Overriding Considerations for the
West Davis Active Adult Community Project (SCH# 2017042043)**

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, set forth in Government Code Sections 56000 et seq., governs the organization and reorganization of cities and special districts by local agency formation commissions (LAFCo) established in each county, as defined and specified in Government Code Sections 56000 et seq. (unless otherwise indicated all statutory references are to the Government Code); and,

WHEREAS, Government Code Section 56375 provides LAFCo with the power to review and approve proposals for "changes in organization" consistent with policies adopted by the commission; and,

WHEREAS, Government Code Section 56021 defines "changes of organization" to include annexation to a city, among other actions; and,

WHEREAS, the subject parcel is included within the Sphere of Influence for the City of Davis as approved by the Yolo LAFCo

WHEREAS, On June 12, 2018, the City of Davis approved the West Davis Active Adult Community Project (Project) and the voters of the City of Davis, on November 6, 2018, ratified the General Plan Amendment and the Baseline Project Features for the Project; and,

WHEREAS, Government Code Section 56650 authorizes proceedings for a change of organization to be initiated by a Resolution of Application as adopted by a local agency. On January 8, 2019 the City of Davis adopted a Resolution of Application to annex the West Davis Active Adult Community Property (APN: 036-060-05); and,

WHEREAS, the proposal application was submitted to Yolo LAFCo on February 8, 2019; and

WHEREAS, LAFCo staff has reviewed the annexation proposal pursuant to the California Environmental Quality Act (CEQA) as a "project" per CEQA Guidelines Section 21065 because it is an activity which may cause a direct or indirect physical change to the environment; and

WHEREAS, the environmental effects of the annexation proposal are included and considered in the West Davis Active Adult Community Project Final Environmental Impact Report (FEIR) certified by the City of Davis as the Lead Agency; and

WHEREAS, on June 12, 2018, the Davis City Council adopted Resolution No. 18-093, certifying the FEIR, which included: the draft EIR and responses to comments; and adopting CEQA Findings of Fact, Mitigation Monitoring and Reporting Program, and Statement of Overriding Considerations, a copy of which is attached hereto; and

WHEREAS, Yolo LAFCo has limited approval and implementing authority over the West Davis Active Adult Community Project and thus served as a responsible agency for the project pursuant to the requirements of CEQA, and

WHEREAS, Yolo LAFCo complied with CEQA as a Responsible Agency by responding to the Notice of Preparation from the Lead Agency and reviewed the Draft Environmental Impact Report for the West Davis Active Adult Community Project, regarding issues germane to LAFCo's statutory responsibilities; and

WHEREAS, CEQA requires a Responsible Agency to accept an EIR as prepared by the Lead Agency and to treat the document as being legally adequate absent specified circumstances not present herein.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED that the Yolo Local Agency Formation Commission hereby adopts Resolution 2019-04 as follows:

1. Yolo LAFCo adopts and incorporates herein as true and accurate all of the statements and recitals set forth in the preceding portions of this resolution and the entirety of the Findings of Fact and Statement of Overriding Considerations attached hereto as **Exhibit A**.
2. Yolo LAFCo makes the following additional findings, conclusions, and determinations:
 - a. **CEQA Findings--Responsible Agency.** Yolo LAFCo is considered a Responsible Agency under CEQA for the FEIR. Yolo LAFCo's CEQA review as a Responsible Agency is more limited than a Lead Agency and Yolo LAFCo has responsibility for mitigating or avoiding only the direct or indirect environmental effects of those parts of the project which it carries out, finances, or approves. Yolo LAFCo's use of the FEIR is limited to annexation of the subject parcel by the City of Davis. Pursuant to CEQA Guidelines section 15096, Yolo LAFCo has considered the FEIR prepared by the City of Davis and has determined that it is acceptable and legally adequate for use by Yolo LAFCo.
 - b. **Findings for Less Than Significant Environmental Impacts.** Various significant and potentially significant environmental impacts have been mitigated to less than significant levels, as set forth in the FEIR's Findings of Fact and Statement of Overriding Considerations. With respect to those significant impacts identified in the FEIR that require mitigation to be reduced to a less than significant level, LAFCo hereby finds that the measures at issue are within the responsibility and jurisdiction of another public agency and not LAFCo. Such changes either have been adopted by the City or can and should be adopted by other agencies. (Pub. Resources Code, § 21081, subd. (a)(2).)
 - c. **Findings for Significant and Unavoidable Impacts.** Certain significant and potentially significant environmental impacts are unavoidable as set forth in the FEIR's Findings of Fact and Statement of Overriding Considerations. The impacts discussed were determined by the City of Davis to be significant and unavoidable. Upon review of the impacts identified by the City as being significant and unavoidable, Yolo LAFCo has determined these impacts will remain significant and unavoidable after approval of the annexation and that there are no additional feasible mitigation measures that can be legally imposed by Yolo LAFCo. Yolo LAFCo specifically acknowledges these impacts and Yolo LAFCo adopts, to the extent applicable, the discussion of the significant and unavoidable impacts as set forth in the FEIR's Findings of Fact and Statement of Overriding Considerations

attached hereto as **Exhibit A** and incorporated herein by reference. With respect to those significant impacts that were subject to mitigation but could still not be reduced to less than significant levels, Yolo LAFCo hereby finds that the measures at issue are within the responsibility and jurisdiction of another public agency and not LAFCo. Such changes either have been adopted by the City or can and should be adopted by other agencies. (Pub. Resources Code, § 21081, subd. (a)(2).)

- d. **Findings for Project Alternatives.** Project alternatives are discussed at length within the FEIR. The alternatives set forth in the FEIR were directed at the City, in that the different options presented different permutations of a development proposal. Since the Davis City Council has already rejected these alternatives as infeasible in detailed findings, Yolo LAFCo, given its lack of direct authority over land use under Cortese-Knox, is not in a position to impose a different version of the development on the City. LAFCo's role is to annex the parcel to the City in compliance with LAFCo's policies and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Gov. Code, § 56000 et seq.). Although LAFCo has reviewed the City findings for the project alternatives, LAFCo declines to make separate findings regarding alternatives rejected by the City or to otherwise entertain alternatives over which it has no jurisdiction. For reasons set forth in the CEQA Findings of Fact and Statement of Overriding Considerations, the Davis City Council rejected the alternatives set forth in the FEIR as being infeasible or unacceptable for various reasons. The Commission finds these reasons acceptable, and adopts them as its own to the extent that its statutory authority allows it to consider concerns such as those weighed by the Davis City Council in approving the Project and rejecting alternatives. With respect to the alternatives rejected as infeasible by the City, LAFCo hereby finds that specific economic, legal, social, technological, or other considerations make infeasible the alternatives identified in the FEIR. (Pub. Resources Code, § 21081, subd. (a)(3).)
- e. **Statement of Overriding Considerations.** As set forth in the preceding sections, Yolo LAFCo's approval of the annexation will result in impacts that remain significant and unavoidable. The City balanced the benefits of the Project against its significant and unavoidable environmental impacts and determined that the benefits of the Project outweigh its unavoidable adverse environmental impacts. Similarly, Yolo LAFCo also approves the annexation because the substantial economic, social, legal, technological, and other benefits that the Project will produce render the significant effects acceptable. This determination is based on the FEIR and other information in the record. In light of the foregoing economic, social, recreational and planning benefits provided by the Project, pursuant to CEQA Guidelines section 15093, the Commission finds and determines that these considerable benefits of the Project outweigh the unavoidable adverse effects and the adverse environmental effects that cannot be mitigated to a level of environmental insignificance, are deemed acceptable.
- f. **Mitigation Monitoring Plan.** Yolo LAFCo is aware of the Mitigation Monitoring Plan adopted by the City to ensure implementation of the above-mentioned mitigation measures, as well as all others within the City's control. The Mitigation Monitoring Plan is incorporated by reference herein. Since the FEIR did not recommend or identify any mitigation measures that should be implemented by

Yolo LAFCo, the Commission has no need to formally adopt any of its own mitigation measures or any separate mitigation monitoring plan or program.

- 3. The Executive Officer is directed to file a Notice of Determination with the County Clerk for Yolo County within five (5) days of the adoption of this resolution.

PASSED AND ADOPTED by the Yolo Local Agency Formation Commission, State of California, this 25thth day of April 2019, by the following vote:

Ayes:
Noes:
Abstentions:
Absent:

Olin Woods, Chair
Yolo Local Agency Formation Commission

Attest:



Christine Crawford, Executive Officer
Yolo Local Agency Formation Commission

Approved as to form:



Eric May, Commission Counsel

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATION

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATION

FOR THE

WEST DAVIS ACTIVE ADULT COMMUNITY PROJECT

REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
(Public Resources Code, Section 21000 et seq)

I. INTRODUCTION

The California Environmental Quality Act (CEQA) requires the City of Davis (City), as the CEQA lead agency to: 1) make written findings when it approves a project for which an environmental impact report (EIR) was certified, and 2) identify overriding considerations for significant and unavoidable impacts identified in the EIR.

These findings explain how the City, as the lead agency, approached the significant and potentially significant impacts identified in the EIR prepared for the West Davis Active Adult Community Project (project). The statement of overriding considerations identifies economic, social, technological, and other benefits of the project that override any significant environmental impacts that would result from the project.

As required under CEQA, the Final EIR describes the project, adverse environmental impacts of the project, and mitigation measures and alternatives that would substantially reduce or avoid those impacts. The information and conclusions contained in the EIR reflect the City's independent judgment regarding the potential adverse environmental impacts of the project.

The Final EIR (which includes the Draft EIR, comments on the Draft EIR, responses to comments on the Draft EIR, and revisions to the Draft EIR) for the project, examined several alternatives to the project that were not chosen as part of the approved project (the No Project (No Build) Alternative, the Conventional (Non-Age Restricted) Alternative, the Higher Density, Less Land Alternative, and the Off-Site (Inside Mace Curve) Alternative).

The Findings of Fact and Statement of Overriding Considerations set forth below ("Findings") are presented for adoption by the City Council (Council) as the City's findings under CEQA (Public Resources Code, §21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, § 15000 et seq.) relating to the project. The Findings provide the written analysis and conclusions of this Council regarding the project's environmental impacts, mitigation measures, alternatives to the project, and the overriding considerations, which in this Council's view, justify approval of the project, despite its environmental effects.

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II. GENERAL FINDINGS AND OVERVIEW

Procedural Background

The City of Davis circulated a Notice of Preparation (NOP) of an EIR for the proposed project and an Initial Study on April 14, 2017 to trustee agencies, the State Clearinghouse (SCH # 2017042043), and the public. A scoping meeting was held on April 26, 2017 in the City of Davis. Those present at the scoping meeting included representatives from the following: the City of Davis, De Novo Planning Group, and the project applicant team. The NOP and comments received during the NOP comment period are presented in Appendix A of the Draft EIR.

The City of Davis published a public Notice of Availability (NOA) for the Draft EIR on December 22, 2017 inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH # 2017042043) and the County Clerk, and was published in a local newspaper pursuant to the public noticing requirements of CEQA. The Draft EIR was available for public review and comment from December 22, 2017 through February 20, 2018.

The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR identifies issues determined to have no impact or a less-than-significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in the Draft EIR.

The City received 17 comment letters regarding the Draft EIR from public agencies, organizations, and members of the public during the public comment period. In accordance with CEQA Guidelines Section 15088, a Final EIR was prepared that responded to the written comments received, as required by CEQA. The Final EIR document and the Draft EIR, as amended by the Final EIR, constitute the Final EIR.

Project Revisions

After completion of the Draft EIR, the proposed circulation improvements to the West Covell Boulevard/Risling Court/Shasta Drive intersection were revised in order to improve bicycle and pedestrian comfort. Fehr & Peers completed additional focused analysis of traffic operations at the West Covell Boulevard/Risling Court/Shasta Drive intersection as a result of the project revisions. The results of the focused analysis are summarized in a technical memorandum dated March 22, 2018. The memorandum is included as Appendix A of the Final EIR.

The Draft EIR assumed that the westbound and northbound right-turns at the West Covell Boulevard/Risling Court/Shasta Drive intersection would continue to have channelized 'free-flow' right-turn lanes. Both corners currently include triangular raised medians with flared approach lanes. The northbound right-turn movement has a full-width acceleration lane departing the

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intersection, while the westbound right-turn movement has a minimal acceleration area. These designs allow motorists to perform these right-turn movements at a relatively high rate of speed, though they must yield to through traffic, when present.

The following changes at the West Covell Boulevard/Risling Court/Shasta Drive intersection were made after completion of the Draft EIR:

- Remove triangular raised median and convert westbound right-turn lane to a signal-controlled movement with a 150-foot turn pocket.
- Remove triangular raised median and restripe northbound through lane to be a shared through/right lane.

The revised project remains consistent with the scope of the project evaluated in the EIR and does not result in a significant new environmental impact or a substantial increase in the severity of an environmental impact. The revision improves safety and comfort for pedestrians and cyclists, and increases consistency with City design standards. It does not alter the analysis or conclusions of the EIR and does not require recirculation pursuant to CEQA Guidelines Section 15088.5.

Record of Proceedings and Custodian of Record

For purposes of CEQA and the findings set forth herein, the record of proceedings for the City's findings and determinations consists of the following documents and testimony, at a minimum:

- The NOP, comments received on the NOP, NOA, and all other public notices issued by the City in relation to the West Davis Active Adult Community Project Draft EIR.
- The West Davis Active Adult Community Project Final EIR, including comment letters and technical materials cited in the document.
- All non-draft and/or non-confidential reports and memoranda prepared by the City of Davis and consultants in relation to the EIR.
- Minutes of the discussions regarding the project and/or project components at public hearings held by the City.
- Staff reports associated with Planning Commission and City Council meetings on the project.
- Those categories of materials identified in Public Resources Code Section 21167.6.

The City Clerk is the custodian of the administrative record. The documents and materials that constitute the administrative record are available for review at the City of Davis Office of the City Clerk at: 23 Russell Boulevard, Suite 1, Davis, CA 95616.

Consideration of the Environmental Impact Report

In adopting these Findings, this Council finds that the Final EIR was presented to this Council, the decision-making body of the lead agency, which reviewed and considered the information in the Final EIR prior to approving the West Davis Active Adult Community Project. By these findings, this City Council ratifies, adopts, and incorporates the analysis, explanation, findings, responses to

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comments, and conclusions of the Final EIR. The City Council finds that the Final EIR was completed in compliance with the California Environmental Quality Act. The Final EIR represents the independent judgment and analysis of the City.

SEVERABILITY

If any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court to be invalid, void, or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the West Davis Active Adult Community Project, shall continue in full force and effect unless amended or modified by the City.

III. FINDINGS AND RECOMMENDATIONS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS

A. AESTHETICS AND VISUAL RESOURCES

1. POTENTIAL TO RESULT IN SUBSTANTIAL ADVERSE EFFECTS ON SCENIC VISTAS AND RESOURCES OR SUBSTANTIAL DEGRADATION OF VISUAL CHARACTER (EIR IMPACT 3.1-1)

- (a) Potential Impact. The potential for the project to result in substantial adverse effects on scenic vistas and resources or substantial degradation of visual character is discussed on pages 3.1-6 through 3.1-8 of the Draft EIR.
- (b) Mitigation Measures. No feasible mitigation measures have been adopted for this impact.
- (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:
 - (1) Effects of Mitigation and Remaining Impacts. No feasible mitigation measures have been adopted for this impact. The loss of the visual appearance of the existing vacant land on the site will change the visual character of the project site in perpetuity. Compliance with the City's site plan and architectural approval process would reduce visual impacts to the greatest extent feasible; however, the proposed project would permanently convert the undeveloped site to urbanized uses. The project cannot be designed to avoid or reduce impacts related to degradation of the visual character of the site to a level that is less than significant. This would represent a significant and unavoidable impact of the project.
 - (2) Overriding Considerations. The environmental, economic, social and other benefits of the project override any remaining significant adverse impact of the project associated with impacts related to aesthetics and visual resources, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

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2. THE PROJECT MAY CONTRIBUTE TO THE CUMULATIVE DEGRADATION OF THE EXISTING VISUAL CHARACTER OF THE REGION (EIR IMPACT 4.1)
- (a) Potential Impact. The potential for the project to contribute to the cumulative degradation of the existing visual character of the region is discussed on pages 4.0-4 and 4.0-5 of the Draft EIR.
- (b) Mitigation Measures. No feasible mitigation measures have been adopted for this impact.
- (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:
- (1) Effects of Mitigation and Remaining Impacts. No feasible mitigation measures have been adopted for this impact. Implementation of the proposed project would change the visual character of the project site by introducing new residential and mixed uses to an undeveloped site. The project site has been previously used for agricultural uses, and is currently designated for agricultural uses by the Davis General Plan. As described above, project implementation would result in significant adverse impacts to the visual character or quality of the site. Development of the proposed project, in addition to other future projects in the area, would change the existing visual and scenic qualities of the City. There are no mitigation measures that could reduce this impact except a ceasing of all future development, which is not a feasible option. This would represent a significant and unavoidable impact of the project.
- (2) Overriding Considerations. The environmental, economic, social and other benefits of the project override any remaining significant adverse impact of the project associated with impacts related to aesthetics and visual resources, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

B. AGRICULTURAL RESOURCES

1. PROJECT IMPLEMENTATION MAY RESULT IN THE CONVERSION OF PRIME FARMLAND, UNIQUE FARMLAND, AND FARMLAND OF STATEWIDE IMPORTANCE, AS SHOWN ON THE MAPS PREPARED PURSUANT TO THE FARMLAND MAPPING AND MONITORING PROGRAM OF THE CALIFORNIA RESOURCES AGENCY, TO NON-AGRICULTURAL USES (EIR IMPACT 3.2-1)
- (a) Potential Impact. The potential for the project to result in the conversion of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses is discussed on pages 3.2-11 through 3.2-13 of the Draft EIR.

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(b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring and Reporting Program: Mitigation Measure 3.2-1.

(c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:

(1) Effects of Mitigation and Remaining Impacts. Implementation of Mitigation Measure 3.2-1 would require the project applicant to set aside in perpetuity, at a minimum ratio of 2:1 of active agricultural acreage, an amount equal to the current phase. While implementation of Mitigation Measure 3.2-1 would reduce the above-identified impact through preservation of agricultural land at a 2:1 ratio, the impact would not be reduced to a less-than-significant level due to the fact that active agricultural land would still be permanently converted to urban uses. Consistent with the Davis General Plan EIR, feasible mitigation measures do not exist to reduce the above impact to a less-than-significant level. This would represent a significant and unavoidable impact of the project.

(2) Overriding Considerations. The environmental, economic, social and other benefits of the project override any remaining significant adverse impact of the project associated with impacts related to agricultural resources, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

2. PROJECT IMPLEMENTATION MAY LEAD TO THE INDIRECT CONVERSION OF ADJACENT AGRICULTURAL LANDS TO NON-AGRICULTURAL USES (EIR IMPACT 3.2-4)

(a) Potential Impact. The potential for the project to lead to the indirect conversion of adjacent agricultural lands to non-agricultural uses is discussed on pages 3.2-14 through 3.2-16 of the Draft EIR.

(b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring and Reporting Program: Mitigation Measure 3.2-2.

(c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:

(1) Effects of Mitigation and Remaining Impacts. Implementation of Mitigation Measure 3.2-2 would require the project applicant to consult with adjacent agricultural property owners and attempt to purchase a “no aerial spray” easement. Mitigation Measure 3.2-2 would reduce the above identified impact. However, it is not guaranteed that an agreement will be reached, or that it would fully eliminate the potential burden placed on the adjacent agricultural lands from an operational perspective. The project cannot be designed to avoid or reduce

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impacts related to indirect conversion of adjacent agricultural lands to a level that is less than significant. This would represent a significant and unavoidable impact of the project.

(2) Overriding Considerations. The environmental, economic, social and other benefits of the project override any remaining significant adverse impact of the project associated with impacts related to agricultural resources, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

3. THE PROJECT MAY CONTRIBUTE TO CUMULATIVE IMPACTS ON AGRICULTURAL LAND AND USES (EIR IMPACT 4.2)

(a) Potential Impact. The potential for the project to contribute to cumulative impacts on agricultural land and uses is discussed on page 4.0-5 of the Draft EIR.

(b) Mitigation Measures. No feasible mitigation measures have been adopted for this impact.

(c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:

(1) Effects of Mitigation and Remaining Impacts. No feasible mitigation measures have been adopted for this impact. Implementation of the proposed project may result in indirect pressure to convert agricultural lands to a non-agricultural use or conflict with agricultural operations other than the aerial application of pesticides. The project has the potential to impact adjacent pesticide application due to the County Agricultural Commissioner's Conditions Covering the Use of Restricted Materials guidance. According to the guidance, aerial application of "danger" labeled pesticides requires a 500-foot buffer from environmentally sensitive areas. The proposed project includes a 150-foot AG buffer. However, 350 feet of the required 500-foot setback would need to encroach onto the adjacent agricultural land. Therefore, if aerial application of pesticides is deemed necessary on the adjacent farmlands, the proposed project would indirectly disrupt farming operations on the adjacent property. The project cannot be designed to avoid or reduce impacts related to agricultural land and uses to a level that is less than significant. This would represent a significant and unavoidable impact of the project.

(2) Overriding Considerations. The environmental, economic, social and other benefits of the project override any remaining significant adverse impact of the project associated with impacts related to agricultural resources, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

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C. AIR QUALITY

1. PROJECT OPERATIONS HAVE THE POTENTIAL TO CAUSE A VIOLATION OF ANY AIR QUALITY STANDARD OR CONTRIBUTE SUBSTANTIALLY TO AN EXISTING OR PROJECTED AIR QUALITY VIOLATION (EIR IMPACT 3.3-1)
 - (a) Potential Impact. The potential for project operations to cause a violation of any air quality standard or contribute substantially to an existing or projected air quality violation is discussed on pages 3.3-18 through 3.3-20 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring and Reporting Program: Mitigation Measure 3.3-1.
 - (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:
 - (1) Effects of Mitigation and Remaining Impacts. Implementation of Mitigation Measure 3.3-1 would require the project applicant to incorporate various measures into the project design in order to reduce operational emissions. Implementation of Mitigation Measure 3.3-1 would reduce proposed project operation-related criteria pollutant emissions. In addition, implementation of Mitigation Measure 3.7-1, as provided in Chapter 3.7, "Greenhouse Gas Emissions", would reduce these emissions further. However, even after mitigation measures are applied, proposed project respirable particulate matter (PM₁₀) emissions would be above the Yolo-Solano Air Quality Management District (YSAQMD) threshold. The project cannot be designed to avoid or reduce operational air quality impacts to a level that is less than significant. This would represent a significant and unavoidable impact of the project.
 - (2) Overriding Considerations. The environmental, economic, social and other benefits of the project override any remaining significant adverse impact of the project associated with impacts related to air quality, as more fully stated in the Statement of Overriding Considerations in Section VII, below.
2. THE PROJECT MAY CONTRIBUTE TO CUMULATIVE IMPACTS ON THE REGION'S AIR QUALITY (EIR IMPACT 4.3)
 - (a) Potential Impact. The potential for the project to contribute to cumulative impacts on the region's air quality is discussed on pages 4.0-5 through 4.0-7 of the Draft EIR.
 - (b) Mitigation Measures. No feasible mitigation measures have been adopted for this impact.

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(c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:

(1) Effects of Mitigation and Remaining Impacts. No feasible mitigation measures have been adopted for this impact. As discussed above, even with implementation of mitigation, PM₁₀ emissions would be above the YSAQMD threshold. The project cannot be designed to avoid or reduce operational air quality impacts to a level that is less than significant. This would represent a significant and unavoidable impact of the project.

(2) Overriding Considerations. The environmental, economic, social and other benefits of the project override any remaining significant adverse impact of the project associated with impacts related to air quality, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

D. TRANSPORTATION AND CIRCULATION

1. UNDER CUMULATIVE PLUS PROJECT CONDITIONS, PROJECT IMPLEMENTATION WOULD CAUSE SIGNIFICANT IMPACTS AT STUDY INTERSECTIONS (EIR IMPACT 3.14-5)

(a) Potential Impact. The potential for the project to cause significant impacts at study intersections under cumulative plus project conditions is discussed on pages 3.14-44 through 3.14-46 of the Draft EIR.

(b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring and Reporting Program: Mitigation Measure 3.14-1.

(c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:

(1) Effects of Mitigation and Remaining Impacts. Implementation of Mitigation Measure 3.14-1 would require the payment of the project's fair share funding towards improvements at the West Covell Boulevard / State Route (SR) 113 Northbound (NB) ramps and the West Covell Boulevard / Sycamore Lane intersection. However, the West Covell Boulevard / SR 113 NB ramps improvement is under the California Department of Transportation (Caltrans) jurisdiction. It is unknown whether additional right-of-way would be needed for this improvement, or if a design exception would be required. There are no assurances that Caltrans would approve and/or fund such a widening. Since the remaining fair share funding sources needed for construction have not been identified, fair share payment would not ensure construction.

Additionally, the West Covell Boulevard / Sycamore Lane intersection improvement would not, on its own, restore operations to an acceptable level of

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service (LOS). The project cannot be designed to avoid or reduce impacts at these two study intersections to a level that is less than significant. This would represent a significant and unavoidable impact of the project.

(2) Overriding Considerations. The environmental, economic, social and other benefits of the project override any remaining significant adverse impact of the project associated with impacts related to transportation and circulation, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

2. UNDER CUMULATIVE PLUS PROJECT CONDITIONS, PROJECT IMPLEMENTATION WOULD CAUSE SIGNIFICANT IMPACTS AT STUDY FREEWAY FACILITIES (EIR IMPACT 3.14-6)

(a) Potential Impact. The potential for the project to cause significant impacts at study freeway facilities under cumulative plus project conditions is discussed on page 3.14-47 of the Draft EIR.

(b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring and Reporting Program: Mitigation Measure 3.14-1(a).

(c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:

(1) Effects of Mitigation and Remaining Impacts. Implementation of Mitigation Measure 3.14-1(a) would require the payment of the project's fair share funding towards widening the NB SR 113 off-ramp at West Covell Boulevard. However, the widening of the SR 113 northbound off-ramp would occur within Caltrans right-of-way, and would therefore require Caltrans approvals. Because there are no assurances that Caltrans would approve and/or fund such a widening, construction of this improvement cannot be guaranteed. The project cannot be designed to avoid or reduce impacts at this study freeway facility to a level that is less than significant. This would represent a significant and unavoidable impact of the project.

(2) Overriding Considerations. The environmental, economic, social and other benefits of the project override any remaining significant adverse impact of the project associated with impacts related to transportation and circulation, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

3. THE PROPOSED SITE PLAN WOULD NOT PROVIDE ADEQUATE EMERGENCY VEHICLE ACCESS (EIR IMPACT 3.14-9)

(a) Potential Impact. The potential for the project to result in inadequate emergency vehicle access is discussed on page 3.14-49 of the Draft EIR.

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- (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring and Reporting Program: Mitigation Measure 3.14-2.
 - (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:
 - (1) Effects of Mitigation and Remaining Impacts. Implementation of Mitigation Measure 3.14-2 would require the project to dedicate an emergency vehicle access easement from the project site to John Jones Road. If implemented, this mitigation measure would alleviate this potential impact. However, there are no assurances that this easement would be provided and agreed upon by the applicant and Sutter Davis Hospital. Therefore, this mitigation measure is infeasible because dedication and construction of this improvement cannot be guaranteed. The project cannot be designed to avoid or reduce impacts related to emergency vehicle access to a level that is less than significant. This would represent a significant and unavoidable impact of the project.
 - (2) Overriding Considerations. The environmental, economic, social and other benefits of the project override any remaining significant adverse impact of the project associated with impacts related to transportation and circulation, as more fully stated in the Statement of Overriding Considerations in Section VII, below.
4. THE PROPOSED SITE PLAN WOULD NOT PROVIDE ADEQUATE PROJECT ACCESS (EIR IMPACT 3.14-10)
- (a) Potential Impact. The potential for the project to result in inadequate project access is discussed on pages 3.14-49 through 3.14-51 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring and Reporting Program: Mitigation Measure 3.14-3.
 - (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:
 - (1) Effects of Mitigation and Remaining Impacts. Implementation of Mitigation Measure 3.14-3 would require the payment of the project's fair share funding towards improvements at the West Covell Boulevard / Risling Court / Shasta Drive intersection. If implemented, this mitigation measure would alleviate this potential impact. However, because there are no assurances that this improvement would be funded and constructed, this mitigation measure is infeasible. The project cannot be designed to avoid or reduce impacts at this

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project access intersection to a level that is less than significant. This would represent a significant and unavoidable impact of the project.

(2) Overriding Considerations. The environmental, economic, social and other benefits of the project override any remaining significant adverse impact of the project associated with impacts related to transportation and circulation, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

5. UNDER CUMULATIVE PLUS PROJECT CONDITIONS, PROJECT IMPLEMENTATION WOULD CAUSE SIGNIFICANT IMPACTS AT STUDY INTERSECTIONS (EIR IMPACT 4.15)

(a) Potential Impact. The potential for the project to cause significant impacts at study intersections under cumulative plus project conditions is discussed on pages 4.0-13 and 4.0-14 of the Draft EIR.

(b) Mitigation Measures. No feasible mitigation measures have been adopted for this impact.

(c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:

(1) Effects of Mitigation and Remaining Impacts. No feasible mitigation measures have been adopted for this impact. Improvements at the West Covell Boulevard / SR 113 NB ramps and the West Covell Boulevard / Sycamore Lane intersection could improve operations at these study intersections. However, as discussed above, the West Covell Boulevard / SR 113 NB ramps improvement is under Caltrans jurisdiction, and the West Covell Boulevard / Sycamore Lane intersection improvement would not, on its own, restore operations to an acceptable LOS. The project cannot be designed to avoid or reduce impacts at these two study intersections to a level that is less than significant. This would represent a significant and unavoidable impact of the project.

(2) Overriding Considerations. The environmental, economic, social and other benefits of the project override any remaining significant adverse impact of the project associated with impacts related to transportation and circulation, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

6. UNDER CUMULATIVE PLUS PROJECT CONDITIONS, PROJECT IMPLEMENTATION WOULD CAUSE SIGNIFICANT IMPACTS AT STUDY FREEWAY FACILITIES (EIR IMPACT 4.16)

(a) Potential Impact. The potential for the project to cause significant impacts at study freeway facilities under cumulative plus project conditions is discussed on pages 4.0--14 and 4.0-15 of the Draft EIR.

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- (b) Mitigation Measures. No feasible mitigation measures have been adopted for this impact.
- (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:
 - (1) Effects of Mitigation and Remaining Impacts. No feasible mitigation measures have been adopted for this impact. Improvements at the NB SR 113 off-ramp at West Covell Boulevard could improve operations at this study freeway facility. However, as discussed above, the West Covell Boulevard / SR 113 NB ramps improvement is under Caltrans jurisdiction. The project cannot be designed to avoid or reduce impacts at this study freeway facility to a level that is less than significant. This would represent a significant and unavoidable impact of the project.
 - (2) Overriding Considerations. The environmental, economic, social and other benefits of the project override any remaining significant adverse impact of the project associated with impacts related to transportation and circulation, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

IV. FINDINGS AND RECOMMENDATIONS REGARDING SIGNIFICANT IMPACTS WHICH ARE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

A. AESTHETICS AND VISUAL RESOURCES

- 1. PROJECT IMPLEMENTATION MAY RESULT IN LIGHT AND GLARE IMPACTS (EIR IMPACT 3.1-2)
 - (a) Potential Impact. The potential for the project implementation to result in light and glare impacts is discussed on pages 3.1-9 and 3.1-10 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.1-1.
 - (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that implementation of Mitigation Measure 3.1-1 would require the project to show that the use of reflective building materials that have the potential to result in glare that would be visible from sensitive receptors located in the vicinity of the project site would not be used. Mitigation Measure 3.1-1 would reduce light and glare impacts from project operation to a less than significant level. As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval,

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which mitigate or avoid the significant environmental impact listed above, and as identified in the FEIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

B. AIR QUALITY

1. PROJECT CONSTRUCTION HAS THE POTENTIAL TO CAUSE A VIOLATION OF AN AIR QUALITY STANDARD OR CONTRIBUTE SUBSTANTIALLY TO AN EXISTING OR PROJECTED AIR QUALITY VIOLATION (EIR IMPACT 3.3-2)
 - (a) Potential Impact. The potential for the project construction to cause a violation of an air quality standard or contribute substantially to an existing or projected air quality violation is discussed on pages 3.3-20 through 3.3-23 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.3-2.
 - (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that implementation of Mitigation Measure 3.3-2 would require the project applicant to implement several dust control measures during all construction activities. Mitigation Measure 3.3-2 would reduce air quality impacts from project construction to a less than significant level. As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the FEIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

C. BIOLOGICAL RESOURCES

1. PROJECT IMPLEMENTATION MAY RESULT IN DIRECT OR INDIRECT EFFECTS ON SPECIAL-STATUS INVERTEBRATE SPECIES (EIR IMPACT 3.4-1)
 - (a) Potential Impact. The potential for the project to have a direct or indirect impact on special-status invertebrate species is discussed on pages 3.4-15 and 3.4-16 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.4-1.

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(c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that the impacts to special-status invertebrate species will be mitigated to a less than significant level as Mitigation Measure 3.4-1 would first require the on-site elderberry shrub(s) to be avoided and preserved on-site through site design, as feasible. All elderberry shrub(s) that are located adjacent to construction areas, but can be avoided, would be fenced and designated as environmentally sensitive areas. These areas would be avoided by all construction personnel. Fencing would also be placed at least 20 feet from the dripline of each shrub, unless otherwise approved by the U.S. Fish and Wildlife Service (USFWS). The use of insecticides, herbicides, or other chemicals that might harm the beetle or its host plant would be prohibited within 100 feet of the shrubs. If the elderberry shrub(s) cannot be avoided, as determined by the City of Davis Public Works Department in conjunction with the project applicant, then the project applicant would be required to mitigate for potential impacts to the shrub(s) by either (1) purchasing VELB conservation credits from a USFWS-approved conservation bank, or (2) transplanting the individual shrub(s) that is not avoided to a suitable mitigation site in a manner consistent with the USFWS' 1999 Conservation Guidelines for the Valley Elderberry Longhorn Beetle. Any remaining impacts related to special-status invertebrate species after implementation of Mitigation Measure 3.4-1 would not be significant. As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the FEIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

2. PROJECT IMPLEMENTATION MAY RESULT IN DIRECT OR INDIRECT EFFECTS ON SPECIAL-STATUS REPTILE AND AMPHIBIAN SPECIES (EIR IMPACT 3.4-2)

(a) Potential Impact. The potential for the project to have a direct or indirect impact on special-status reptile and amphibian species is discussed on pages 3.4-16 through 3.4-19 of the Draft EIR.

(b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.4-2 and 3.4-3.

(c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that the impacts to special-status reptile and amphibian species will be mitigated to a less than significant level as Mitigation Measure 3.4-2 would first require the project to avoid areas of potential pond turtle nesting habitat during the nesting season (April to August). Then, this measure would require the project to

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retain a qualified biologist to perform a preconstruction survey to ensure that there are no western pond turtles within aquatic habitats and adjacent suitable uplands to be disturbed by project activities. If it is determined from the preconstruction survey that there are western pond turtles present, then the project proponent shall seek consultation and approval by the California Department of Fish and Wildlife (CDFW) in order to move the turtles. Further, pursuant to Mitigation Measure 3.4-2, all construction personnel would be required to observe a 15 miles-per-hour speed limit on unpaved roads, and would be required to receive worker environmental awareness training from a qualified biologist to instruct workers to recognize western pond turtle, their habitats, and measures being implemented for its protection.

Additionally, Mitigation Measure 3.4-3 would require the project proponent to consult with USFWS regarding the potential for the project to affect giant garter snake habitat. If USFWS determines that giant garter snake may be potentially affected by project construction, the project proponent would be required to obtain an incidental take permit from USFWS, and implement the minimization guidelines for giant garter snake.

Any remaining impacts related to special-status reptile and amphibian species after implementation of Mitigation Measures 3.4-2 and 3.4-3 would not be significant. As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the FEIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

3. PROJECT IMPLEMENTATION MAY RESULT IN DIRECT OR INDIRECT EFFECTS ON SPECIAL-STATUS BIRD SPECIES (EIR IMPACT 3.4-4)

(a) Potential Impact. The potential for the project to have a direct or indirect impact on special-status bird species is discussed on pages 3.4-19 through 3.4-24 of the Draft EIR.

(b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measures 3.4-4, 3.4-5, and 3.4-6.

(c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that the impacts to special-status bird species will be mitigated to a less than significant level as Mitigation Measure 3.4-4 would first require the project proponent to complete an initial take avoidance survey for western burrowing owl. Implementation of avoidance and minimization measures (as presented in the March

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7, 2012, CDFW Staff Report on Burrowing Owl Mitigation) would be triggered if the initial take avoidance survey results in positive owl presence on the project site where project activities shall occur.

Mitigation Measure 3.4-5 would first require the proposed proponent to hire a qualified biologist to perform a preconstruction survey for nesting Swainson's hawk and other raptors. This measure also requires buffers to be established and maintained around active nest sites during construction activities to avoid nest failure as a result of project activities. Further, the project proponent would be required to mitigate for the permanent loss Swainson's hawk foraging habitat on a per-acre basis.

Mitigation Measure 3.4-6 would first require the proposed proponent to hire a qualified biologist to perform a preconstruction survey for other protected bird species that maybe be located on-site. This measure also requires buffers to be established and maintained around active nest sites during construction activities to avoid nest failure as a result of project activities.

Any remaining impacts related to special-status bird species after implementation of Mitigation Measures 3.4-4, 3.4-5, and 3.4-6 would not be significant. As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the FEIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

4. PROJECT IMPLEMENTATION MAY RESULT IN DIRECT OR INDIRECT EFFECTS ON SPECIAL-STATUS MAMMAL SPECIES (EIR IMPACT 3.4-5)
 - (a) Potential Impact. The potential for the project to have a direct or indirect impact on special-status mammal species is discussed on pages 3.4-24 and 3.4-25 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.4-7.
 - (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that the impacts to special-status mammal species will be mitigated to a less than significant level as Mitigation Measure 3.4-7 would first require the project to retain a qualified biologist to perform a preconstruction survey to ensure that there are no active maternity roosts if removal of any on-site trees with suitable roost

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cavities (as determined by a qualified biologist) and/or dense foliage must occur during the bat pupping season (April 1 through July 31). If it is determined from the preconstruction survey that there are special-status bat maternity roosts, then appropriate buffers around the roost sites shall be determined by a qualified biologist and implemented to avoid destruction or abandonment of the roost resulting from tree removal or other project activities.

Any remaining impacts related to special-status mammal species after implementation of Mitigation Measure 3.4-7 would not be significant. As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the FEIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

5. PROJECT IMPLEMENTATION MAY RESULT IN DIRECT OR INDIRECT EFFECTS ON CANDIDATE, SENSITIVE, OR SPECIAL-STATUS PLANT SPECIES (EIR IMPACT 3.4-6)

- (a) Potential Impact. The potential for the project to have a direct or indirect impact on candidate, sensitive, or special-status plant species is discussed on pages 3.4-26 and 3.4-27 of the Draft EIR.
- (b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.4-8 and 3.4-9.
- (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that the impacts to candidate, sensitive, or special-status plant species will be mitigated to a less than significant level as Mitigation Measure 3.4-8 would first require the project to retain a qualified biologist to perform a focused survey for the following California Native Plant Society (CNPS) listed plants: heartscale (April to October), brittlescale (April to October), San Joaquin spearscale (April to October), recurved larkspur (March to June), and saline clover (April to June). The survey would be performed during the floristic season (shown in parenthesis). If any of these plants are found during the focused survey, the project proponent would be required to contact the CNPS to obtain the appropriate avoidance and minimization measures.

Additionally, Mitigation Measure 3.4-9 would first require the project to retain a qualified biologist to perform a focused survey for *the* federally and state listed palmate-bracted salty bird's-beak (*Chloropyron palmatum*). The survey would be performed during the floristic season (generally May through October). If this plant is

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found during the focused survey, the project proponent would be required to contact the USFWS and CDFW to obtain the appropriate avoidance and minimization measures.

Any remaining impacts related to candidate, sensitive, or special-status plant species after implementation of Mitigation Measures 3.4-8 and 3.4-9 would not be significant. As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the FEIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

6. THE PROPOSED PROJECT HAS THE POTENTIAL TO AFFECT PROTECTED WETLANDS AND JURISDICTIONAL WATERS (EIR IMPACT 3.4-7)

- (a) Potential Impact. The potential for the project to affect protected wetlands and jurisdictional waters is discussed on pages 3.4-27 and 3.4-28 of the Draft EIR.
- (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.4-10.
- (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that the impacts to protected wetlands and jurisdictional waters will be mitigated to a less than significant level as Mitigation Measure 3.4-10 would first require the project proponent to retain a qualified wetland delineator to perform a wetland delineation and jurisdictional determination. Any impacts on jurisdictional features would be required to obtain the appropriate Clean Water Act (CWA) Section 404 and or 401 permits. All permit conditions including required avoidance, minimization, and mitigation measures included as conditions of the permit would also be followed.

Any remaining impacts related to protected wetlands and jurisdictional waters after implementation of Mitigation Measure 3.4-10 would not be significant. As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the FEIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval

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is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

7. PROJECT IMPLEMENTATION MAY RESULT IN CONFLICTS WITH LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES, SUCH AS A TREE PRESERVATION POLICY OR ORDINANCE (EIR IMPACT 3.4-10)
- (a) Potential Impact. The potential for the project to result in conflicts with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, is discussed on pages 3.4-29 through 3.4-31 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.4-11.
 - (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential for the project to result in conflicts with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, will be mitigated to a less than significant level as Mitigation Measure 3.4-11 would first require the project to retain a qualified arborist to perform a survey of any trees within the footprint of the proposed off-site detention basin (located north of Sutter Hospital, and east of the City water tank). The tree survey and arborist report would detail the number, species, size, and relative health and structure of all trees in the aforementioned area. The report would also describe which trees on-site are subject to regulation under the City of Davis Tree Ordinance.

Further, a tree protection plan would be prepared that includes measures to avoid or minimize impacts on trees that are to be preserved on-site and well as proposed mitigation for regulated trees subject to impact or removal. A tree modification permit would be submitted to the City for any proposed removal of a tree. Fees would also be assessed by the City, and paid by the project proponent, in accordance with Davis Municipal Code Chapter 37, "Tree Planting, Preservation, and Protection."

Any remaining impacts related to local policies or ordinances protecting biological resources after implementation of Mitigation Measure 3.4-11 would not be significant. As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the FEIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

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8. PROJECT IMPLEMENTATION MAY RESULT IN CONFLICTS WITH AN ADOPTED HABITAT CONSERVATION PLAN, NATURAL COMMUNITY CONSERVATION PLAN, OR OTHER APPROVED LOCAL, REGIONAL, OR STATE HABITAT CONSERVATION PLAN (EIR IMPACT 3.4-11)

- (a) Potential Impact. The potential for the project to result in conflicts with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, is discussed on pages 3.4-31 and 3.4-32 of the Draft EIR.
- (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.4-12.
- (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential for the project to result in conflicts with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, will be mitigated to a less than significant level as Mitigation Measure 3.4-12 would first require the project to comply with the requirements of the Yolo County Natural Communities Conservation Plan/Habitat Conservation Plan (NCCP/HCP) as applicable, if the NCCP/HCP is adopted prior to initiation of ground disturbing activities. This would likely include the payment of fees, and the integration of applicable avoidance and mitigation measures for covered species. For species not covered by the Yolo NCCP/HCP, applicable mitigation measures in the Draft EIR would continue to apply after adoption of the Yolo NCCP/HCP and must be satisfied by the project applicant. The project applicant, the City of Davis Department of Community Development and Sustainability, and a representative of the Yolo Habitat Conservancy would coordinate to ensure compliance with the Yolo NCCP/HCP for covered species and satisfaction of applicable EIR mitigation measures for non-covered species.

Any remaining impacts related to local policies or ordinances protecting biological resources after implementation of Mitigation Measure 3.4-12 would not be significant. As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the FEIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

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D. CULTURAL AND TRIBAL RESOURCES

1. PROJECT IMPLEMENTATION HAS THE POTENTIAL TO CAUSE A SUBSTANTIAL ADVERSE CHANGE TO A SIGNIFICANT HISTORICAL RESOURCE, AS DEFINED IN CEQA GUIDELINES §15064.5, OR A SIGNIFICANT TRIBAL CULTURAL RESOURCE, AS DEFINED IN PUBLIC RESOURCES CODE §21074 (EIR IMPACT 3.5-1)

- (a) Potential Impact. The potential for the project to cause a substantial adverse change to a significant historical resource, as defined in CEQA Guidelines §15064.5, or a significant tribal cultural resource, as defined in Public Resources Code §21074, is discussed on page 3.5-16 through 3.5-18 of the Draft EIR.
- (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.5-1.
- (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that impacts to a significant historical resource or significant tribal cultural resource will be mitigated to a less than significant level as Mitigation Measure 3.5-1 would require all construction workers to receive a sensitivity training session before they begin site work. The sensitivity training shall inform the workers of their responsibility to identify and protect any cultural resources, including prehistoric or historic artifacts, or other indications of archaeological resources, within the project site. Further, if any subsurface historic remains, prehistoric or historic artifacts, paleontological resources, other indications of archaeological resources, or cultural and/or tribal resources are found during grading and construction activities, all work within 100 feet of the find would cease, the City of Davis Department of Community Development and Sustainability would be notified, and the applicant would retain an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, to evaluate the find(s). If the find is a tribal resource, the Yocha Dehe Wintun Nation would be notified. This mitigation also outlines the site investigation procedures for a find, and requires a data recovery plan to be prepared and adopted prior to any excavation.

Any remaining impacts related to a significant historical resource or significant tribal cultural resource after implementation of Mitigation Measure 3.5-1 would not be significant. As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the FEIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a

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condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

2. PROJECT IMPLEMENTATION HAS THE POTENTIAL TO CAUSE A SUBSTANTIAL ADVERSE CHANGE TO A SIGNIFICANT ARCHAEOLOGICAL RESOURCE, AS DEFINED IN CEQA GUIDELINES §15064.5 (EIR IMPACT 3.5-2)

- (a) Potential Impact. The potential for the project to cause a substantial adverse change to a significant archaeological resource, as defined in CEQA Guidelines §15064.5, is discussed on page 3.5-19 of the Draft EIR.
- (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.5-1.
- (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that impacts to a significant archaeological resource will be mitigated to a less than significant level as Mitigation Measure 3.5-1 would require all construction workers to receive a sensitivity training session before they begin site work. The sensitivity training shall inform the workers of their responsibility to identify and protect any cultural resources, including prehistoric or historic artifacts, or other indications of archaeological resources, within the project site. Further, if any subsurface historic remains, prehistoric or historic artifacts, paleontological resources, other indications of archaeological resources, or cultural and/or tribal resources are found during grading and construction activities, all work within 100 feet of the find would cease, the City of Davis Department of Community Development and Sustainability would be notified, and the applicant would retain an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, to evaluate the find(s). If the find is a tribal resource, the Yocha Dehe Wintun Nation would be notified. This mitigation also outlines the site investigation procedures for a find, and requires a data recovery plan to be prepared and adopted prior to any excavation.

Any remaining impacts related to a significant archaeological resource after implementation of Mitigation Measure 3.5-1 would not be significant. As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the FEIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

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3. PROJECT IMPLEMENTATION HAS THE POTENTIAL TO DIRECTLY OR INDIRECTLY DESTROY A UNIQUE PALEONTOLOGICAL RESOURCE (EIR IMPACT 3.5-3)

(a) Potential Impact. The potential for the project to directly or indirectly destroy a unique paleontological resource is discussed on page 3.5-19 of the Draft EIR.

(b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.5-1.

(c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that impacts to a unique paleontological resource will be mitigated to a less than significant level as Mitigation Measure 3.5-1 would require all construction workers to receive a sensitivity training session before they begin site work. The sensitivity training shall inform the workers of their responsibility to identify and protect any cultural resources, including prehistoric or historic artifacts, or other indications of archaeological resources, within the project site. Further, if any subsurface historic remains, prehistoric or historic artifacts, paleontological resources, other indications of archaeological resources, or cultural and/or tribal resources are found during grading and construction activities, all work within 100 feet of the find would cease, the City of Davis Department of Community Development and Sustainability would be notified, and the applicant would retain an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, to evaluate the find(s). If the find is a tribal resource, the Yocha Dehe Wintun Nation would be notified. This mitigation also outlines the site investigation procedures for a find, and requires a data recovery plan to be prepared and adopted prior to any excavation.

Any remaining impacts related to a unique paleontological resource after implementation of Mitigation Measure 3.5-1 would not be significant. As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the FEIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

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4. PROJECT IMPLEMENTATION HAS THE POTENTIAL TO DISTURB HUMAN REMAINS, INCLUDING THOSE INTERRED OUTSIDE OF FORMAL CEMETERIES (EIR IMPACT 3.5-4)
- (a) Potential Impact. The potential for the project disturb human remains, including those interred outside of formal cemeteries, is discussed on pages 3.5-20 and 3.5-21 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.5-2.
 - (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that impacts to human remains will be mitigated to a less than significant level as Mitigation Measure 3.5-2 would require that if any human remains are found during grading and construction activities, work would be halted at the site and at any nearby area reasonably suspected to overlie adjacent human remains until the Yolo County Coroner has been informed and has determined that no investigation of the cause of death is required. The measure also outlines steps to be taken if the remains are of Native American origin.

Any remaining impacts related to human remains after implementation of Mitigation Measure 3.5-2 would not be significant. As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the FEIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

E. GEOLOGY AND SOILS

1. IMPLEMENTATION AND CONSTRUCTION OF THE PROPOSED PROJECT MAY RESULT IN SUBSTANTIAL SOIL EROSION OR THE LOSS OF TOPSOIL (EIR IMPACT 3.6-2)
- (a) Potential Impact. The potential for the project to result in substantial soil erosion or the loss of topsoil is discussed on page 3.6-15 and 3.6-16 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measures 3.6-1 and 3.6-2.
 - (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that impacts resulting in substantial soil erosion or the loss of topsoil will be mitigated to a less than significant level as Mitigation Measures 3.6-1 and 3.6-2 will

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ensure that project plans adequately address grading, erosion, sediment, and pollution control requirements of the Regional Water Quality Control Board (RWQCB), and through employing BMPs and technology to reduce erosion and sediments. BMPs may consist of a wide variety of measures taken to reduce pollutants in stormwater runoff from the project site. Measures shall include temporary erosion control measures (such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover) that will be employed to control erosion from disturbed areas. Additionally, as required by Mitigation Measure 3.6-2, the stormwater runoff from the site shall be treated per the standards in the California Stormwater Best Management Practice New Development and Redevelopment Handbook and Section E.12 of the Phase II Small MS4 General Permit.

Any remaining impacts related to erosion or loss of topsoil after implementation of Mitigation Measures 3.6-1 and 3.6-2 would not be significant. As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the FEIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

2. THE PROPOSED PROJECT WOULD BE LOCATED ON A GEOLOGIC UNIT OR SOIL THAT IS UNSTABLE, OR THAT WOULD BECOME UNSTABLE AS A RESULT OF PROJECT IMPLEMENTATION, AND POTENTIALLY RESULT IN LANDSLIDE, LATERAL SPREADING, SUBSIDENCE, LIQUEFACTION OR COLLAPSE (EIR IMPACT 3.6-3)
 - (a) Potential Impact. The potential for the project to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of project implementation, and potentially result in landslide, lateral spreading, subsidence, liquefaction or collapse is discussed on page 3.6-16 through 3.6-18 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.6-3.
 - (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that impacts related to unstable soils will be mitigated to a less than significant level as Mitigation Measure 3.6-3 will ensure that a design-level geotechnical engineering report is produced by a California Registered Civil Engineer or Geotechnical Engineer. The design-level geotechnical engineering report would

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include a summary of the site, soil, and groundwater conditions, seismicity, laboratory test data, exploration data and a site plan showing exploratory locations and improvement limits. Any remaining impacts related to unstable soils after implementation of Mitigation Measure 3.6-3 would not be significant. As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the FEIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

F. GREENHOUSE GASSES, CLIMATE CHANGE, AND ENERGY

1. THE PROPOSED PROJECT MAY GENERATE OPERATION-RELATED GHGS, EITHER DIRECTLY OR INDIRECTLY, THAT MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT (EIR IMPACT 3.7-2)
 - (a) Potential Impact. The potential for the project to generate operation-related GHGs, either directly or indirectly, that may have a significant effect on the environment is discussed on page 3.7-22 through 3.7-24 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.7-1.
 - (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that implementation of Mitigation Measure 3.7-1 will ensure that all residential units are designed such that they to achieve a minimum of 15% greater energy efficiency than the baseline 2016 Title-24 Energy Efficiency requirements (compliant with Tier 1 of the 2016 CalGreen Code). Any remaining impacts related to direct or indirect generation of operational greenhouse gas emissions after implementation of Mitigation Measure 3.7-1 would not be significant. As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the FEIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATION

G. HAZARDS AND HAZARDOUS MATERIALS

1. THE PROJECT MAY HAVE THE POTENTIAL TO CREATE A SIGNIFICANT HAZARD THROUGH THE ROUTINE TRANSPORT, USE, OR DISPOSAL OF HAZARDOUS MATERIALS OR THROUGH THE REASONABLY FORESEEABLE UPSET AND ACCIDENT CONDITIONS INVOLVING THE RELEASE OF HAZARDOUS MATERIALS INTO THE ENVIRONMENT (EIR IMPACT 3.8-1)

(a) Potential Impact. The potential for the project to create a significant hazard through the routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment is discussed on pages 3.8-15 through 3.8-17 of the Draft EIR.

(b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measures 3.8-1, 3.8-2, 3.8-3, 3.8-4, 3.8-5, and 3.8-6.

(c) Findings. Based upon the EIR and the potential for the project to create a significant hazard through the routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, will be mitigated to a less than significant level as Mitigation Measure 3.8-1 and 3.8-2 require submittal and approval of a Soil Management Plan and a soil sampling program. The Soil Management Plan would establish management practices for handling hazardous materials, including fuels, paints, cleaners, solvents, etc., during construction to reduce the potential for spills and to direct the safe handling of these materials if encountered. The soil sampling program would include an assessment of the potential agrichemical (including pesticides, herbicides, diesel, petrochemicals, etc.) impacts to surface soil within the project site. Mitigation Measure 3.8-1 also outlines the requirements for the soil sampling program, and steps to take if the results indicate the presence of agrichemicals that exceed screening levels.

Mitigation Measure 3.8-3 requires submittal of a Hazardous Materials Business Plan (HMBP) to Yolo County Environmental Health Division (CUPA). Mitigation Measures 3.8-4 and 3.8-5 require removal and/or abandonment of any underground septic tanks, fuel tanks, or wells that are uncovered from past site uses during construction. Mitigation Measure 3.8-6 requires the applicant to confirm to the City of Davis that soil sampling of the on-site soil stockpiles was performed to identify potential soil contaminants. If elevated levels of total petroleum hydrocarbons (TPH) (gas, diesel and motor oil) or volatile organic compounds (VOCs) are detected during the laboratory analysis of the soils, a soil cleanup and remediation plan would be prepared and implemented prior to the commencement of grading activities.

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Any remaining impacts related to hazardous materials routine transport, use, disposal, or through accident conditions involving the release of hazardous materials into the environment after implementation of Mitigation Measures 3.8-1, 3.8-2, 3.8-3, 3.8-4, 3.8-5, and 3.8-6 would not be significant. As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the FEIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

H. HYDROLOGY AND WATER QUALITY

1. THE PROJECT MAY VIOLATE WATER QUALITY STANDARDS OR WASTE DISCHARGE REQUIREMENTS DURING CONSTRUCTION (EIR IMPACT 3.9-1)

- (a) Potential Impact. The potential for the project to violate water quality standards or waste discharge requirements during construction is discussed on pages 3.9-14 and 3.9-16 of the Draft EIR.
- (b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measures 3.6-1 and 3.9-1.
- (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that impacts associated with the potential to violate water quality standards or waste discharge requirements during construction will be mitigated to a less than significant level as Mitigation Measures 3.6-1 and 3.9-1 require the preparation of a detailed SWPPP, implementation of BMPs, and submittal and approval of a Spill Prevention Countermeasure and Control Plan which will specify measures and procedures to minimize the potential for, and effects from, spills of hazardous, toxic, or petroleum substances during all construction activities.

Any remaining impacts related to water quality standards or waste discharge requirements during construction after implementation of Mitigation Measures 3.6-1 and 3.9-1 would not be significant. As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the FEIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

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2. THE PROJECT MAY VIOLATE WATER QUALITY STANDARDS OR WASTE DISCHARGE REQUIREMENTS POST-CONSTRUCTION (EIR IMPACT 3.9-2)
 - (a) Potential Impact. The potential for the project to impact water quality standards or waste discharge requirements post-construction is discussed on pages 3.9-16 through 3.9-19 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.9-2.
 - (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that impacts associated with violations of water quality standards or waste discharge requirements post-construction will be mitigated to a less than significant level as Mitigation Measure 3.9-2 requires submittal of a final plan identifying permanent stormwater control measures to be implemented by the project to the City. The plan shall include measures consistent with the Preliminary Drainage Study prepared for the project and shall be subject to review and approval by the Public Works Department. Any remaining impacts related to water quality, and waste discharge after implementation of Mitigation Measure 3.9-2 would not be significant. As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the FEIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

3. THE PROJECT MAY PLACE HOUSING OR STRUCTURES THAT WOULD IMPEDE/REDIRECT FLOWS WITHIN A 100-YEAR FLOOD HAZARD AREA AS MAPPED ON A FEDERAL FLOOD HAZARD BOUNDARY OR FLOOD INSURANCE RATE MAP OR OTHER FLOOD HAZARD DELINEATION MAP (EIR IMPACT 3.9-6)
 - (a) Potential Impact. The potential for the project to place housing or structures that would impede/redirect flows within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map is discussed on pages 3.9-23 through 3.9-25 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measures 3.9-3, 3.9-4, and 3.9-5.

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- (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that impacts associated with the 100-year flood hazard area will be mitigated to a less than significant level as Mitigation Measure 3.9-3 requires the project applicant to either demonstrate that the developed portions of the project site are outside of the anticipated 100-year flood hazard area, or incorporate measures into the proposed project to achieve a 100-year level of flood protection for any site installations. Mitigation Measure 3.9-4 requires the project applicant to prepare and submit an application for Conditional Letter of Map Revision (CLOMR) to the Federal Emergency Management Agency (FEMA) for approval. Mitigation Measure 3.9-5 requires the building pads for all onsite structures to be set a minimum of 1.0 foot above the maximum 100-year water surface elevations on the project site, as shown on the CLOMR approved by FEMA.

Any remaining impacts related to the 100-year flood hazard area after implementation of Measures 3.9-3, 3.9-4, and 3.9-5 would not be significant. As authorized by Public Resources Code Section 21081(a)(1) and Title 14, California Code of Regulations Section 15091(a)(1), the City finds that changes or alterations have been required herein, incorporated into the project, or required as a condition of project approval, which mitigate or avoid the significant environmental impact listed above, and as identified in the FEIR. The City further finds that the change or alteration in the project or the requirement to impose the mitigation as a condition of project approval is within the jurisdiction of the City to require, and that this mitigation is appropriate and feasible.

V. FINDINGS AND RECOMMENDATIONS REGARDING THOSE IMPACTS WHICH ARE LESS THAN SIGNIFICANT OR LESS THAN CUMULATIVELY CONSIDERABLE

Specific impacts within the following categories of environmental effects were found to be less than significant as set forth in more detail in the Draft EIR and Final EIR.

Aesthetics and Visual Resources: The following specific impact was found to be less than significant: 3.1-3.

Agricultural Resources: The following specific impacts were found to be less than significant: 3.2-2 and 3.2-3.

Air Quality: The following specific impacts were found to be less than significant: 3.3-3, 3.3-4, and 3.3-5.

Biological Resources: The following specific impacts were found to have no impact: 3.4-3, 3.4-8, 3.4-9.

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Geology and Soils: The following specific impacts were found to be less than significant: 3.6-1 and 3.6-4.

Greenhouse Gases and Climate Change: The following specific impacts were found to be less than significant: 3.7-1, 3.7-3, and 3.7-4.

Hazards and Hazardous Materials: The following specific impacts were found to be less than significant: 3.8-2, 3.8-3, 3.8-4, 3.8-5, and 3.8-6.

Hydrology and Water Quality: The following specific impacts were found to be less than significant: 3.9-3, 3.9-4, 3.9-5, and 3.9-7.

Land Use: The following specific impacts were found to be less than significant: 3.10-1, 3.10-2, and 3.10-3.

Noise: The following specific impacts were found to be less than significant: 3.11-1, 3.11-2, 3.11-3, 3.11-4, and 3.11-5.

Population and Housing: The following specific impacts were found to be less than significant: 3.12-1 and 3.12-2.

Public Services and Recreation: The following specific impacts were found to be less than significant: 3.13-1, 3.13-2, 3.13-3, 3.13-4, 3.13-5, and 3.13-6.

Traffic and Circulation: The following specific impacts were found to be less than significant: 3.14-1, 3.14-2, 3.14-3, 3.14-4, 3.14-7, 3.14-8, and 3.14-11.

Utilities: The following specific impacts were found to be less than significant: 3.15-1, 3.15-2, and 3.15-3.

The project was found to have a less than cumulatively considerable contribution to specific impacts within the following categories of environmental effects as set forth in more detail in the Draft EIR.

Biological Resources: The following specific impact was found to be less than cumulatively considerable: 4.4.

Cultural and Tribal Resources: The following specific impact was found to be less than cumulatively considerable: 4.5.

Geology and Soils: The following specific impact was found to be less than cumulatively considerable: 4.6.

Greenhouse Gases and Climate Change: The following specific impact was found to be less than cumulatively considerable: 4.7.

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Hazards and Hazardous Materials: The following specific impact was found to be less than cumulatively considerable: 4.8.

Hydrology and Water Quality: The following specific impacts were found to be less than cumulatively considerable: 4.9 and 4.10.

Land Use: The following specific impact was found to be less than cumulatively considerable: 4.11.

Noise: The following specific impacts were found to be less than cumulatively considerable: 4.12.

Population and Housing: The following specific impact was found to be less than cumulatively considerable: 4.13.

Public Services and Recreation: The following specific impact was found to be less than cumulatively considerable: 4.14.

Utilities: The following specific impact was found to be less than cumulatively considerable: 4.17.

The above impacts are less than significant or less than cumulatively considerable for one of the following reasons:

- The EIR determined that the impact is less than significant for the project.
- The EIR determined that the project would have a less than cumulatively considerable contribution to the cumulative impact.
- The EIR determined that the impact is beneficial (would be reduced) for the project.
- The EIR determined that the cumulative impact was fully addressed in the General Plan EIR and that the project would not result in new or expanded cumulative impacts.

VI. REVIEW AND REJECTION OF PROJECT ALTERNATIVES

The State CEQA Guidelines Section 15126.6 mandates that every EIR evaluate a no-project alternative, plus a feasible and reasonable range of alternatives to the project or its location. Seven alternatives to the proposed project were developed based on City of Davis staff and City Council input, input from the public during the NOP review period, and the technical analysis performed to identify the environmental effects of the proposed project. Alternatives provide a basis of comparison to the project in terms of beneficial, significant, and unavoidable impacts. This comparative analysis is used to consider reasonable feasible options for minimizing environmental consequences of a project.

Typically, where a project causes significant impacts and an EIR is prepared, the findings must discuss not only how mitigation can address the potentially significant impacts but whether project alternatives can address potentially significant impacts. But where all significant impacts can be

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substantially lessened, in this case to a less-than-significant level, solely by adoption of mitigation measures, the lead agency, in drafting its findings, has no obligation to consider the feasibility that project alternatives might reduce an impact, even if the alternative would mitigate the impact to a greater degree than the proposed project, as mitigated (Public Resources Code Section 21002; Laurel Hills Homeowners Association v. City Council (1978) 83 Cal.App.3d 515, 521. Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 730-733; Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d 376, 400-403).

Because not all significant effects can be substantially reduced to a less-than-significant level either by adoption of mitigation measures or by standard conditions of approval, the following section considers the feasibility of the project alternatives as compared to the proposed project.

As explained below, these findings describe and reject, for reasons documented in the FEIR and summarized below, each one of the project alternatives, and the City finds that approval and implementation of the proposed West Davis Active Adult Community Project is appropriate. The evidence supporting these findings is presented in Section 5.0 of the Draft EIR.

A. IDENTIFICATION OF PROJECT OBJECTIVES

As described above, an EIR is required to identify a “range of potential alternatives to the project [which] shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one or more of the significant effects.” Chapter 2.0 and Chapter 5.0 of the Draft EIR identify the project’s goals and objectives. The project objectives include:

1. Create a community that connects the City’s senior population to existing services and facilities in West Davis.
2. Design a neighborhood with homes to support an active lifestyle for older adults.
3. Create a diverse community that provides housing for multiple generations and lifestyles by including a provision in the single-family neighborhood for 20% non-age restricted housing.
4. Provide Davis residents with housing options that meets their long-term needs so they remain local rather than leave the City.
5. Provide a community that is not isolated from the rest of the City by providing public gathering spaces for all City residents.

B. ALTERNATIVES ANALYSIS IN EIR

With the exception of the No Project alternative, all alternatives considered were mixed-use residential development varied in the ways described below:

- Variation in resident targeting, with no age restrictions for occupancy of the units;
- Variation in physical development type, with the same number of units on less land; and

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- Variation in location, with an off-site alternative.

Pursuant to Section 15126.6 of the CEQA Guidelines, the EIR considered four alternatives to the proposed project. The potential alternatives were screened against a set of criteria. The criteria addressed two primary topics: the ability of the alternative to meet the project objectives and purpose, and the feasibility and reasonableness of the alternative. The four alternatives were analyzed in Chapter 5 of the DEIR. The alternatives that were analyzed are as follows:

1. No Project (No Build) Alternative
2. Conventional (Non-Age Restricted Alternative
3. Higher Density, Less Land Alternative
4. Off-Site (Inside Mace Curve) Alternative

Based on impacts identified in the EIR, and other reasons documented below, the City Council finds that the West Davis Active Adult Community Project, as approved, is the most desirable, feasible, and appropriate action and rejects the other alternatives as infeasible based on consideration of the relevant factors identified herein. A summary of each alternative, its relative characteristics, and documentation of the City Council's findings in support of rejecting the alternative as infeasible are provided below.

C. GENERAL FINDINGS FOR PROJECT ALTERNATIVES

The City Council finds that the range of alternatives studied in the EIR reflects a reasonable attempt to identify and evaluate various types of alternatives that would potentially be capable of reducing the environmental effects of the West Davis Active Adult Community Project. The City Council finds that the alternatives analysis is sufficient to inform the Council, other agencies, and the public regarding the tradeoffs between the degree to which alternatives could reduce environmental impacts and the corresponding degree to which the alternatives would hinder achievement of the project objectives and/or be infeasible.

The City Council is free to reject an alternative that it considers undesirable from a policy standpoint, provided that such a decision reflects a reasonable balancing of various "economic, social, and other factors." Based on impacts identified in the EIR, and other reasons documented below, the City Council finds that approval of the West Davis Active Adult Community is the most desirable, feasible, and appropriate alternative, and rejects other alternatives and other combinations and/or variations of alternatives as infeasible.

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D. FINDINGS FOR REJECTION OF ALTERNATIVES

1. NO PROJECT (NO BUILD) ALTERNATIVE:

The No Project (No Build) Alternative is discussed on pages 5.0-3, and 5.0-5 through 5.0-9 of the Draft EIR. The No Project (No Build) Alternative assumes that the project site would remain in its existing state and no additional development would occur. The current condition of the site consists of agricultural uses, a gravel parking lot, and the existing Covell Boulevard improvements and drainage channel.

Findings: The No Project (No Build) Alternative is rejected as an alternative because it would not achieve any of the five identified objectives. The No Project (No Build) Alternative is the environmentally superior alternative.

Explanation: This alternative would not realize the benefits of the project nor achieve any of the project objectives. The City of Davis has identified the need for diverse housing options to serve local residents to help meet existing housing needs, including age-restricted, non-age-restricted, and affordable units, consistent with City Housing Policies. Under the No Project (No Build) Alternative, no new age-restricted, non-age-restricted, or senior affordable housing opportunities would be allowed and no site development would occur. The No Project (No Build) Alternative would result in fewer significant environmental impacts than the proposed project, but would fail to fully meet any project objectives identified by the City.

For these reasons, the project is deemed superior to the No Project (No Build) Alternative.

2. CONVENTIONAL (NON-AGE RESTRICTED) ALTERNATIVE:

The Conventional (Non-Age Restricted) Alternative is discussed on pages 5.0-3, 5.0-4, and 5.0-10 through 5.0-15 of the Draft EIR. Under this alternative, the project site would be developed similar to the proposed project with up to 560 units, but the units would not be age-restricted. The required affordable housing component would be provided on-site under this alternative, similar to the proposed project. The proposed amenities, mixed use area, bicycle and pedestrian improvements, and landscaping would be the same as the proposed project.

Findings: The Conventional (Non-Age Restricted) Alternative is rejected as an alternative because it would result in greater impacts to eight resources areas. Additionally, this alternative would not fully meet the five project objectives. The total population resulting from this alternative would likely be greater due to the non-age restricted units and potential for families to inhabit the site.

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Explanation: This alternative results in greater impacts in the following eight resources areas: air quality, geology and soils, greenhouse gases, noise and vibration, population and housing, public services and recreation, transportation and circulation, and utilities. The increased impacts are largely due to the potential increase in total population resulting from this alternative when compared to the proposed project. The alternative would also be less able to meet the objectives to provide housing for older adults and seniors, who would have to compete for housing units with non-senior households, including student households. The Conventional Alternative would provide housing at a location near Sutter-Davis Hospital and University Retirement Community at Davis to residents that would not be expected to benefit from living near these senior-supportive facilities. The Conventional Alternative would also have the potential to increase conflicts between senior and non-senior residents of the development by removing the explicit goal of providing housing oriented to active adults and seniors.

For these reasons, the project is deemed superior to the Conventional (Non-Age Restricted) Alternative.

3. HIGHER DENSITY, LESS LAND ALTERNATIVE:

The Higher Density, Less Land Alternative is discussed on pages 5.0-4, and 5.0-15 through 5.0-20 of the Draft EIR. Under this alternative, the project site would be developed with the same number of dwelling units as the proposed project (up to 560), but on a smaller footprint than the proposed project. This alternative would include development of approximately fifty percent of the footprint of the proposed project site, or approximately 37 acres. This alternative would result in a density of approximately 15.1 units per acre. The assumed type of units would be adjusted to reflect the increased density. The increased density under this alternative would allow a portion of the required agricultural land mitigation area and stormwater detention facilities to be located on the project site. The proposed amenities, mixed use area, bicycle and pedestrian improvements, and landscaping would be the same as the proposed project.

Findings: The Higher Density, Less Land Alternative is rejected because it would not avoid any of the significant and unavoidable impacts of the project. Additionally, this alternative would not provide the same level of benefits as the project.

Explanation: This alternative would fully meet all five of the objectives of the project. The Higher Density, Less Land Alternative would reduce impacts in seven resource areas as compared to the proposed project, including impacts from conversion of agricultural land to urban uses, but would also result in similar impacts in eight resource areas. This alternative would not avoid any of the significant and unavoidable impacts of the project. Additionally, this alternative would not be as effective as the proposed project at meeting the project objectives identified in the EIR because the higher-density development type would not accommodate the envisioned single-story single-family residential components of the proposed project. Further, due to the clustering of the

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residences at a higher density than the project, development of the site in accordance with this alternative could introduce visual elements that are substantially greater in scale than the surrounding development, adversely impacting the visual character and compatibility of the area. Potential land use conflicts may occur between the urban uses and maintained agricultural uses under this alternative. This alternative is also potentially economically unfeasible due to the lack of housing variety as this alternative would result in a density of approximately 15.1 units per acre, and the assumed type of units would be adjusted to reflect the increased density. This would potentially reduce the value of the units that would be built, and impair the feasibility of providing the greenways, mini-parks, and other on-site amenities that are included in the proposed project. On balance, the environmental benefits that might be achieved with this alternative are outweighed, independently and separately, by the reasons described above, and the failure of this alternative to provide the same level of benefits as the project.

For these reasons, the project is deemed superior to the Higher Density, Less Land Alternative.

4. OFF-SITE (INSIDE MACE CURVE) ALTERNATIVE:

The Off-Site (Inside Mace Curve) Alternative is discussed on pages 5.0-4, and 5.0-20 through 5.0-25 of the Draft EIR. Under this alternative, the proposed project would be developed with a decrease in units at an off-site location. Parcels of similar size that are designated and/or zoned for residential uses are not currently available for development within the City. For the purposes of evaluating an off-site alternative location within the City, City staff has identified the 47-acre property located inside the Mace Curve, adjacent to Harper Junior High School. The off-site location is designated Agriculture by the Yolo County General Plan land use map has a County zoning of Agriculture-Extensive (A-N). Similar to the proposed project site, development of this off-site location would require a Measure R vote. This site was identified as a “yellow light” site in the 2008 Resolution by City Council implementing the Housing Element Steering Committee recommendations. The 2008 Resolution noted that this off-site location could support 350 to 473 dwelling units.

The overall proposed project density of approximately 7.6 dwelling units per acre (du/ac) ($560 \text{ du} \div 74 \text{ ac} = 7.57 \text{ du/ac}$). Utilizing this density of 7.6 du/ac, the approximately 47-acre off-site location would provide up to 360 units ($360 \text{ du} \div 47 \text{ ac} = 7.55 \text{ du/ac}$). The proposed amenities, mixed use area, bicycle and pedestrian improvements, and landscaping would be the same as the proposed project.

Findings: The Off-Site (Inside Mace Curve) Alternative is rejected because it would result in 200 fewer housing units than the proposed project. As a result, this alternative would only partially meet four of the five project objectives. The Off-Site (Inside Mace Curve) Alternative is the next environmentally superior alternative to the No Project (No Build) Alternative.

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Explanation: This alternative would fully meet one of the objectives of the project as it would provide amenities and public gathering spaces for all City residents, similar to the proposed project. However, this alternative would not connect seniors to existing services and facilities in West Davis and, although this alternative would provide housing for multiple generations and lifestyles, this alternative would result in 200 fewer units than the proposed project. As such, this alternative would satisfy four of the objectives to a lesser degree than the proposed project. The Off-Site Alternative is located nearly four miles from Sutter-Davis Hospital and University Retirement Community at Davis, and would not facilitate development of senior-oriented housing near other senior-oriented facilities. The Off-Site (Inside Mace Curve) Alternative would reduce impacts in 11 resource areas as compared to the proposed project, but would also result in similar impacts in four resource areas. This alternative would not avoid any of the significant and unavoidable impacts of the project.

For these reasons, the project is deemed superior to the Off-Site (Inside Mace Curve) Alternative.

VII. STATEMENTS OF OVERRIDING CONSIDERATIONS RELATED TO THE WEST DAVIS ACTIVE ADULT COMMUNITY PROJECT FINDINGS

As described in Section III of these Findings, the following significant and unavoidable impacts could occur with implementation of the project:

- Potential to result in substantial adverse effects on scenic vistas and resources or substantial degradation of visual character (EIR Impact 3.1-1);
- Project implementation may result in the conversion of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses (EIR Impact 3.2-1);
- Project implementation may lead to the indirect conversion of adjacent agricultural lands to non-agricultural uses (EIR Impact 3.2-4);
- Project operations have the potential to cause a violation of any air quality standard or contribute substantially to an existing or projected air quality violation (EIR Impact 3.3-1);
- Under cumulative plus project conditions, project implementation would cause significant impacts at study intersections (EIR Impact 3.14-5);
- Under cumulative plus project conditions, project implementation would cause significant impacts at study freeway facilities (EIR Impact 3.14-6);
- The proposed site plan would not provide adequate emergency vehicle access (EIR Impact 3.14-9);
- The proposed site plan would not provide adequate project access (EIR Impact 3.14-10);
- The project may contribute to the cumulative degradation of the existing visual character of the region (EIR Impact 4.1);

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- The project may contribute to cumulative impacts on agricultural land and uses (EIR Impact 4.2);
- The project may contribute to cumulative impacts on the region's air quality (EIR Impact 4.3);
- Under cumulative plus project conditions, project implementation would cause significant impacts at study intersections (EIR Impact 4.15);
- Under cumulative plus project conditions, project implementation would cause significant impacts at study freeway facilities (EIR Impact 4.16).

The adverse effects identified above are substantive issues of concern to the City of Davis. The development of senior housing is called for and contemplated in the Davis General Plan. Policy HOUSING 1.8 of the Davis General Plan aims to encourage a variety of housing types and care choices, as well as housing innovation, for seniors. The proposed project is consistent with this Policy as the project would provide a variety of housing types and sizes, and would provide an approximately three-acre continuing care retirement community.

Policy HOUSING 4.4 aims to encourage senior housing in all parts of Davis and near neighborhood centers, shopping centers, public transportation, and/or parks and greenbelts where compatible with existing uses. The facility is served by a nearby YoloBus and Unitrans bus stop, and has various bicycle/pedestrian facilities in close proximity. Existing bus stops are located on the north side of Covell Boulevard, near the intersection with Risling Court (at southeast corner of project site), near the John Jones Road and Covell Boulevard intersection. On the south side of Covell Boulevard, a stop is located approximately 250 feet east of Risling Court. Additionally, the project site is located near various retail and commercial areas, with an existing shopping center located east of the site opposite SR 113. Further, the project includes various parks, greenbelts, and pedestrian paths within the site. Approval and development of the proposed project will provide local residents and seniors with housing located in close proximity to neighborhood centers and shopping centers, with access to transit routes and bicycle paths.

Additionally, General Plan Policy UD 2.4 aims to create affordable and multi-family residential areas that include innovative designs and on-site open space amenities that are linked with public bicycle/pedestrian ways, neighborhood centers, and transit stops. The proposed project would incorporate solar photovoltaics onto residential rooftops, which would reduce the need for fossil fuel-based energy (for proposed project buildings), including for electricity. The project includes on-site open space amenities, including but not limited to, a dog park and tot lot, 4.5 miles of off street biking and walking paths within the project area, and an additional 0.22 miles of off street biking and walking paths offsite. The project also includes a mixed use are; current plans for the facility include a health club, restaurant, meeting rooms, and an outdoor swimming pool, all of which would be available for use by residents and the public. Further, the project site is located in close proximity to neighborhood centers and services, such as the Marketplace Shopping Center, retail uses along John Jones Road, and Sutter Davis Hospital.

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATION

General Plan Policy TRANSPORTION 1.3 aims to locate higher intensity residential development near existing centers and along corridors well served by non-motorized transportation infrastructure and public transportation. The project meets this policy as already described.

The City Council has balanced the benefits of the project against its unavoidable environmental risks in determining whether to approve the project, and has determined that the benefits of the Project outweigh the unavoidable adverse environmental effects. The reasons set forth below are based on the EIR and other information in the record. As set forth in the preceding sections, approving the project will result in significant adverse environmental effects that cannot be reduced to a less-than-significant level, even with the adoption of all feasible mitigation measures. As determined above, however, there are no additional feasible mitigation measures, nor are there feasible alternatives, that would mitigate or substantially lessen the impacts to a less-than-significant level. Therefore, despite these significant environmental effects, the City Council, in accordance with Public Resources Code Sections 21001, 21002.1(c), 21081(b) and CEQA Guidelines Section 15093, chooses to approve the Project because, in its judgment, the following economic, social, and other benefits that the Project will produce will render the significant effects acceptable.

Substantial evidence supporting the benefits cited in this Statement of Overriding Considerations can be found in the preceding findings, which are incorporated by reference into this section, and in the documents found in the record of proceedings, as defined in section II, above. Any one of the following reasons is sufficient to demonstrate that the benefits of the project outweigh its unavoidable adverse environmental effects, thereby justifying approval of the project.

1. **Development of Senior Housing.** The project would provide age-restricted and non-age-restricted housing options and contribute toward an adequate supply of rental housing and ownership housing in the City of Davis to help meet existing senior housing needs, consistent with City housing policies. Davis General Plan Policy HOUSING1.9 aims to encourage a variety of housing types and care choices, as well as housing innovation, for seniors, which the project would provide. Davis General Plan Policy HS 4.2 aims to provide services which enable seniors to remain as independent as possible, which the project would provide. The project would be consistent with this policy and action.
2. **Development of Affordable Housing.** The project would increase the supply of senior affordable housing for varying income levels and needs in a post-redevelopment environment. Under the terms of the Development Agreement, all of the high-density units would meet the required minimum income and rent targets, including a minimum of one-third of the units for households with incomes not exceeding 30 percent of area median income (extremely low income). The 150 affordable apartment units would be developed in order to meet the City's Affordable Housing requirements. The project would also advance City Council Goals for 2016-1018 that includes Objective 6 to increase the supply of affordable housing.

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATION

3. **Quality Design and the Integration of On-Site Amenities.** The proposed project would comply with all existing energy standards, including those established by the City of Davis. The proposed project would introduce solar photovoltaics onto residential rooftops. In addition to quality design, the proposed project includes several on-site amenities. Site amenities would include a tot lot, dog park, health club, restaurant, meeting rooms, and an outdoor swimming pool. The project site would be interconnected via a grid of north-south and east-west neighborhood walking and biking paths. The internal greenways would provide connection between the site access points, the residential housing units and the activity and wellness center.
4. **Improvements to the Nearby Circulation System.** The Project includes extensive improvements to the intersections of Covell Boulevard with Shasta Drive / Risling Place and with John Jones Road, to eliminate free right turn lanes, reduce the distance for pedestrians crossing Covell Boulevard, and increase safety for all uses. The project also includes dedication of land for a potential landing of bicycle/pedestrian crossing of SR 113, should such a project be proposed in the future. Landscaping improvements along Covell Boulevard will improve aesthetics of the corridor and increase comfort for all users.
5. **Consistency with the Davis General Plan.** The Davis General Plan designates the project site as Agriculture (A). The proposed project would require a City of Davis General Plan Amendment to the Land Use Element to change land uses on the project site. Changes to the Land Use Element would include changing the entire project site from Agriculture (Yolo County) to Residential – Medium Density, Residential – High Density, Neighborhood Mixed Use, and Urban Agriculture Transition Area (City of Davis). The proposed general plan amendment will ensure the project’s consistency with the City’s General Plan requirements.

The Proposed Project is consistent with all of the following General Plan policies, goals, and actions:

- | | |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Policy LU A.3: | Require a mix of housing types, densities, prices and rents, and designs in each new development area. |
| Policy UD 2.4: | Create affordable and multi-family residential areas that include innovative designs and on-site open space amenities that are linked with public bicycle/pedestrian ways, neighborhood centers. |
| Goal HS 4: | Create and maintain a social and service environment supportive of seniors. |
| Policy HS 4.2: | Provide services which enable seniors to remain as independent as possible. |

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATION

- Goal HOUSING 1: Promote an adequate supply of housing for people of all ages, income, lifestyles and types of households consistent with General Plan policies and goals.
- Policy HOUSING 1.2: Strive to maintain an adequate supply of rental housing in Davis to meet the needs of all renters, including students.
- Policy HOUSING 1.8: Encourage a variety of housing types and care choices, as well as housing innovation, for seniors.
- Policy HOUSING 4.4: Encourage senior housing in all parts of Davis and near neighborhood centers, shopping centers, public transportation, and/or parks and greenbelts where compatible with existing uses.
- Policy TRANS 1.3: Encourage higher intensity residential, commercial, and mixed-use development near existing activity centers and along corridors well served by non-motorized transportation infrastructure and public transportation.
6. Consistency with the Davis Climate Action and Adaptation Plan (D-CAAP). The proposed project is consistent with the D-CAAP, which lays the framework for the City of Davis to achieve its target reduction goals of GHG emissions, and is consistent with the City's GHG standards for new residential projects. Because the proposed project is consistent with the D-CAAP, development of the project would assist the City in achieving their adopted GHG reduction targets.

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATION

VIII. CONCLUSION

After balancing the specific economic, legal, social, technological, and other benefits of the proposed project, the Council finds that the unavoidable adverse environmental impacts identified may be considered “acceptable” due to the specific considerations listed above which outweigh the unavoidable, adverse environmental impacts of the proposed project.

The Davis City Council has considered information contained in the EIR prepared for the proposed West Davis Active Adult Community Project as well as the public testimony and record of proceedings in which the project was considered. Recognizing that significant unavoidable aesthetic, agricultural resource, air quality, and transportation and circulation impacts may result from implementation of the proposed project, the Council finds that the benefits of the project and overriding considerations outweigh the adverse effects of the project. Having included all feasible mitigation measures in the Mitigation Monitoring and Reporting Program, and recognized all unavoidable significant impacts, the Council hereby finds that each of the separate benefits of the proposed West Davis Active Adult Community Project, as stated herein, is determined to be unto itself an overriding consideration, independent of other benefits, that warrants adoption of the proposed project and outweighs and overrides its unavoidable significant effects, and thereby justifies the adoption of the proposed West Davis Active Adult Community Project.

Based on the foregoing findings and the information contained in the record, the Council hereby determines that:

1. All significant effects on the environment due to implementation of the proposed West Davis Active Adult Community Project have been eliminated or substantially lessened where feasible;
2. There are no feasible alternatives to the proposed West Davis Active Adult Community Project which would mitigate or substantially lessen the impacts; and
3. Any remaining significant effects on the environment found to be unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations above.

FINAL MITIGATION MONITORING AND REPORTING PROGRAM

4.0

This document is the Final Mitigation Monitoring and Reporting Program (FMMRP) for the West Davis Active Adult Community Project (project). This FMMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to “adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” A FMMRP is required for the proposed project because the EIR has identified significant adverse impacts, and measures have been identified to mitigate those impacts.

The numbering of the individual mitigation measures follows the numbering sequence as found in the Draft EIR.

4.1 MITIGATION MONITORING AND REPORTING PROGRAM

The FMMRP, as outlined in the following table, describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures identified in this Final EIR.

The City of Davis will be the primary agency responsible for implementing the mitigation measures and will continue to monitor mitigation measures that are required to be implemented during the operation of the project.

The FMMRP is presented in tabular form on the following pages. The components of the FMMRP are described briefly below:

- **Mitigation Measures:** The mitigation measures are taken from the Draft EIR in the same order that they appear in that document.
- **Mitigation Timing:** Identifies at which stage of the project mitigation must be completed.
- **Monitoring Responsibility:** Identifies the agency that is responsible for mitigation monitoring.
- **Compliance Verification:** This is a space that is available for the monitor to date and initial when the monitoring or mitigation implementation took place.

TABLE 4.0-1: MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
AESTHETICS AND VISUAL RESOURCES				
<p>Impact 3.1-2: Project implementation may result in light and glare impacts</p>	<p>Mitigation Measure 3.1-1: <i>In order to reduce the potential for glare from buildings and structures within the project site, the Preliminary and Final Planned Developments for the project shall show that the use of reflective building materials that have the potential to result in glare that would be visible from sensitive receptors located in the vicinity of the project site shall be prohibited. The City of Davis Department of Community Development and Sustainability shall ensure that the approved project uses appropriate building materials with low reflectivity to minimize potential glare nuisance to off-site receptors.</i></p>	<p>City of Davis Department of Community Development and Sustainability</p>	<p>Prior to issuance of each building permit</p>	
AGRICULTURAL RESOURCES				
<p>Impact 3.2-1: Project implementation may result in the conversion of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses</p>	<p>Mitigation Measure 3.2-1: <i>Prior to initiation of grading activities for each phase of development of the project, the project applicant shall set aside in perpetuity, at a minimum ratio of 2:1 of active agricultural acreage, an amount equal to the remainder of the project site instead of at each phase. The agricultural land shall be elsewhere in the Davis Planning Area, through the purchase of development rights and execution of an irreversible conservation or agricultural easement, consistent with Section 40A.03.025 of the Davis Municipal Code. The location and amount of active agricultural acreage for the proposed project is subject to the review and approval by the City Council. The amount of agricultural acreage set aside shall account for farmland lost due to the conversion of the project site, as well as some of the off-site improvements, including but not necessarily limited to the off-site stormwater detention pond and the off-site Risling Court improvements. The amount of agricultural acreage set aside shall not include conversion of the agricultural buffer. The amount of agricultural acreage that needs to be set aside for off-site improvements shall be verified for each phase of the project during improvement plan review. Pursuant to Davis Code Section 40A.03.040, the agricultural mitigation land shall be comparable in soil quality with the agricultural land being changed to nonagricultural use. The easement land must conform with the policies and</i></p>	<p>City of Davis Department of Community Development and Sustainability City of Davis City Council</p>	<p>Prior to initiation of grading activities for each phase of development of the project</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	requirements of LAFCO including a LESA score no more than 10 percent below that of the project site.			
Impact 3.2-4: Project implementation may lead to the indirect conversion of adjacent agricultural lands to non-agricultural uses	Mitigation Measure 3.2-2: Prior to the issuance of occupancy permits, the applicant shall consult with adjacent agricultural property owners and attempt to purchase a “no aerial spray” easement. The applicant shall submit the written proof of the easement, or a statement indicated an agreement has not been reached to the Department of Community Development and Sustainability.	City of Davis Department of Community Development and Sustainability	Prior to the issuance of occupancy permits	
AIR QUALITY				
Impact 3.3-1: Project operations have the potential to cause a violation of any air quality standard or contribute substantially to an existing or projected air quality violation	<p>Mitigation Measure 3.3-1: Prior to the issuance of each building permit, the project applicant shall ensure that the project incorporates the following mitigation:</p> <ul style="list-style-type: none"> • Require the use Low VOC Cleaning Supplies during project operation • Require the use of low VOC Paint (VOC emission factor of below 100 g/L for residential interiors exteriors, and below 150 g/L for non-residential interior, non-residential exterior, parking). • Install metal halide post top lights, metal halide cobrahead/cutoff lights, LED lights, or high pressure sodium cutoff lights. • Require only the install low-flow appliances (for the bathroom faucet, kitchen faucet, toilet, and shower). • Require the use water-efficient irrigation systems. 	City of Davis Department of Community Development and Sustainability	Prior to issuance of each building permit	
Impact 3.3-2: Project construction has the potential to cause a violation of an air quality standard or contribute substantially to an existing or projected air quality violation	<p>Mitigation Measure 3.3-2: The project applicant shall implement the following dust control measures during all construction activities. These measures shall be incorporated as part of the building and grading plans.</p> <ul style="list-style-type: none"> • Water all active construction sites at least three times daily. Frequency should be based on the type of operation, soil, and wind exposure. • Apply water or dust palliatives on exposed earth surfaces as necessary to control dust emissions. Construction contracts shall include dust control treatment in late morning and at the end of the 	City of Davis Department of Community Development and Sustainability (for review and approval of each building permit) and	Prior to issuance of grading permits and during all site construction activities	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p>day, of all earth surfaces during clearing, grading, earth moving, and other site preparation activities. Non-potable water shall be used, where feasible. Existing wells shall be used for all construction purposes where feasible. Excessive watering will be avoided to minimize tracking of mud from the project onto streets as determined by Public Works.</p> <ul style="list-style-type: none"> Grading operations on the site shall be suspended during periods of high winds (i.e. winds greater than 15 miles per hour). Outdoor storage of fine particulate matter on construction sites shall be prohibited. Contractors shall cover any stockpiles of soil, sand and similar materials. There shall be no storage of uncovered construction debris for more than one week. Re-vegetation or stabilization of exposed earth surfaces shall be required in all inactive areas in the project. Cover all trucks hauling dirt, sand, or loose materials, or maintain at least two feet of freeboard within haul trucks. Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed area (as applicable). Sweep streets if visible soil material is carried out from the construction site. Treat accesses to a distance of 100 feet from the paved road with a 6-inch layer of gravel. Reduce speed on unpaved roads to less than 5 miles per hour. 	<p>City of Davis Department of Public Works (for monitoring during all site construction activities)</p>		
BIOLOGICAL RESOURCES				
<p>Impact 3.4-1: Project implementation may result in direct or indirect effects on special-status invertebrate species</p>	<p>Mitigation Measure 3.4-1: The project proponent shall implement the following measures to avoid or minimize impacts on valley elderberry longhorn beetle:</p> <ul style="list-style-type: none"> All on-site elderberry shrubs shall be avoided and preserved on-site through site design, as feasible. All elderberry shrubs that are located adjacent to construction areas, but can be avoided, shall be fenced and designated as 	<p>City of Davis Department of Community Development and Sustainability and Public Works</p>	<p>Prior to issuance of grading permits and during all site construction activities</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>environmentally sensitive areas. These areas shall be avoided by all construction personnel. Fencing shall be placed at least 20 feet from the dripline of each shrub, unless otherwise approved by USFWS.</i></p> <ul style="list-style-type: none"> <i>No insecticides, herbicides, or other chemicals that might harm the beetle or its host plant shall be used within 100 feet of the elderberry shrubs.</i> <i>If the shrub(s) cannot be avoided through redesign, as determined by the City of Davis Public Works Department in conjunction with the project applicant, the project applicant shall mitigate for potential impacts to the shrub(s) by either (1) purchasing VELB conservation credits from a USFWS-approved conservation bank, or (2) transplanting the individual shrub(s) that is not avoided to a suitable mitigation site in a manner consistent with the USFWS' 1999 Conservation Guidelines for the VELB. The mitigation shall be overseen by a qualified biologist, approved by the City of Davis Department of Community Development and Sustainability and USFWS.</i> 	<p>Department (for review and approval of the site design) and U.S. Fish and Wildlife Service (for approval of mitigation, if the shrubs cannot be avoided through redesign)</p>		
<p>Impact 3.4-2: Project implementation may result in direct or indirect effects on special-status reptile and amphibian species</p>	<p>Mitigation Measure 3.4-2: <i>The project proponent shall implement the following measures to avoid or minimize impacts on western pond turtle:</i></p> <ul style="list-style-type: none"> <i>Ground-disturbing activities in areas of potential pond turtle nesting habitat shall be avoided during the nesting season (April–August), to the extent feasible.</i> <i>A preconstruction survey for western pond turtles within aquatic habitats and adjacent suitable uplands to be disturbed by project activities shall be conducted by a qualified biologist. In aquatic habitats which may be dewatered during project construction, surveys shall be conducted immediately after dewatering and before any subsequent disturbance. Elsewhere, surveys shall be conducted within 24 hours before project disturbance.</i> <i>If pond turtles are found during preconstruction surveys, a qualified biologist, with approval from CDFW, shall move the turtles to the nearest suitable habitat outside the area subject to project disturbance. The construction area shall be reinspected whenever a lapse in construction activity of 2 weeks or more has occurred.</i> 	<p>City of Davis Department of Community Development and Sustainability (for review and approval of the site design and pre-construction surveys) and California Department of Fish and Wildlife (for approval of turtle moving,</p>	<p>Prior to issuance of grading permits and during all site construction activities</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<ul style="list-style-type: none"> • Construction personnel performing activities within aquatic habitats and adjacent suitable uplands to be disturbed by project activities shall receive worker environmental awareness training from a qualified biologist to instruct workers to recognize western pond turtle, their habitats, and measures being implemented for its protection. • Construction personnel shall observe a 15-miles-per-hour speed limit on unpaved roads. <p>Mitigation Measure 3.4-3: The project proponent shall implement the following measures to avoid or minimize impacts on giant garter snake:</p> <p>The project proponent shall consult with USFWS regarding the potential for the project to affect giant garter snake habitat. If USFWS determines that giant garter snake may be potentially affected by project construction, the project proponent shall obtain an incidental take permit from USFWS and implement the minimization guidelines for giant garter snake, as follows:</p> <ul style="list-style-type: none"> • Unless authorized by USFWS, construction and other ground-disturbing activities within 200 feet of suitable aquatic habitat for the giant garter snake shall not commence before May 1, with initial ground disturbance expected to correspond with the snake's active season. Initial ground disturbance shall be completed by October 1. • To the extent possible, construction activities shall be avoided within upland habitat within 200 feet from the banks of giant garter snake aquatic habitat. Movement of heavy equipment in these areas shall be confined to existing roadways, where feasible, to minimize habitat disturbance. • Construction personnel shall receive USFWS-approved worker environmental awareness training to instruct workers to recognize giant garter snake and their habitats. • Within 24 hours before construction activities, the project area shall be surveyed for giant garter snake. The survey shall be repeated if a lapse in construction activity of 2 weeks or greater has occurred. If a giant garter snake is encountered during construction, activities shall cease until appropriate corrective 	<p>if the turtle is found during the surveys)</p> <p>City of Davis Department of Community Development and Sustainability (for review and approval of construction surveys) and U.S. Fish and Wildlife Service (for consultation and determination)</p>	<p>Prior to issuance of grading permits and during all site construction activities</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p>measures have been completed or it is determined by the qualified biologist and City staff, in coordination with USFWS and CDFW, that the giant garter snake shall not be harmed. Any sightings or incidental take shall be reported to USFWS and CDFW immediately.</p> <ul style="list-style-type: none"> Any aquatic habitat for the snake that is dewatered shall remain dry for at least 15 consecutive days after April 15 and before excavating or filling of the dewatered habitat. If complete dewatering is not possible, potential snake prey (e.g., fish and tadpoles) will be removed so that snakes and other wildlife are not attracted to the construction area. Giant garter snake habitat to be avoided within or adjacent to construction areas will be fenced and designated as environmentally sensitive areas. These areas shall be avoided by all construction personnel. 			
<p>Impact 3.4-4: Project implementation may result in direct or indirect effects on special-status bird species</p>	<p>Mitigation Measure 3.4-4: The project proponent shall implement the following measure to avoid or minimize impacts on western burrowing owl:</p> <ul style="list-style-type: none"> No less than 14 days before initiating ground disturbance activities, the project proponent shall complete an initial take avoidance survey using the recommended methods described in the Detection Surveys section of the March 7, 2012, CDFW Staff Report on Burrowing Owl Mitigation (CDFW 2012). Implementation of avoidance and minimization measures (as presented in the March 7, 2012, CDFW Staff Report on Burrowing Owl Mitigation) would be triggered if the initial take avoidance survey results in positive owl presence on the project site where project activities shall occur. If needed, the development of avoidance and minimization approaches shall be developed in coordination with CDFW. <p>Mitigation Measure 3.4-5: The project proponent shall implement the following measures to avoid or minimize impacts on Swainson’s hawk:</p> <ul style="list-style-type: none"> No more than 30 days before the commencement of construction, a qualified biologist shall perform preconstruction surveys for nesting Swainson’s hawk and other raptors during the nesting season (February 1 through August 31). Appropriate buffers shall be established and maintained around 	<p>City of Davis Department of Community Development and Sustainability (for review and approval of survey) and U.S. Fish and Wildlife Service (for coordination)</p> <p>City of Davis Department of Community Development and Sustainability (for review and approval of</p>	<p>No less than 14 days before initiating ground disturbance activities</p> <p>No less than 30 days before start of construction, during all site construction activities, and prior to</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>active nest sites during construction activities to avoid nest failure as a result of project activities. The appropriate size and shape of the buffers shall be determined by a qualified biologist, in coordination with CDFW, and may vary depending on the nest location, nest stage, and construction activity. The buffers may be adjusted if a qualified biologist determines it would not be likely to adversely affect the nest. Monitoring shall be conducted to confirm that project activity is not resulting in detectable adverse effects on nesting birds or their young. No project activity shall commence within the buffer areas until a qualified biologist has determined that the young have fledged or the nest site is otherwise no longer in use.</i></p> <ul style="list-style-type: none"> • <i>Prior to initiation of any ground disturbing activities, mobilization for construction, or the issuance of a grading permit or building permit, the applicant shall mitigate for the permanent loss Swainson’s hawk foraging habitat on a per-acre basis. The acreage of Swainson’s hawk foraging habitat which would be permanently lost as a result of the project shall be determined by the project applicant’s qualified biologist. The results of this survey shall be submitted to the Yolo Habitat Conservancy for review and approval. Mitigation shall occur within Yolo County consistent with the Yolo Habitat Conservation Plan/Natural Community Conservation Pan (“Yolo HCP/NCCP). Mitigation shall ensure permanent 1:1 conservation of high-quality foraging habitat for the Swainson’s hawk through a habitat conservation easement. Depending on project size, the following options are available:</i> <ul style="list-style-type: none"> <i>(a) For projects impacting less than 40 acres of Swainson’s hawk foraging habitat, mitigation shall be satisfied by participation in the Yolo Habitat Conservancy’s Swainson’s Hawk Interim Mitigation Fee Program. Eligible projects shall pay the Program in-lieu fee (currently \$8,660 per disturbed acre) to the Yolo Habitat Conservancy (“Conservancy”). Alternatively, projects impacting greater than 40 acres may mitigate pursuant to (b), below.</i> <i>(b) For projects impacting 40 or more acres of foraging habitat, the applicant shall either (i) place a Conservancy-approved conservation easement on high-quality foraging habitat, (ii)</i> 	<p>surveys), California Department of Fish and Wildlife (for coordination), and Yolo Habitat Conservancy (for review of the foraging habitat survey)</p>	<p>initiation of any ground disturbing activities, mobilization for construction, or the issuance of a grading permit or building permit</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>purchase foraging habitat credits from a mitigation bank acceptable to the Conservancy and the California Department of Fish and Wildlife, or (iii) purchase foraging habitat credits from a mitigation bank acceptable to the Conservancy and the California Department of Fish and Wildlife, or (iii) purchase foraging habitat credits from a Conservancy-approved mitigation receiving site.</i></p> <p>Mitigation Measure 3.4-6: <i>The project proponent shall implement the following measure to avoid or minimize impacts on other protected bird species that may occur on the site:</i></p> <ul style="list-style-type: none"> <i>Preconstruction surveys for active nests of special-status birds shall be conducted by a qualified biologist in all areas of suitable habitat within 500 feet of project disturbance. Surveys shall be conducted within 14 days before commencement of any construction activities that occur during the nesting season (February 15 to August 31) in a given area.</i> <i>If any active nests, or behaviors indicating that active nests are present, are observed, appropriate buffers around the nest sites shall be determined by a qualified biologist to avoid nest failure resulting from project activities. The size of the buffer shall depend on the species, nest location, nest stage, and specific construction activities to be performed while the nest is active. The buffers may be adjusted if a qualified biologist determines it would not be likely to adversely affect the nest. If buffers are adjusted, monitoring will be conducted to confirm that project activity is not resulting in detectable adverse effects on nesting birds or their young. No project activity shall commence within the buffer areas until a qualified biologist has determined that the young have fledged or the nest site is otherwise no longer in use.</i> 	<p>City of Davis Department of Community Development and Sustainability (for review and approval of surveys)</p>	<p>Within 14 days before start of construction activities that occur during nesting season (Feb. 15 to Aug. 31), and during all site construction activities</p>	
<p>Impact 3.4-6: Project implementation may result in direct or indirect effects on candidate, sensitive, or special-status plant species</p>	<p>Mitigation Measure 3.4-8: <i>Prior to construction, the project proponent shall retain a biologist to perform a focused survey for the following CNPS listed plants: heartscale (April to October), brittlescale (April to October), San Joaquin spearscale (April to October), recurved larkspur (March to June), and saline clover (April to June). The survey shall be performed during the floristic season (shown in parenthesis). While there is a low potential for</i></p>	<p>City of Davis Department of Community Development and Sustainability</p>	<p>Prior to construction and during the floristic seasons</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>these species to be found on the project site, there is some limited habitat present within and along the fringe of the irrigation ditches. If any of these plants are found during the focused survey, the project proponent shall contact the CNPS to obtain the appropriate avoidance and minimization measures.</i></p> <p>Mitigation Measure 3.4-9: <i>Prior to construction, the project proponent shall retain a biologist to perform a focused survey for the federally and state listed palmate-bracted salty bird's-beak (<i>Chloropyron palmatum</i>). The survey shall be performed during the floristic season (generally May through October). This species is generally restricted to seasonally-flooded, saline-alkali soils in lowland plains/basins, which is generally present within and along the fringe of the irrigation ditches. If this plant is found during the focused survey, the project proponent shall contact the USFS and CDFW to obtain the appropriate avoidance and minimization measures.</i></p>	<p>(for review and approval of surveys)</p> <p>City of Davis Department of Community Development and Sustainability (for review and approval of survey) and U.S. Forest Service and California Department of Fish and Wildlife (if the species is found during the survey)</p>	<p>Prior to construction</p>	
<p>Impact 3.4-7: The proposed project has the potential to effect protected wetlands and jurisdictional waters</p>	<p>Mitigation Measure 3.4-10: <i>The project proponent shall implement the following measure to avoid or minimize impacts on potentially jurisdictional waters:</i></p> <ul style="list-style-type: none"> <i>Before any activities that would result in discharge, fill, removal, or hydrologic interruption of any of the water features within the project site, a wetland delineation and jurisdictional determination shall be conducted by a qualified delineator and the delineation that determines the extent of jurisdictional waters should be approved by USACE.</i> <i>Any impacts on jurisdictional features shall obtain the appropriate CWA Section 404 and or 401 permits. All permit conditions including required avoidance, minimization, and mitigation</i> 	<p>U.S. Army Corps of Engineers (for review and approval of delineation)</p>	<p>Before any activities that would result in discharge, fill, removal, or hydrologic interruption of any of the water features within the project site</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<i>measures included as conditions of the permit shall be followed.</i>			
<p>Impact 3.4-10: Project implementation may result in conflicts with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance</p>	<p>Mitigation Measure 3.4-11: <i>The project proponent shall implement the following measure to avoid or minimize impacts on trees protected by the City of Davis:</i></p> <ul style="list-style-type: none"> • <i>Before the commencement of construction, the project proponent shall retain a qualified arborist to perform a survey of all trees within the footprint of the proposed off-site detention basin (located north of Sutter Hospital, and east of the City water tank). The tree survey and arborist report shall detail the number, species, size, and relative health and structure of all trees in the aforementioned area. The report will also describe which trees on-site are subject to regulation under the City of Davis Tree Ordinance.</i> • <i>A tree protection plan shall be prepared that includes measures to avoid or minimize impacts on trees that are to be preserved on-site and well as proposed mitigation for regulated trees subject to impact or removal. Compliance with the tree protection plan shall be required before and during any site disturbance and construction activity and before issuance of building permits. A tree modification permit shall be submitted to the City for any proposed removal of a tree. Fees shall be assessed by the City, and paid by the project proponent, in accordance with Davis Municipal Code Chapter 37, "Tree Planting, Preservation, and Protection."</i> 	<p>City of Davis Department of Community Development and Sustainability</p>	<p>Before start of construction activities</p>	
<p>Impact 3.4-11: Project implementation may result in conflicts with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan</p>	<p>Mitigation Measure 3.4-12: <i>If the Yolo HCP/NCCP is adopted prior to initiation of any ground disturbing activities for any phase of development associated with the project, the project applicant shall comply with the requirements of the Yolo HCP/NCCP as applicable, which would likely replace other project mitigation measures for species covered in the Yolo HCP/NCCP. This would likely include the payment of fees, and the integration of applicable avoidance and mitigation measures for covered species. For species not covered by the Yolo HCP/NCCP, applicable mitigation measures in this EIR will continue to apply after adoption of the Yolo HCP/NCCP and must be satisfied by the project applicant. The project applicant, the City of Davis Department of Community Development and Sustainability, and a</i></p>	<p>City of Davis Department of Community Development and Sustainability, and a representative from the Yolo Habitat Conservancy</p>	<p>If the Yolo HCP/NCCP is adopted prior to initiation of any ground disturbing activities for any phase of development associated with the project</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>representative of the Yolo Habitat Conservancy shall coordinate to ensure compliance with the Yolo HCP/NCCP for covered species and satisfaction of applicable EIR mitigation measures for non-covered species. To the extent there is duplication in mitigation for a given species, the requirements of the Yolo HCP/NCCP shall supersede.</i></p>			
CULTURAL AND TRIBAL RESOURCES				
<p>Impact 3.5-1: Project implementation has the potential to cause a substantial adverse change to a significant historical resource, as defined in CEQA Guidelines §15064.5, or a significant tribal cultural resource, as defined in Public Resources Code §21074</p>	<p>Mitigation Measure 3.5-1: All construction workers shall receive a sensitivity training session before they begin site work. The sensitivity training shall inform the workers of their responsibility to identify and protect any cultural resources, including prehistoric or historic artifacts, or other indications of archaeological resources, within the project site. The sensitivity training shall cover laws pertaining to cultural resources, examples of cultural resources that may be discovered in the project site, and what to do if a cultural resource, or anything that may be a cultural resource, is discovered.</p> <p><i>If any subsurface historic remains, prehistoric or historic artifacts, paleontological resources, other indications of archaeological resources, or cultural and/or tribal resources are found during grading and construction activities, all work within 100 feet of the find shall cease, the City of Davis Department of Community Development and Sustainability shall be notified, and the applicant shall retain an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, to evaluate the find(s). If tribal resources are found during grading and construction activities, the applicant shall notify the Yocha Dehe Wintun Nation. If paleontological resources are found during grading and construction activities, a qualified paleontologist shall be retained to determine the significance of the discovery.</i></p> <p><i>The archaeologist and/or paleontologist shall define the physical extent and the nature of any built features or artifact-bearing deposits. The investigation shall proceed immediately into a formal evaluation to determine the eligibility of the feature(s) for inclusion in the California Register of Historical Resources. The formal evaluation shall include, at a minimum, additional exposure of the feature(s), photo-documentation and</i></p>	<p>City of Davis Department of Community Development and Sustainability</p>	<p>Throughout all ground disturbing activities</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>recording, and analysis of the artifact assemblage(s). If the evaluation determines that the feature(s) and artifact(s) do not have sufficient data potential to be eligible for the California Register, additional work shall not be required. However, if data potential exists (e.g., an intact feature is identified with a large and varied artifact assemblage), further mitigation would be necessary, which might include avoidance of further disturbance to the resource(s) through project redesign. If avoidance is determined to be infeasible, additional data recovery excavations shall be conducted for the resource(s), to collect enough information to exhaust the data potential of those resources.</i></p> <p><i>Pursuant to CEQA Guidelines Section 15126.4(b)(3)(C), a data recovery plan, which makes provisions for adequately recovering the scientifically consequential information from and about the resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. Data recovery efforts can range from rapid photographic documentation to extensive excavation depending upon the physical nature of the resource. The degree of effort shall be determined at the discretion of a qualified archaeologist and should be sufficient to recover data considered important to the area's history and/or prehistory. Significance determinations for tribal cultural resources shall be measured in terms of criteria for inclusion on the California Register of Historical Resources (Title 14 CCR, §4852[a]), and the definition of tribal cultural resources set forth in Public Resources Code Section 21074 and 5020.1 (k). The evaluation of the tribal cultural resource(s) shall include culturally appropriate temporary and permanent treatment, which may include avoidance of tribal cultural resources, in-place preservation, and/or re-burial on project property so the resource(s) are not subject to further disturbance in perpetuity. Any re-burial shall occur at a location predetermined between the landowner and the Yocha Dehe Wintun Nation. The landowner shall relinquish ownership of all sacred items, burial goods, and all archaeological artifacts that are found on the project area to the Yocha Dehe Wintun Nation for proper treatment and disposition. If an artifact must be removed during project excavation or testing, curation may be an appropriate mitigation.</i></p> <p><i>The language of this mitigation measure shall be included on any future grading plans, utility plans, and subdivision improvement drawings approved</i></p>			

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<i>by the City for the development of the project.</i>			
Impact 3.5-2: Project implementation has the potential to cause a substantial adverse change to a significant archaeological resource, as defined in CEQA Guidelines §15064.5	Implement Mitigation Measure 3.5-1.	See Mitigation Measure 3.5-1	See Mitigation Measure 3.5-1	
Impact 3.5-3: Project implementation has the potential to directly or indirectly destroy a unique paleontological resource	Implement Mitigation Measure 3.5-1.	See Mitigation Measure 3.5-1	See Mitigation Measure 3.5-1	
Impact 3.5-4: Project implementation has the potential to disturb human remains, including those interred outside of formal cemeteries	<p>Mitigation Measure 3.5-2: <i>If human remains are discovered during the course of construction during any phase of the project, work shall be halted at the site and at any nearby area reasonably suspected to overlie adjacent human remains until the Yolo County Coroner has been informed and has determined that no investigation of the cause of death is required. If the remains are of Native American origin, either of the following steps will be taken:</i></p> <ul style="list-style-type: none"> • <i>The coroner shall contact the Native American Heritage Commission in order to ascertain the proper descendants from the deceased individual. The coroner shall make a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods, which may include obtaining a qualified archaeologist or team of archaeologists to properly excavate the human remains.</i> • <i>The landowner shall retain a Native American monitor, and an archaeologist, if recommended by the Native American monitor, and rebury the Native American human remains and any associated grave goods, with appropriate dignity, on the property and in a location that is not subject to further subsurface disturbance when any of the following conditions occurs:</i> <ul style="list-style-type: none"> ○ <i>The Native American Heritage Commission is unable to</i> 	City of Davis Department of Community Development and Sustainability	If human remains are discovered during the course of construction activity during any phase of the project	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>identify a descendant.</i></p> <ul style="list-style-type: none"> ○ <i>The descendant identified fails to make a recommendation.</i> ○ <i>The City of Davis or its authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.</i> 			
GEOLOGY AND SOILS				
<p>Impact 3.6-2: Implementation and construction of the proposed project may result in substantial soil erosion or the loss of topsoil</p>	<p>Mitigation Measure 3.6-1: <i>Prior to any site disturbance, the project proponent shall submit a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) to the RWQCB in accordance with the NPDES General Construction Permit requirements. The SWPPP shall be designed to control pollutant discharges utilizing Best Management Practices (BMPs) and technology to reduce erosion and sediments. BMPs may consist of a wide variety of measures taken to reduce pollutants in stormwater runoff from the project site. Measures shall include temporary erosion control measures (such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover) that will be employed to control erosion from disturbed areas. Final selection of BMPs will be subject to approval by the City of Davis and the RWQCB. The SWPPP will be kept on site during construction activity and will be made available upon request to representatives of the RWQCB.</i></p> <p>Mitigation Measure 3.6-2: <i>Prior to any site disturbance, the project proponent shall document to the satisfaction of the City of Davis that stormwater runoff from the project site is treated per the standards in the California Stormwater Best Management Practice New Development and Redevelopment Handbook and Section E.12 of the Phase II Small MS4 General Permit. Drainage from all paved surfaces, including streets, parking lots, driveways, and roofs shall be routed either through swales, buffer strips, or sand filters or treated with a filtering system prior to discharge to the storm drain system. Landscaping shall be designed to provide water quality treatment, along with the use of a Stormwater Management filter to permanently sequester hydrocarbons, if necessary. Roofs shall be designed with down spouting into landscaped areas, bubbleups, or trenches. Driveways</i></p>	<p>City of Davis Department of Community Development and Sustainability, City of Davis Department of Public Works, and the Regional Water Quality Control Board</p> <p>City of Davis Department of Community Development and Sustainability and Public Works Department</p>	<p>Prior to any site disturbance</p> <p>Prior to any site disturbance</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>should be curbed into landscaping so runoff drains first into the landscaping. The aforementioned requirements shall be noted on the Preliminary and Final Planned Developments for the project.</i></p>			
<p>Impact 3.6-3: The proposed project would be located on a geologic unit or soil that is unstable, or that would become unstable as a result of project implementation, and potentially result in landslide, lateral spreading, subsidence, liquefaction or collapse</p>	<p>Mitigation Measure 3.6-3: <i>Prior to final design approval and issuance of building permits for each phase of the project, the project applicant shall submit to the City of Davis Building Inspection Division, for review and approval, a design-level geotechnical engineering report produced by a California Registered Civil Engineer or Geotechnical Engineer. The report shall include the recommendations in the report entitled Preliminary Geotechnical Assessment, Davis Innovation Center, dated October 20, 2014 unless it is determined in the design-level report that one or more recommendations need to be revised. The design-level report shall address, at a minimum, the following:</i></p> <ul style="list-style-type: none"> • <i>Compaction specifications and subgrade preparation for onsite soils;</i> • <i>Structural foundations;</i> • <i>Grading practices; and</i> • <i>Expansive/unstable soils, including fill.</i> <p><i>The design-level geotechnical engineering report shall include a summary of the site, soil, and groundwater conditions, seismicity, laboratory test data, exploration data and a site plan showing exploratory locations and improvement limits. The report shall be signed by a licensed California Geotechnical Engineer. Design-level recommendations shall be included in the foundation and improvement plans and approved by the Davis Public Works Department prior to issuance of any building permits.</i></p>	<p>City of Davis Building Inspection Division</p>	<p>Prior to final design approval and issuance of building permits for each phase of the project</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
GREENHOUSE GASES AND CLIMATE CHANGE				
Impact 3.7-2: The proposed project may generate operation-related GHGs, either directly or indirectly, that may have a significant effect on the environment	Mitigation Measure 3.7-1: Prior to issuance of building permits, the applicant shall ensure that all residential units are designed such that they to achieve a minimum of 15% greater energy efficiency than the baseline 2016 Title-24 Energy Efficiency requirements (compliant with Tier 1 of the 2016 CalGreen Code).	City of Davis Director of Community Development and Sustainability	Prior to the issuance of building permits	
HAZARDS AND HAZARDOUS MATERIALS				
Impact 3.8-1: The project may have the potential to create a significant hazard through the routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment	<p>Mitigation Measure 3.8-1: A soil sampling program shall be implemented to assess potential agrichemical (including pesticides, herbicides, diesel, petrochemicals, etc.) impacts to surface soil within the project site, as follows:</p> <p><i>The sampling and analysis plan shall meet the requirements of the Department of Toxic Substances Control Interim Guidance for Sampling Agricultural Properties (2008). If the sampling results indicate the presence of agrichemicals that exceed screening levels, a removal action workplan shall be prepared in coordination with Yolo County Environmental Health Division. The removal action workplan shall include a detailed engineering plan for conducting the removal action, a description of the onsite contamination, the goals to be achieved by the removal action, and any alternative removal options that were considered and rejected and the basis for that rejection. The removal action shall be deemed complete when the confirmation samples exhibit concentrations below the commercial screening levels, which will be established by the agencies.</i></p> <p>Mitigation Measure 3.8-2: Prior to commencement of grading, the applicant shall submit a Soil Management Plan (SMP) for review and approval by the City. The SMP shall establish management practices for handling hazardous materials, including fuels, paints, cleaners, solvents, etc., during construction to reduce the potential for spills and to direct the safe</p>	<p>City of Davis Director of Community Development and Sustainability (for review of program), and Yolo County Environmental Health Division (if the sampling results indicate the presence of agrichemicals that exceed screening levels)</p> <p>City of Davis Director of Community Development</p>	<p>Prior to the issuance of grading permits</p> <p>Prior to start of grading</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>handling of these materials if encountered. The city will approve the SMP prior to any earth moving.</i></p> <p>Mitigation Measure 3.8-3: <i>Prior to bringing hazardous materials (including 55 or more gallons for liquids, 500 or more pounds for solids, and/or 200 or more cubic feet for compressed gases) onsite, the applicant shall submit a Hazardous Materials Business Plan (HMBP) to Yolo County Environmental Health Division (CUPA) for review and approval. If during the construction process the applicant or his subcontractors generates hazardous waste, the applicant must register with the CUPA as a generator of hazardous waste, obtain an EPA ID# and accumulate, ship and dispose of the hazardous waste per Health and Safety Code Ch. 6.5. (California Hazardous Waste Control Law).</i></p> <p>Mitigation Measure 3.8-4: <i>If any underground septic tanks, or fuel tanks are uncovered from past site uses during construction, the project proponent shall retain an environmental professional to assist with the removal consistent with the Yolo County Environmental Health Department's Underground Storage Tank Program, and Septic Abandonment Permit requirements.</i></p> <p>Mitigation Measure 3.8-5: <i>Project site wells that are no longer operated shall be properly abandoned through permit by the Yolo County Environmental Health Division (YCEH) permit program. The well abandonment work shall be completed by a C-57 State licensed well contractor.</i></p> <p>Mitigation Measure 3.8-6: <i>If the source of soil onsite soil stockpiles is</i></p>	<p>and Sustainability</p> <p>Yolo County Environmental Health Division</p> <p>Yolo County Environmental Health Division</p> <p>Yolo County Environmental Health Division</p>	<p>Prior to bringing hazardous materials (including 55 or more gallons for liquids, 500 or more pounds for solids, and/or 200 or more cubic feet for compressed gases) onsite</p> <p>If any underground septic tanks, or fuel tanks are uncovered from past site uses during construction</p> <p>If any site wells will no longer be operated</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	<p><i>undocumented, the applicant shall confirm to the City of Davis that soil sampling of the stockpiles was performed to identify potential soil contaminants associated with onsite soil stockpiles. The samples shall be submitted for laboratory analysis of total petroleum hydrocarbons (TPH) (gas, diesel and motor oil) by EPA Method 8015M and volatile organic compounds (VOCs) by EPA Method 8260. The results of the soil sampling shall be provided to the City of Davis. If elevated levels of TPH or VOCs are detected during the laboratory analysis of the soils, a soil cleanup and remediation plan shall be prepared and implemented prior to the commencement of grading activities.</i></p>	<p>City of Davis Department of Community Development and Sustainability</p>	<p>If the source of soil onsite soil stockpiles is undocumented</p>	
HYDROLOGY AND WATER QUALITY				
<p>Impact 3.9-1: The project may violate water quality standards or waste discharge requirements during construction</p>	<p>Implement Mitigation Measure 3.6-1.</p> <p>Mitigation Measure 3.9-1: <i>Prior to the commencement of construction activities, the project proponent shall submit, and obtain approval of, a Spill Prevention Countermeasure and Control Plan (SPCC) to the Yolo County Health Department. The SPCC shall specify measures and procedures to minimize the potential for, and effects from, spills of hazardous, toxic, or petroleum substances during all construction activities, and shall meet the requirements specified in the Code of Federal Regulations, title 40, part 112.</i></p>	<p>See Mitigation Measure 3.6-1</p> <p>Yolo County Health Department</p>	<p>See Mitigation Measure 3.6-1</p> <p>Prior to the commencement of construction activities</p>	
<p>Impact 3.9-2: The project may violate water quality standards or waste discharge requirements post-construction</p>	<p>Mitigation Measure 3.9-2: <i>Prior to issuance of building or grading permits, the applicant shall submit a final stormwater and drainage plan identifying permanent stormwater control measures to be implemented by the project to the City. The plan shall include measures consistent with the adopted guidelines and requirements set forth in the "Phase II Small MS4 General Permit, 2013-0001-DWQ," dated February 5, 2013 and shall be subject to review and approval by the Public Works Department.</i></p>	<p>City of Davis Department of Public Works</p>	<p>Prior to issuance of building or grading permits</p>	
<p>Impact 3.9-6: The project may place housing or structures that would impede/redirect flows within a 100-year flood hazard</p>	<p>Mitigation Measure 3.9-3: <i>Prior to the issuance of grading permits and subsequently prior to the issuance of building permits, the project applicant shall either demonstrate that the developed portions of the project site are outside of the anticipated 100-year flood hazard area, or incorporate</i></p>	<p>City of Davis Department of Public Works</p>	<p>Prior to issuance of grading permits and</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
<p>area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map</p>	<p><i>measures into the proposed project to achieve a 100-year level of flood protection for any site installations. This may include elevating the proposed building pads above the base flood elevation, installing adequate storm water retention areas, or other measures commonly accepted by the City of Davis.</i></p> <p>Mitigation Measure 3.9-4: <i>Prior to commencement of grading operations, the project proponent shall prepare and submit an application for Conditional Letter of Map Revision (CLOMR) to FEMA for approval. The CLOMR shall include revised local base flood elevations based on current modeling of the project site. No building permit shall be issued in the area impacted by the CLOMR until a CLOMR has been approved by FEMA.</i></p> <p>Mitigation Measure 3.9-5: <i>The building pads for all onsite structures shall be set a minimum of 1.0 foot above the maximum 100-year water surface elevations on the project site, as shown on the Conditional Letter of Map Revision (CLOMR) approved by FEMA. No building permit shall be issued until a CLOMR has been approved by FEMA, and it has been demonstrated that no building pads would be placed below 1.0 feet above the calculated local base flood elevations.</i></p>	<p>Federal Emergency Management Agency</p> <p>Federal Emergency Management Agency</p>	<p>subsequently prior to the issuance of building permits</p> <p>Prior to commencement of grading operations</p> <p>Prior to issuance of building permits</p>	
TRANSPORTATION AND CIRCULATION				
<p>Impact 3.14-5: Under cumulative plus project conditions, project</p>	<p>Mitigation Measure 3.14-1: <i>No later than recordation of the final map creating the 200th market-priced lot, the project applicant(s) shall contribute fair share funding to cover their proportionate cost of the following intersection improvements:</i></p> <ul style="list-style-type: none"> a) <i>West Covell Boulevard/SR 113 NB Ramps – widen northbound off-ramp to consist of three lanes (i.e., one left, one shared left/through/right, and one right-turn lane) approaching West Covell Boulevard. The fair share funding shall be submitted to Caltrans.</i> b) <i>West Covell Boulevard/Sycamore Lane – lengthen eastbound left-turn lane from 150 to 275 feet. The fair share funding shall be submitted to the City of Davis.</i> 	<p>City of Davis Department of Public Works</p>	<p>No later than recordation of the final map creating the 200th market-priced lot</p>	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
Impact 3.14-6: Under cumulative plus project conditions, project implementation would cause significant impacts at study freeway facilities	<i>Implement Mitigation Measure 3.14-1(a): Pay fair share to widen northbound SR 113 off-ramp at West Covell Boulevard to consist of three lanes approaching West Covell Boulevard.</i>	City of Davis Department of Public Works	No later than recordation of the final map creating the 200 th market-priced lot	
Impact 3.14-9: The proposed site plan would not provide adequate emergency vehicle access	Mitigation Measure 3.14-2: <i>By the time the final map is submitted, the final map shall indicate that the project shall dedicate an emergency vehicle access easement from the project site to John Jones Road. Best efforts shall be made by the project applicant to work with Sutter Davis Hospital to obtain the easement.</i>	City of Davis Department of Public Works	By the time the final map is submitted	
Impact 3.14-10: The proposed site plan would not provide adequate project access	Mitigation Measure 3.14-3: <i>No later than recordation of the final map creating the 200th market-priced lot, the project applicant(s) shall contribute fair share funding to cover their proportionate cost of the following intersection improvements:</i> <ul style="list-style-type: none"> <i>a) West Covell Boulevard/Risling Court/Shasta Drive – lengthen the southbound right-turn lane from 85 to 200 feet. The fair share funding shall be submitted to the City of Davis.</i> <i>b) West Covell Boulevard/Risling Court/Shasta Drive – lengthen the eastbound left-turn lane from 175 to 250 feet. The fair share funding shall be submitted to the City of Davis.</i> 	City of Davis Department of Public Works	No later than recordation of the final map creating the 200 th market-priced lot	

FINAL MITIGATION MONITORING AND REPORTING PROGRAM

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YOLO LOCAL AGENCY FORMATION COMMISSION

RESOLUTION № 2019-05

Approving the City of Davis Annexation of the West Davis Active Adult Community Project (APN 036-060-005), Detaching the Territory from the Springlake Fire Protection District and Waiving Conducting Authority Proceedings (LAFCO № 932)

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, set forth in Government Code Sections 56000 et seq., governs the organization and reorganization of cities and special districts by local agency formation commissions (LAFCo) established in each county, as defined and specified in Government Code Sections 56000 et seq. (unless otherwise indicated all statutory references are to the Government Code); and

WHEREAS, Government Code Section 56375 provides LAFCo with the power to review and approve proposals for "changes in organization" consistent with policies adopted by the commission; and

WHEREAS, Government Code Section 56021 defines "changes of organization" to include annexation to a city, among other actions; and

WHEREAS, the subject parcel is included within the Sphere of Influence for the City of Davis as approved by the Yolo LAFCo; and

WHEREAS, On June 12, 2018, the City of Davis approved the West Davis Active Adult Community Project (Project) and the voters of the City of Davis, on November 6, 2018, ratified the General Plan Amendment and the Baseline Project Features for the Project; and

WHEREAS, Government Code Section 56650 authorizes proceedings for a change of organization to be initiated by a Resolution of Application as adopted by a local agency; and

WHEREAS, on January 8, 2019 the City of Davis adopted a Resolution of Application to request LAFCo annexation of the West Davis Active Adult Community Property (APN: 036-060-05); and

WHEREAS, the proposal application was submitted to Yolo LAFCo on February 8, 2019; and

WHEREAS, the project is subject to a negotiated exchange per Revenue and Taxation Code Section 99(b)(1) and the City of Davis and Yolo County have executed a property tax exchange agreement; and

WHEREAS, the project was routed to all subject, affected and interested agencies and no concerns or objections were received; and

WHEREAS, a Certificate of Filing was issued on March 20, 2019; and

WHEREAS, Government Code Section 56662 allows LAFCo to approve an annexation without notice and hearing, and may waive protest proceedings entirely if: the territory is uninhabited; an affected local agency has not submitted a written demand for hearing; and there is 100% landowner approval; and

WHEREAS, notwithstanding Government Code Section 56662, a public notice was published in the Davis Enterprise and mailed to all landowners of the subject territory including a 300' radius; and

WHEREAS, the project was analyzed in accordance with all applicable sections of the Cortese-Knox-Hertzberg Act, LAFCo Standards of Evaluation and Agricultural Policy, and all other matters presented as prescribed by law; and

WHEREAS, the Executive Officer reviewed the proposal and prepared and filed a report with recommendations with this Commission at least five (5) days prior to the date of the April 25, 2019 meeting during which the project was set to be considered; and

WHEREAS, an opportunity was given to all interested persons, organizations, and agencies to present oral or written testimony, protests, objections, and any other information concerning the Proposal and all related matters; and

WHEREAS, at said meeting, the Commission reviewed and considered the CEQA documentation and the Executive Officer's Report including all the information, recommendations, findings and conditions contained therein.

NOW, THEREFORE, BE IT RESOLVED that the Yolo Local Agency Formation Commission approves the City of Davis Annexation of the West Davis Active Adult Community Project and detaching the territory from the Springlake Fire Protection District (LAFCo № 932) as illustrated in Exhibit A and hereby waives conducting authority proceedings pursuant to Government Code Section 56662 subject to the following findings and conditions of approval:

Findings

1. **Finding:** The annexation was considered and analyzed in accordance with the required factors listed in Government Code Section 56668 and Yolo LAFCo Standards of Evaluation for proposals (Yolo LAFCo Project Policies Section 2.0).

Evidence: The proposed annexation area is within the City's sphere of influence and is a logical and orderly extension of the City's urban area. The proposed development will need urban services and the City has the capacity and is the appropriate agency to provide services (as opposed to the County). The Project is consistent with the City's general plan land use designations. The City's Environmental Impact Report (EIR) analyzes the capacity and availability of public services and utilities and concludes that the City has capacity to serve the project. There is no indication that the City would not have capacity to additionally serve any future adjacent areas in its sphere of influence. The project is consistent with the regional growth projections prepared by the Sacramento Area Council of Governments (SACOG). Additionally, the City's requirements associated with the 1% Growth Policy and the City's Phased Allocation Ordinance would ensure that the population growth associated with the Project is consistent with the City's growth management requirements. The Project would provide 150 affordable housing units. The Project site is currently undeveloped and has been previously used for agricultural uses. The Project site is designated as Farmland of Local Importance by the California Department of Conservation's Farmland Mapping and Monitoring Program. The Soil Survey of Yolo County, shows that the project site contains Capability Class IV (non-irrigated) soils, and Class I-IV (irrigated soils) which indicate the soils have very severe limitations that restrict the choice of plants or that require very careful management, or both. The Project site is not under a Williamson Act contract, nor are any of the parcels that are located immediately adjacent to the Project site. Even though the Project site soils have limitations, the City's EIR mitigation measures require a minimum ratio of 2:1 set aside as an agricultural conservation easement conforming with LAFCo policy. Notwithstanding, the EIR concludes that impacts to agricultural land remains significant and

unavoidable. The City and County have approved a property tax exchange agreement. Therefore, staff concludes that the annexation proposal complies with required state factors and local standards of evaluation.

2. **Finding:** Government Code Section 56662 allows LAFCo to approve an annexation without notice and hearing, and may waive protest proceedings entirely if: the territory is uninhabited; an affected local agency has not submitted a written demand for hearing; and there is 100% landowner approval.

Evidence: The application (LAFCo No 932) includes the written consent forms signed by the landowner that comprises 100% of the affected territory. Additionally, the territory is uninhabited pursuant to the definition of inhabited in Section 56046 of Cortese-Knox-Hertzberg and no written demand for notice and hearing was received from an affected located agency during the notice period. The Springlake Fire Protection District submitted a written response indicating it has no objections to detachment.

Conditions of Approval

1. The applicant and the real party of interest, if different, agree to defend, indemnify, hold harmless and release the Yolo County Local Agency Formation Commission, its agents, officers, attorney and employees from any claim, action or proceeding brought against any of them, the purpose of which to attack, set aside, void, or annul the approval of this application or adoption of the environmental review which accompanies it. 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, arising out of or in connection with the approval of this application, whether or not there is concurrent passive negligence of the part of the Yolo County Local Agency Formation Commission its agents, officers, attorney or employees.
2. The project will be subject to all appropriate LAFCo, State Board of Equalization, and County Clerk-Recorder fees prior to recording the Certificate of Completion for the City of Davis annexation of the West Davis Active Adult Community Project and detachment from the Springlake Fire Protection District (LAFCO № 932).
3. The effective date of the approval of this annexation/detachment is five (5) days after the date the Certificate of Completion is recorded by the County Recorder.

PASSED AND ADOPTED by the Yolo Local Agency Formation Commission, State of California, this 25thth day of April 2019, by the following vote:

Ayes:
Noes:
Abstentions:
Absent:

Olin Woods, Chair
Yolo Local Agency Formation Commission

Attest:

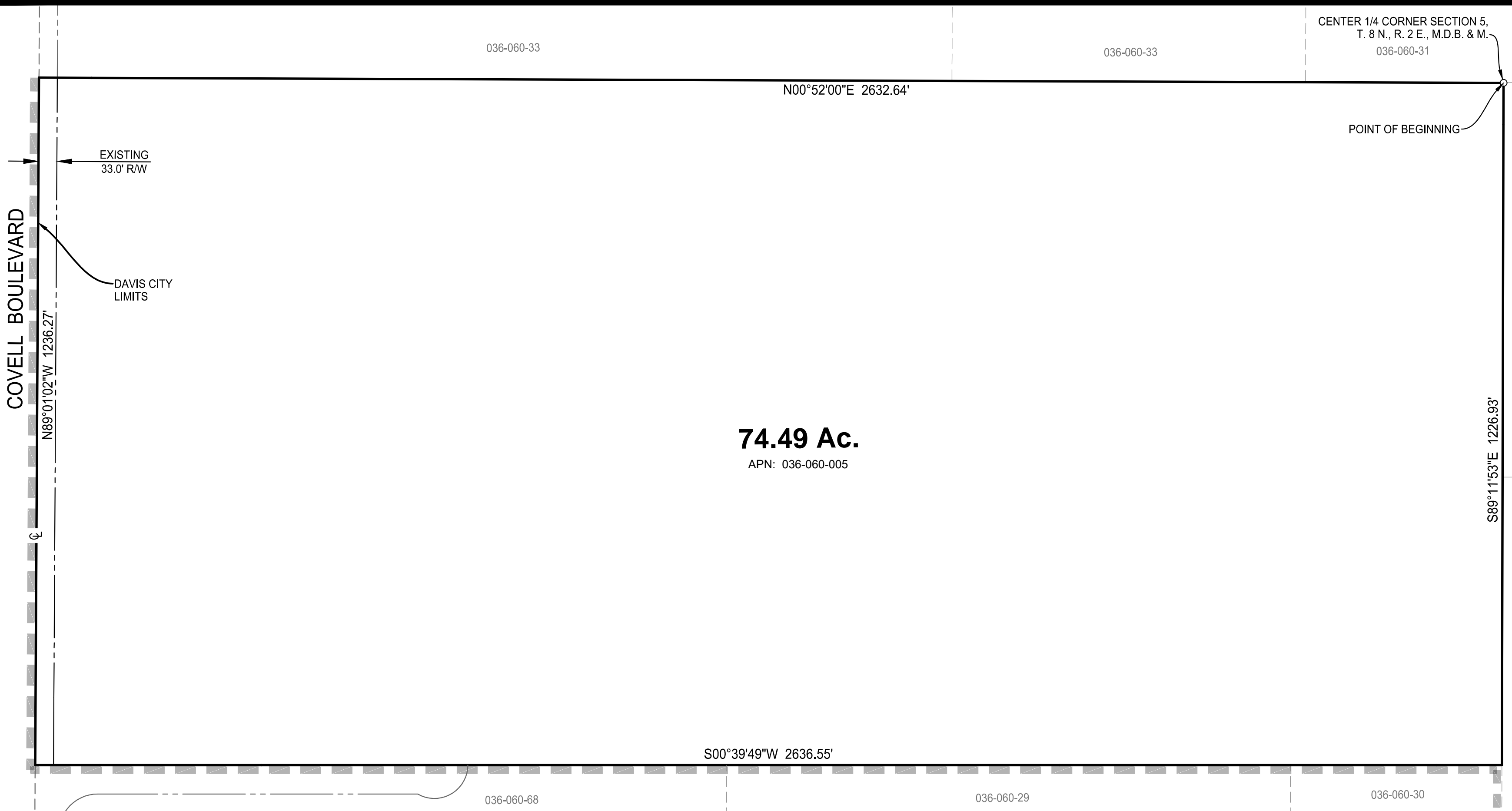


Christine Crawford, Executive Officer
Yolo Local Agency Formation Commission

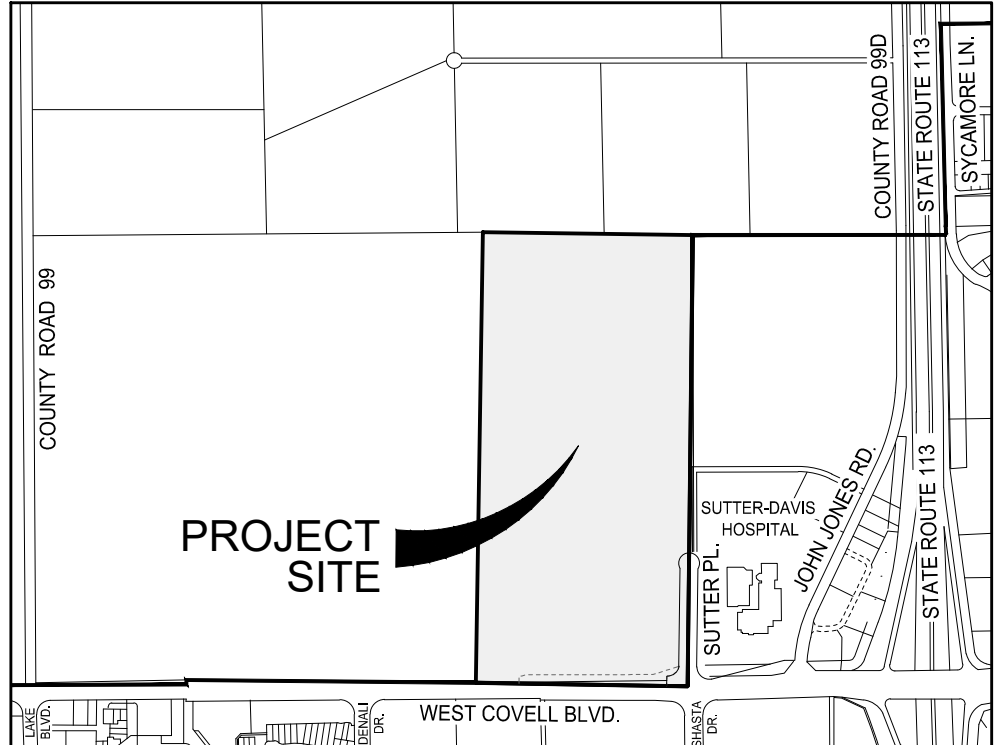
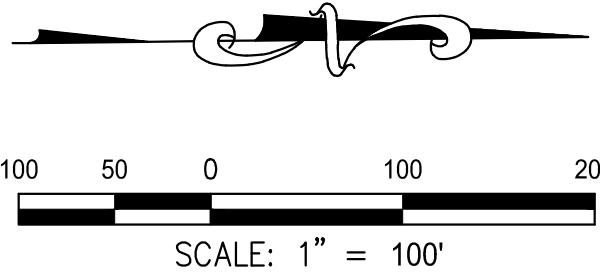
Approved as to form:



Eric May, Commission Counsel



- LEGEND:**
- ANNEXATION AREA BOUNDARY
 - - - - - EXISTING RIGHT-OF-WAY
 - - - - - EXISTING EASEMENT
 - - - - - ADJACENT PROPERTY LINES
 - ▬▬▬▬ EXISTING CITY BOUNDARY



ANNEXATION PROPERTY DESCRIPTION:

THAT CERTAIN PROPERTY WITHIN TOWNSHIP 8 NORTH, RANGE 2 EAST, SECTION 5, M.D.B. & M., YOLO COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER ONE-QUARTER CORNER OF SAID SECTION 5; THENCE THE FOLLOWING FOUR (4) COURSES:

- 1) SOUTH 89°11'53" EAST, 1,226.93 FEET;
- 2) THENCE SOUTH 00°39'49" WEST, 2,636.55 FEET;
- 3) THENCE NORTH 89°01'02" WEST, 1,236.27 FEET;
- 4) THENCE NORTH 00°52'00" EAST, 2,632.64 FEET TO THE POINT OF BEGINNING.

SAID PROPERTY CONTAINS 3,244,753 SQ. FT. (74.49 AC.), MORE OR LESS.

APN:
036-060-005

ENGINEER'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION FOR THE SOLE PURPOSE OF DEFINING AN ANNEXATION BOUNDARY. IT WAS COMPILED FROM A VARIETY OF RECORD INFORMATION OF UNCERTAIN ACCURACY AND DOES NOT PURPORT TO CORRECTLY REPRESENT LAND TITLE OR OWNERSHIP LINES. DIMENSIONS GIVEN ARE APPROXIMATE ONLY.

CHARLES W. CUNNINGHAM



L.A.F.C.O. _____ DATE _____ RESOLUTION NO. _____

	WEST DAVIS ACTIVE ADULT COMMUNITY 39660 W. COVELL BOULEVARD, DAVIS, CALIFORNIA ANNEXATION MAP	
	DESIGNED: - DRAWN: LE CHECKED: BF	SCALE: DATE: 12/28/2018
SHEET 1 OF 1 SHEETS		

CECWEST.COM
 Project Planning • Civil Engineering • Landscape Architecture
 Sacramento Office • Davis Office •
 2120 20th Street, Suite Three • 2940 Spafford Street, Suite 200
 Sacramento, CA 95818 • Davis, CA 95618
 (916) 455-2026 • (916) 758-2026

EXHIBIT "A"

PROPERTY DESCRIPTION

Page 1 of 1

ANNEXATION PROPERTY DESCRIPTION

A portion of that property within Township 8 North, Range 2 East, Section 5, M.B.D. & M., Yolo county, California, identified as "Daniel K. Dowling 1711 OR 273" as shown on that certain Record of Survey, filed in Book 13 of Maps and Surveys, at Page 8 in the office of the Yolo County Recorder, Yolo County, California, being more particularly described as follows:

Beginning at the center one-quarter corner of said Section 5; thence the following four (4) courses:

- 1) South 89°11'53" East, 1,226.93 feet;
- 2) Thence South 00°39'49" West, 2,636.55 feet;
- 3) Thence North 89°01'02" West, 1,236.27 feet;
- 4) Thence North 00°52'00" East, 2,632.64 feet to the **Point of Beginning**.

Said property contains 3,244,753 Sq. Ft. (74.49 Ac.), more or less.

Note: The Basis of Bearings for this Property Description is the same as said Record of Survey.

End of description for Annexation Property Description

Prepared by: Cunningham Engineering Corp.
January, 2019





County of Yolo

www.yolocounty.org

DEPARTMENT OF FINANCIAL SERVICES

625 Court Street, Room 102

PO BOX 1268

WOODLAND, CA 95776

PHONE (530) 666-8190

FAX (530) 666-8215

DFS @ yolocounty.org

- Financial Strategy Leadership
- Budget & Financial Planning
- Treasury & Finance
- Tax & Fee Collection

- Financial Systems Oversight
- Accounting & Financial Reporting
- Internal Audit
- Procurement

March 6, 2019

TO: Christine Crawford, LAFCo

FROM: Chad Rinde, CFO

By: Sheryl Hardy-Salgado

SUBJECT: LAFCo 932 – City of Davis Annexation for the West Davis
Active Adult Community

The LAFCo project referenced above will reorganize approximately 75.00 acres. If granted the parcel would be annexed into the City of Davis boundaries and detach from the Springlake Fire Protection District.

Per LAFCo, this proposal is subject to Section 99 of the Revenue and Taxation code. Pursuant to Revenue and Taxation Code §99 and related subsections, the County Assessor's Office provided this office with the tax rate areas of those properties located within the boundaries of the proposed LAFCo project. Utilizing the Assessor's information the agencies included in the Tax Rate Area are shown on the enclosure.

Pursuant to §99(b)(1)(B)3, the Auditor shall notify the government body of each local agency whose service area or service responsibility will be altered by the amount of, and allocation factors with respect to, property tax revenue estimated to §99(b)(2) that is subject to a negotiated exchange. However, the City of Davis and Yolo County have executed a tax exchange agreement.

Except as otherwise provided by law, pursuant to §99(b)(1)(B)(4), upon receipt of the enclosed estimates, the local agencies shall commence negotiations to determine the amount of property tax revenues to be exchanged between and amount the local agencies. This negotiation period shall not exceed 60 days. The final exchange resolution shall

specify how the annual tax increment shall be allocated in future years. Note this proposal has an executed tax exchange agreement.

Please do not hesitate to contact Alexander Tengolics in the County Administrator's Office at (530) 666-8068 prior to the anticipated Board meeting with any concerns or questions about this determination.

Respectfully,



Sheryl Hardy-Salgado, Deputy
Department of Financial Services
Property Tax Accounting Unit

CR:shs
Cc: Patrick Blacklock, CAO
City of Davis
Springlake Fire Protection Dist.

LAFCo: 932
Project Name: City of Davis Annexation for the West Davis
Active Adult Community
R&T Code Section: 99
Existing Tax Rate Area(s): 061-001
Net Assessed Value: 3,463,225
Estimated 1% Property Tax Revenue: \$34,632.25

AGENCY NAME

County General Fund
County ACO Fund
County Library
County Road District #2
Davis Cemetery District
Springlake Fire Protection District
City of Davis
Sacramento-Yolo Mosquito & Vector Control
Yolo County Resources Conservation District
Yolo County Flood Control and Water Conservation District
Yolo County Office of Education
Davis Joint Unified School District
Los Rios Community College
Educational Revenue Augmentation Fund

TRA	APN	ACRES	LANDVAL	IMPVALUE	OTHERVALUE	EXEMPAMT	TOTALVALUE
061-001	036-060-005	1.06	3,463,225	-	-	-	3,463,225

Listed below are the existing agencies in the 1% tax rate in Tax Rate Area 061-001.

FUND TITLE	DISTRIB %	Before	% of Factor Shift to ERAF	NEW DISTRIB %	After
		ERAF			ERAF
County General Fund	0.33084252	11,457.82	0.65754209	0.11329964	3,923.82
County ACO Fund	0.01355973	469.60		0.01355973	469.60
County Library	0.03073773	1,064.52	0.34062874	0.02026758	701.91
County Road District #2	0.02410394	834.77	0.10378479	0.02160232	748.14
Davis Cemetery District	0.00400526	138.71	0.18779481	0.00325309	112.66
Springlake Fire District	0.07724765	2,675.26	0.08223081	0.07089551	2,455.27
Sacto-Yolo Mosq&Vector Control	0.00953456	330.20		0.00953456	330.20
Yolo County Resources					
Conservation District	0.00045128	15.63	0.27666920	0.00032642	11.30
Yolo County Flood Control District	0.01123753	389.18	0.38142526	0.00695125	240.74
ERAF	0.00000000	0.00		0.24203010	8,382.05
County Schools	0.03424921	1,186.13		0.03424921	1,186.13
Davis Joint Unified School	0.41281190	14,296.60		0.41281190	14,296.60
Los Rios Community College	0.05121869	1,773.82		0.05121869	1,773.82
	1.00000000	34,632.25		1.00000000	34,632.25

Listed below are the proposed agencies in the 1% tax rate in the proposed new tax rate area.

FUND TITLE	DISTRIB %	Before	%of Factor Shift to ERAF	NEW DISTRIB	After
		ERAF		%	ERAF
County General Fund	0.16542126	5,728.91	0.65754209	0.05664982	1,961.91
County ACO Fund	0.00677987	234.80		0.00677987	234.80
County Library	0.03073773	1,064.52	0.34062874	0.02026758	701.91
County Road District #2	0.00000000	0.00	0.10378479	0.00000000	0.00
City of Davis	0.27355272	9,473.75	0.23079827	0.21041722	7,287.22
Davis Cemetery District	0.00400526	138.71	0.18779481	0.00325309	112.66
Springlake Fire District	0.00000000	0.00	0.08223081	0.00000000	0.00
Sacto-Yolo Mosq&Vector Control	0.00953456	330.20		0.00953456	330.20
Yolo County Resources					
Conservation District	0.00045128	15.63	0.27666920	0.00032642	11.30
Yolo County Flood Control District	0.01123753	389.18	0.38142526	0.00695125	240.74
ERAF	0.00000000	0.00		0.18754039	6,494.95
County Schools	0.03424921	1,186.13		0.03424921	1,186.13
Davis Joint Unified School	0.41281190	14,296.60		0.41281190	14,296.60
Los Rios Community College	0.05121869	1,773.82		0.05121869	1,773.82
	1.00000000	34,632.25		1.00000000	34,632.25

After review, there is a property tax loss or exchange between agencies for the subject property. A new tax rate area will be necessary to accomplish the proposed annexation.



RECEIVED

MAR 04 2019

YOLO LAFCO

Yolo Local Agency Formation Commission
625 Court Street #107
Woodland, CA 95695
(530) 666-8048
lafco@yolocounty.org

February 12, 2019

You are being sent this notification because your agency boundary overlaps with the agency involved in this proposal. The following application was received by the Yolo Local Agency Formation Commission on February 8, 2019 and this notice is being sent to the following affected agencies (and its departments) and school district(s) in accordance with Government Code Section 56658(b):

Routed To:

County/Cities:

- City of Davis -Clerk
City of West Sacramento -Clerk
City of Winters -Clerk
City of Woodland -Clerk
County of Yolo-Clerk
Assessor -George Galang*
Auditor-Controller -Sheryl Hardy*
Elections -
Environmental Health -April Meneghetti
Planning - Stephanie Cormier
Public Works - Panos Kokkas
Surveyor - Nick Burton*
County Service Areas -
* See Supplemental Questionnaire

Special Districts:

- Cemetery District -Davis
Community Service District -
Fire Protection District - Springlake
Sacramento-Yolo Port District
Sacramento-Yolo Mosquito Vector Control District
Reclamation District -
Resource Conservation District -
Water District -YCFWCWD

School Districts:

- YC Office of Education - Garth Lewis
Davis Joint Unified - Dr. John Bowes
Esparto Unified -
River Delta Unified
Washington Unified
Winters Joint Unified
Woodland Joint Unified
Community College - Los Rios Chancellor's Office

Other:

checkbox

Proposal Information:

Application Number: 932 (attached)
Application Title: City of Davis Annexation for the West Davis Active Adult Community
Assessor's Parcel No: 036-060-005
Property Location: Northwest corner of West Covell Blvd. and Risling/Shasta Drive in Davis (see attached map)
Proposal Description: The City of Davis has submitted a proposal application to annex assessor's parcel number 036-060-005 for the West Davis Active Adult Community project, which would include 380 single family residential units, 150 multi-family residential affordable units, and an activity/wellness center for seniors. Changes of organization would include:
- Annexation to the City of Davis
- Detachment from the Springlake Fire Protection District
The City of Davis and Yolo County have executed a tax exchange agreement which is also attached.

Comments:

This notification is required by law and is for your information and potential response. In accordance with Government Code Section 56658(b), as an "affected agency", which is defined as any agency that provides facilities or services in the subject territory, please review this attached application information and respond with any comments and/or recommended conditions within 30 days or by March 12, 2019 so that staff may conduct a more informed analysis. If we do not receive a response, we will presume that your agency has "no comment". If you have any questions or require more time for review, please contact Christine Crawford at (530) 666-8048 or at: christine.crawford@yolocounty.org

Your comments are:

Handwritten signature

Signature/date

Attached checkbox, No comment checkbox

Handwritten name: Weston Arvin

Print Name

YOLO
LOCAL
AGENCY
FORMATION
COMMISSION

625 Court Street, Suite 203
Woodland CA 95695
(530) 666-8048
lafco@yolocounty.org
www.yololafco.org

RECEIVED
FEB 08 2018
YOLO LAFCO



PROPOSAL APPLICATION

Includes: Changes of Organization/Reorganization (Incorporation, Formation, Annexation, Detachment, Dissolution, or Consolidation), Out of Agency Service Reviews, Sphere of Influence Amendment, and Expansion of District Powers

This application is designed to be used for all proposals received by the Commission. If a question is not applicable to your proposal, please note accordingly.

A) An application is hereby made for changes involving the following cities and special districts:

Action: (ex. annexation, detachment)		Agency:
Annexation	to/from X	City of Davis
Detachment	to/from X	Springlake Fire Protection District
	to/from	

B) Proposal Detail (submit separate attachment if necessary):

See attached page.

C) This proposal includes:

- | | | |
|-------------------------------------|-------------------------------------|-------------------------------------|
| | <u>YES</u> | <u>NO</u> |
| 1) 12 or more registered voters: | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2) 100% consent of property owners: | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

D) Assessor's Parcel Numbers (Attach a list if necessary):

036-060-005-000				

E) Is this proposal consistent with the adopted Sphere of Influence of all affected agencies? If no, this application must include a Sphere of Influence Amendment. YES

F) If the proposal includes a Change of Organization/Reorganization, the following items must be submitted with this application:

1) A **resolution of application** adopted by the affected city or special district

OR

A **petition** of landowners or registered voters. RESOLUTION

The Notice of Intent to Circulate a Petition and the Petition forms are located on the Forms page of LAFCo's website.

2) One copy of a metes-and-bounds description of the perimeter of the subject territory for review and approval by LAFCo's Surveyor. FROM CUNNINGHAM ENGINEERING

3) A reproducible plat map (1 "hardcopy" and 1 digital copy) showing the subject territory AND the existing boundaries of the affected city or district. FROM CUNNINGHAM ENGINEERING

4) Environmental Documents:

a) If a Negative Declaration or Environmental Impact Report (EIR) has been prepared by another agency for a project associated with this proposal, submit one copy to LAFCo with this proposal. <https://cityofdavis.org/home/showdocument?id=9129>

b) If no environmental document has been prepared, please complete the Environmental Questionnaire.

5) City Proposals:

If the proposal includes annexation to a city, submit one copy of the city's resolution or ordinance rezoning the subject territory. LAFCo cannot consider the proposal until rezoning has been completed.

<https://cityofdavis.org/home/showdocument?id=10682>

a) For all city annexations that include areas that are inhabited (territory where 12 or more registered voters reside) or developed, include the number of existing housing units within the proposed city's annexation area as of the date in the resolution. N/A

Annexing City:	N/A
Detaching City/County:	
Total Housing Units:	0

6) Property Tax Revenues:

If the proposal involves an annexation to a city and/or changes in district boundaries, negotiations for any exchange of property tax revenues *must be completed by the County and any affected city prior to LAFCo action*. For those proposals, LAFCo will notify the affected agencies after receiving your application and will provide preliminary information to begin the negotiations process. Tax Sharing Agreement in process w Yolo County
APPROVED BY CITY COUNIL 12/4/18

7) Indemnification:

LAFCo requires that applicants indemnify LAFCo from litigation costs as a condition of submitting an application. Click the highlighted hyperlink for the Indemnification Form. Contact LAFCo staff if you have any questions.

8) Deposit:

Fees will be charged for all Commission proceedings and actions at the Commission's actual costs (including overhead). Click the highlighted hyperlink for the LAFCo's Fee Schedule.

All deposit fees listed are required to be paid by the applicant upon submittal of a proposal. A proposal with multiple actions requires a deposit for each action. If a proceeding is not listed, it will be subject to an initial fee as estimated by the Executive Officer. Any additional expenses incurred by the Commission, in excess of the deposited amount, will be billed to and paid by the applicant before completion of the LAFCo proceedings, including, but not limited to, consultant costs, feasibility studies, final recordation, and filings. Billing will be based on hourly rates. If a proposal is abandoned or terminated for any reason, the deposit amount not expended prior to that termination point will be refunded to the applicant.

Fees due to the State of California, including State Board of Equalization and the Department of Fish and Wildlife CEQA filing fees, will be paid by the applicant at the appropriate time and prior to final recordation of the Certificate of Completion.

JUSTIFICATION

- A) In as much detail as possible, please explain why this proposal is necessary and/or beneficial at this time. (For example, a proposed development or existing residences might require services not currently provided or available.)

There is a housing deficit in Davis. This project not only builds more appropriate housing for the aging population in Davis, but also frees up larger homes for families to move into. The west side of town lacks gym facilities and requires residents of West Davis to drive literally across town to the nearest gym. The new neighborhood will include 150 senior, affordable apartments which meets a huge underserved need. There are currently over 400 seniors on waiting lists for affordable apartments. There will also be an Activity & Wellness Center with a gym, restaurant and pool to serve the west side of town where there is not a gym. All homes and the Activity & Wellness Center will be equipped with Solar.

- B) Is this application proposed to carry out a development project? If so, describe the project.

This development will have 380 single family, market rate, residences of varying size and type. Eighty percent of these homes will be restricted to occupants ages 55 years and older and twenty percent are available to purchase by someone of any age. There will also be 150 senior, subsidized, affordable apartments which will be for rental by low and very low income individuals. The project will have another area for specialized senior needs that will potentially house a memory care facility. The Activity & Wellness Center will provide a community center offering a restaurant, classrooms, gym and pool. There will be 2.6 miles of walking paths both through and around the community and arboretum/ag buffer. The project will also include a dedication for future bike/pedestrian overcrossing pad and storm water detention facilities.

C) Indicate below all discretionary approvals or permits from a city, the County, or another agency that will be needed to complete the project. If already approved, please indicate the date of approval and attached the adopted conditions of approval.

	Project File Number	Date of Approval
City or County Plan Amendment	Resolution	June 12, 2018
Prezoning (City)	ORD 2533	June 12, 2018
Rezoning (City)		
Tentative Subdivision Map		Outstanding
Minor Land Division	N/A	N/A
Other	PPD	June 12, 2018

SITE DESCRIPTION

A) Describe the general location and physical features of the territory included in this proposal. Refer to major roads, watercourses, and topographical features.

The property is 75 acres located north of W. Covell Blvd on the west side of Davis. The roads that border the parcel are W. Covell Blvd. to the south and Risling Dr. to the east. The property is bordered by bare land to the north and west. Sutter Davis Hospital is across Risling Dr. from the property on its eastern edge. The Covell Drain runs along the southern border of the property. There are no other waterways on or bordering the property. The property is flat with minimal elevation variance. It is dry famed and thus regularly disced and cleared. There are other neighborhoods to the south of the property and approximately a half mile to the north of the project area as well.

B) How many acres (or square miles) of territory are included in the proposal? 75.0 ACRES

C) How many people live in the subject territory? 0

D) How many registered voters live in the subject territory? 0

LAND USE INFORMATION

A) General Plan and Zoning:

1) If in the unincorporated area, what is the current General Plan designation? Agricultural

2) What is the current County zoning? Agricultural - Intensive

3) Is the territory within a city general plan area? YES NO

If so, what is the current general plan designation? UATA

Has a city zoned or prezoned the territory? YES NO

If so, how is the territory zoned or prezoned? Med & high density, ag buffer, neigh. mix use and UATA

B) Proposed Land Use:

1) Will the territory be developed with approval(s)? YES NO

2) If no development is planned at this time, is development of the area anticipated? If so, when?

PLAN FOR PROVIDING SERVICES

A) List the agencies providing existing and proposed services to the territory. If not applicable or no change, please indicate accordingly.

SERVICE TYPE	Existing	Proposed
Sewer Service	N/A	DAVIS
Water Service	WELL – INACTIVE	DAVIS
Fire Protection	SPRINGLAKE FPD & DAVIS	DAVIS
Storm Drainage	FARMED, CONVEYANCE ALONG COVELL	DAVIS
Police	SHERIFF	DAVIS PD
Street Lighting	N/A	DAVIS
Maintenance	N/A – FARMED	HOA/DAVIS
Trash Pick-up	N/A	DAVIS
Parks and Recreation	N/A	HOA
Library	N/A	DAVIS
Street Cleaning	DAVIS	DAVIS
Other		

B) Water/Wastewater Service:

If water/wastewater services will be provided to the territory, please answer the following:

1) What is the distance for connection to the agency's system?

2) Does the agency have capacity for the anticipated service?

YES NO

3) Will the agency be prepared to furnish service immediately?

YES NO

C) Service Plan: Describe any services to be extended to the affected territory, including the level and range of services and any improvements (on and off site) that will be necessary to connect and serve the anticipated development. Indicate an indication of when those services can feasibly be extended and the method of financing. (For example, assessment district, property owner, or developer fees etc.) *Please provide will serve letter or other agency approvals.*

ELECTRIC

GAS

WATER

SEWER

POLICE

FIRE

Services that require infrastructure will be extended post-grading. Developer will pay for improvements.

SPECIAL REVENUES

A) Does the city or special district have plans to establish any new assessment districts, service charges, or other means to pay for new or extended services to this area?

No. See included Tax Share Agreement.

B) Will the area assume liability for any existing bonded debt upon annexation? YES NO

If so, please indicate taxpayer cost:

See tax sharing agreement and confirming with City of Davis what will apply to this property.

 Davis JT UN CFD#2 393.60 SENIORS CAN OPT OUT @ 50%

 DAVIS CITY CFD#1 36.00

 DAVIS JT UN CFD#1 237.92 SENIORS CAN OPT OUT @ 50%

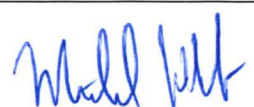
C) Will the territory be subject to any new or additional taxes, benefit charges, or fees? YES NO

If so, please explain:
 Measure M which passed on Nov. 6, 2018 will affect this project once it has an approved Final Map.

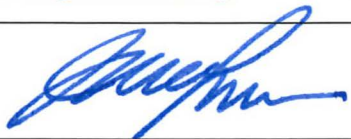
Seniors may opt out in the amount of 100% of school parcel taxes and 50% for CFD#1.

PROPONENT INFORMATION

LAFCo will consider the person signing this application as the proponent of the proposed action(s).
 Notices and other communications regarding this application will be directed to the proponent at:

Name:	City of Davis – Mike Webb and Ash Feeney		
Address:	23 Russell Blvd., Suite 2		
City:	Davis	Zip:	95616
Phones:	Work: 530-757-5610	Fax:	
	Cell:	Home:	
email:	mwebb@cityofdavis.org afeeney@cityofdavis.org		
Signature:			

List any other person or agent who should be contacted concerning questions on this proposal (attach additional if needed):

Name:	J. David Taormino/ Darla Rosenthal		
Address:	260 Russell Blvd., Suite C		
City:	Davis	Zip:	95616
Phones:	Work: 530-231-5519	Fax:	
	Cell:	Home:	
email:	David@taormino.org assistdt@taormino.org		
Signature:			



DISCLOSURE OF POLITICAL EXPENDITURES

Effective January 1, 2008, expenditures for political purposes, which are related to a change of organization or reorganization proposal that will be or has been submitted to LAFCo, are subject to the reporting and disclosure requirements of the Political Reform Act of 1974 and the Cortese-Knox-Hertzberg Act of 2000.

Please carefully read the following information to determine if reporting and disclosure provisions apply to you.

- Any person or combination of persons who, for political purposes, directly or indirectly contributes \$1,000 or more, or expend \$1,000 or more in support of, or in opposition to a proposal for a change of organization or reorganization that will be submitted to the Commission, shall disclose and report to the Commission to the same extent and subject to the same requirements of the Political Reform Act of 1974 (Government Code Section 81000 et seq.) as provided for local initiative measures, and Section 56700.1 of the Cortese-Knox-Hertzberg Act of 2000.
- Pursuant to Government Code Section 57009, any person or combination of persons who directly or indirectly contributes \$1,000 or more, or expends \$1,000 or in support of, or in opposition to, the conducting authority proceedings for a change of organization or reorganization, must comply with the disclosure requirements of the Political Reform Act of 1974, (Government Code section 81000 et seq.). Applicable reports must be filed with the Secretary of State and the appropriate city or county clerk. Copies of the report must also be filed with the Executive Officer of Yolo LAFCo.

A roster of current Yolo LAFCo commissioners is available from the LAFCo office

EVALUATION CHECKLIST FOR DISCLOSURE OF POLITICAL EXPENDITURES

The following checklist is provided to assist you in determining if the requirements of Government Code Sections 81000 et seq. apply to you. For further assistance contact the Fair Political Practices Commission at 428 J Street, Suite 450, Sacramento, CA 95814, (866) 275-3772 or at <http://www.fppc.ca.gov>.

1. Have you directly or indirectly made a contribution or expenditure of \$1,000 or more related to the support or opposition of a proposal that has been or will be submitted to LAFCo?

Yes
No

Date of contribution:

Amount: \$

Name/Ref. No. of LAFCo proposal:

Date proposal submitted to LAFCo:

2. Have you, in combination with other person(s), directly or indirectly contributed or expended \$1,000 or more related to the support or opposition of a proposal that has been or will be submitted to LAFCo?

Yes
No

Date of contribution:

Amount: \$

Name/Ref. No. of LAFCo proposal:

Date proposal submitted to LAFCo:

3. If you have filed a report in accordance with FPPC requirements, has a copy of the report been filed with Yolo LAFCo?

Yes
No

B) Proposal Detail

The proposed project, which passed a Measure R vote in November 2018, is designed to provide older Davis residents with new homes that meet their current and changing needs as they age. There will be 380 single story homes of various sizes and styles, 150 affordable apartments and an Activity and Wellness open to the public. The overall neighborhood design encourages a closer connection for residents. There are 2.6 miles of walking and bike paths around and through the neighborhood as well as an Oak Forest and native species-planted Ag Buffer around the length of the path on the North and West edges of the community. These amenities are also accessible to the public.

Regular 9.

LAFCO

Meeting Date: 04/25/2019

Information

SUBJECT

Consider reappointment of Olin Woods as the Regular Public Member of the Yolo LAFCo to another term effective through May 2023

RECOMMENDED ACTION

Consider reappointment of Olin Woods as the Regular Public Member of the Yolo LAFCo to another term effective through May 2023.

FISCAL IMPACT

None.

REASONS FOR RECOMMENDED ACTION

Regular Public Member Olin Woods' term of office expires May 2019. Mr. Woods has indicated his interest in continuing to serve as the Yolo LAFCo Regular Public Member.

BACKGROUND

The Yolo LAFCo Policy and Procedures for the selection and appointment of the Yolo LAFCo Regular and Alternate Public Members was amended in March 2011 to allow the Commission to reappoint an incumbent before their term of office expires.

Commissioner Woods was appointed in 2003 to the Yolo LAFCo as a Regular Public Member after an extensive public recruitment process. Mr. Woods has been an active Commissioner attending most Commission meetings since his appointment and has served as Chair of the Commission for the past fourteen years. Additionally, Mr. Woods has been actively involved and interested in the California Association of LAFCos (CALAFCO) by participating in the annual conferences.

If the Commission reappoints Commissioner Woods, he would serve for another 4 year term.

Attachments

No file(s) attached.

Form Review

Inbox

Reviewed By

Date

Christine Crawford

Christine Crawford

04/16/2019 10:54 AM

Form Started By: Terri Tuck

Started On: 04/16/2019 10:22 AM

Final Approval Date: 04/16/2019

Regular 10.

LAFCO

Meeting Date: 04/25/2019

Information

SUBJECT

Elect a Chair and Vice Chair for the Commission to serve one-year terms, beginning May 23, 2019 and ending May 1, 2020

RECOMMENDED ACTION

Elect a Chair and Vice Chair for the Commission to serve one-year terms, beginning at the May 23, 2019 meeting and ending after the April 23, 2020 meeting.

FISCAL IMPACT

None.

REASONS FOR RECOMMENDED ACTION

Each year, the members of the Commission elect a Chair and Vice Chair to serve a one-year term as stated in the Yolo LAFCo Administrative Policies and Procedures and consistent with state law.

BACKGROUND

The current Chair is Public Member Olin Woods. The current Vice Chair is County Member Don Saylor.

Attachments

No file(s) attached.

Form Review

Inbox	Reviewed By	Date
Christine Crawford	Christine Crawford	04/16/2019 10:54 AM
Form Started By: Terri Tuck		Started On: 04/16/2019 10:23 AM
Final Approval Date: 04/16/2019		

Executive Officer Report 11.

LAFCO

Meeting Date: 04/25/2019

Information

SUBJECT

A report by the Executive Officer on recent events relevant to the Commission and an update of Yolo LAFCo staff activity for the month. The Commission or any individual Commissioner may request that action be taken on any item listed.

- CALAFCO Legislative Update
 - Long Range Planning Calendar
 - EO Activity Report - March 25 through April 19, 2019
-

Attachments

[Long Range Planning Calendar 04.25.2019](#)

[CALAFCO Legislative Report](#)

[EO Activity Report Mar25-Apr19](#)

Form Review

Form Started By: Terri Tuck
Final Approval Date: 04/16/2019

Started On: 04/16/2019 10:54 AM



Long Range Meeting Calendar – Tentative Items

Meeting Date	Tentative Agenda Items
May 23, 2019	<ul style="list-style-type: none"> • Lower Elkhorn Basin Reclamation District Reorganization Proposal * • MSR for the Sacramento-Yolo Port District • Final LAFCo Budget for FY 2019/20
June 27, 2019	<ul style="list-style-type: none"> • West Sacramento Basin Reclamation District Reorganization Proposals (City proposals and RD 900/537 alternative proposal) * • JPA Service Review for YCPARMIA (Yolo County Public Agency Risk Management Insurance Authority) • Executive Officer Performance Evaluation
July 25, 2019	
August 22, 2019	
September 26, 2019	
October 24, 2019	
December 18, 2019	

*** Note: The meeting(s) for the Reclamation District proposals (whenever they occur) will be at West Sacramento City Hall**

New Proposals Received Since Last Meeting

Date Received	Proposal
	None submitted

CALAFCO Daily Legislative Report as of Wednesday, April 17, 2019

Item 11

1

AB 508 (Chu D) Drinking water: consolidation and extension of service: domestic wells.

Current Text: Amended: 4/11/2019 [html](#) [pdf](#)

Introduced: 2/13/2019

Last Amended: 4/11/2019

Status: 4/11/2019-Read second time and amended.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

4/24/2019 1:30 p.m. - State Capitol, Room 127 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

Summary:

The California Safe Drinking Water Act requires the State Water Resources Control Board, before ordering consolidation or extension of service, to, among other things, make a finding that consolidation of the receiving water system and subsumed water system or extension of service to the subsumed water system is appropriate and technically and economically feasible. This bill would modify the provision that authorizes consolidation or extension of service if a disadvantaged community is reliant on a domestic well described above to instead authorize consolidation or extension of service if a disadvantaged community, in whole or in part, is reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water.

Position: Watch

Subject: Disadvantaged Communities, Water

CALAFCO Comments: This bill allows the SWRCB to order an extension of service in the case a disadvantaged community has at least one residence that are reliant on a domestic well that fails to provide safe drinking water. It allows members of the disadvantaged community to petition the SWRCB to initiate the process. It allows the owner of the property to opt out of the extension. The bill also places limitations on fees, charges and terms and conditions imposed as a result of the extension of service. Finally, the extension of service does not require annexation in the cases where that would be appropriate.

AB 600 (Chu D) Local government: organization: disadvantaged unincorporated communities.

Current Text: Amended: 4/11/2019 [html](#) [pdf](#)

Introduced: 2/14/2019

Last Amended: 4/11/2019

Status: 4/11/2019-From committee chair, with author's amendments: Amend, and re-refer to Com. on L. GOV. Read second time and amended.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

4/24/2019 1:30 p.m. - State Capitol, Room 127 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

Summary:

The Planning and Zoning Law requires a city or county, on or before the due date for the next adoption of its housing element, to review and update the land use element of its general plan based on available data, including, but not limited to, the data and analysis of unincorporated island, fringe, or legacy communities inside or near its boundaries, as provided. That law requires the updated land use element to include, among other things, an analysis of water, wastewater, stormwater drainage, and structural fire protection needs or deficiencies for each identified community. This bill would define the term "needs or deficiencies" for these purposes to mean both deficient services and lack of services, as specified.

Attachments:

[CALAFCO Oppose Letter April 16, 2019](#)

[LAFCo Oppose letter template](#)

Position: Oppose

Subject: Disadvantaged Communities, Water

CALAFCO Comments: This bill creates a requirement for all cities, counties and certain special districts to develop an accessibility plan if they have DUCs identified in the land use element of the respective city or county. The accessibility plan is intended to be a plan for services to get those DUCs drinking water, wastewater and fire services. Contents of the plan are questionable (at best) and include things such as the identification of the entity best positioned to provide the service; actions necessary to be taken by the LAFCo to enable the provision of services to the DUC; any action the local agency feels the LAFCo will require them to take; cost/benefit analysis; and funding analysis. The agency then must submit the plan to the LAFCo, who is required to approve or conditionally approve within 90 days of receiving in a public hearing.

The bill includes as a purpose of the commission, to consider "equity" in addition to local circumstance and conditions, yet the bill leaves this term undefined.

The bill allows extension of service without annexation if a majority of residents (not registered voters) oppose the annexation.

The bill also requires each LAFCo to conduct a public hearing with two years of the approval of an accessibility plan for each entity to review the status of the plan, and if insufficient action has been taken, to authorize and initiate a change of organization, reorg or extension of service. In addition to the many troubling part of this process, the timing does not make sense because the bill also requires the service provider to issue reports to the state at the same time.

The bill also prohibits a LAFCo for adopting, amending or updating a SOI if: (1) a disadvantaged community is being removed from the sphere (unless the LAFCo can make findings that the removal of the area will result in an improvement in service delivery, (2) a sphere that fails to include a disadvantaged community that is contiguous to the proposed sphere unless the commission finds the exclusion of the area results in improved access to drinking or waste water; and if the service provider has not taken action pursuant to their accessibility plan two or more years prior to the amendment or update of the SOI.

All of these actions for LAFCos, cities, counties and special districts are unfunded mandates.

AB 1253 (Rivas, Robert D) Local agency formation commissions: grant program.

Current Text: Introduced: 2/21/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Status: 4/3/2019-In committee: Set, first hearing. Referred to APPR. suspense file.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

Summary:

This bill would require the Strategic Growth Council, until July 31, 2025, to establish and administer a local agency formation commissions grant program for the payment of costs associated with initiating and completing the dissolution of districts listed as inactive, the payment of costs associated with a study of the services provided within a county by a public agency to a disadvantaged community, as defined, and for other specified purposes, including the initiation of an action, as defined, that is limited to service providers serving a disadvantaged community and is based on determinations found in the study, as approved by the commission. The bill would specify application submission, reimbursement, and reporting requirements for a local agency formation commission to receive grants pursuant to the bill. The bill would require the council, after consulting with the California Association of Local Agency Formation Commissions, to develop and adopt guidelines, timelines, and application and reporting criteria for development and implementation of the program, as specified, and would exempt these guidelines, timelines, and criteria from the rulemaking provisions of the Administrative Procedure Act. The bill would make the grant program subject to an appropriation for the program in the annual Budget Act, and would repeal these provisions on January 1, 2026. This bill contains other existing laws.

Attachments:

- [LAFCo Support Letter Template](#)
- [CALAFCO Support letter Feb 2016](#)

Position: Sponsor

Subject: Disadvantaged Communities, LAFCo Administration, Municipal Services, Special District Consolidations

CALAFCO Comments: This is a CALAFCO sponsored bill following up on the recommendation of the Little Hoover Commission report of 2017 for the Legislature to provide LAFCos one-time grant

funding for in-depth studies of potential reorganization of local service providers. Last year, the Governor vetoed AB 2258 - this is the same bill. The Strategic Growth Council (SGC) will administer the grant program. Grant funds will be used specifically for conducting special studies to identify and support opportunities to create greater efficiencies in the provision of municipal services; to potentially initiate actions based on those studies that remove or reduce local costs thus incentivizing local agencies to work with the LAFCo in developing and implementing reorganization plans; and the dissolution of inactive districts (pursuant to SB 448, Wieckowski, 2017). The grant program would sunset on July 31, 2024.

The bill also changes the protest threshold for LAFCo initiated actions, solely for the purposes of actions funded pursuant to this new section. It allows LAFCo to order the dissolution of a district (outside of the ones identified by the SCO) pursuant to Section 11221 of the Elections code, which is a tiered approach based on registered voters in the affected territory (from 30% down to 10% depending).

The focus is on service providers serving disadvantaged communities. The bill also requires LAFCo pay back grant funds in their entirety if the study is not completed within two years and requires the SGC to give preference to LAFCOs whose decisions have been aligned with the goals of sustainable communities strategies.

The fiscal request is \$1.5 million over 5 years. CALAFCO is attempting to get this in the May revise budget so there is no General Fund appropriation (the reason Gov. Brown vetoed the bill).

AB 1389 (Eggman D) Special districts: change of organization: mitigation of revenue loss.

Current Text: Introduced: 2/22/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Status: 3/14/2019-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would authorize the commission to propose, as part of the review and approval of a proposal for the establishment of new or different functions or class of services, or the divestiture of the power to provide particular functions or class of services, within all or part of the jurisdictional boundaries of a special district, that the special district, to mitigate any loss of property taxes, franchise fees, and other revenues to any other affected local agency, provide payments to the affected local agency from the revenue derived from the proposed exercise of new or different functions or classes of service.

Position: Watch

Subject: CKH General Procedures

CALAFCO Comments: This bill allows LAFCo, when approving a proposal for new or different functions or class of service for a special district, to propose the district provide payments to any affected local agency for taxes, fees or any other revenue that may have been lost as a result of the new service being provided.

AB 1751 (Chiu D) Water and sewer system corporations: consolidation of service.

Current Text: Amended: 3/21/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Last Amended: 3/21/2019

Status: 4/10/2019-From committee: Do pass and re-refer to Com. on U. & E. (Ayes 9. Noes 0.) (April 9). Re-referred to Com. on U. & E.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

4/24/2019 1:30 p.m. - State Capitol, Room 437 ASSEMBLY UTILITIES AND ENERGY, HOLDEN, Chair

Summary:

Current law authorizes the State Water Resources Control Board to order consolidation of public water systems where a public water system or state small water system serving a disadvantaged community consistently fails to provide an adequate supply of safe drinking water, as provided. This bill, the Consolidation for Safe Drinking Water Act of 2019, would authorize a water or sewer system corporation to file an application and obtain approval from the commission through an order authorizing consolidation with a public water system or state small water system, or to implement rates for the subsumed water system.

Position: Watch

Subject: Water

CALAFCO Comments: This bill allows for water (public or state small) or sewer systems corps to file an application for consolidation with the SWRCB.

AB 1822 (Committee on Local Government) Local Government: omnibus.

Current Text: Amended: 4/8/2019 [html](#) [pdf](#)

Introduced: 3/11/2019

Last Amended: 4/8/2019

Status: 4/9/2019-Re-referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/1/2019 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

Summary:

Current law requires a commission to develop and determine the sphere of influence of each city and each special district within the county and enact policies designed to promote the logical and orderly development of areas within each sphere. Current law requires the commission, in order to prepare and update spheres of influence in accordance with this requirement, to conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission, as specified. Current law defines "sphere of influence" to mean a plan for the probable physical boundaries and service area of a local agency. Current law defines the term "service" for purposes of the act to mean a specific governmental activity established within, and as a part of, a general function of the special district, as specified. This bill would revise the definition of the term "service" for these purposes to mean a specific governmental activity established within, and as a part of, a function of the local agency.

Attachments:

- [CALAFCO Support letter April 16, 2019](#)
- [LAFCo Support letter template](#)

Position: Sponsor

Subject: LAFCo Administration

CALAFCO Comments: This is the annual Omnibus bill.

SB 272 (Morrell R) Fire Protection District Law of 1987.

Current Text: Amended: 4/4/2019 [html](#) [pdf](#)

Introduced: 2/13/2019

Last Amended: 4/4/2019

Status: 4/4/2019-Set for hearing May 1. From committee with author's amendments. Read second time and amended. Re-referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/1/2019 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

Summary:

The Fire Protection District Law of 1987 provides that whenever a district board determines that it is in the public interest to provide different services, to provide different levels of service, or to raise additional revenues within specific areas of the district, it may form one or more service zones by adopting a resolution that includes specified information, fixing the date, time, and place for public hearing on the formation of the zone, publishing notice, as specified, hearing and considering any protests to the formation of the zone at the hearing, and, at the conclusion of the hearing, adopting a resolution ordering the formation of the zone. If a resolution adopted after the public hearing would substantially expand the provision of services outside of an existing service zone and the extension of service would result in those persons in the expanded area paying charges for the expansion of services, this bill would provide that the resolution does not become effective unless approved by a majority of the voters within the expanded service area.

Position: Watch

CALAFCO Comments: This bill amends the Health & Safety code regarding the formation of zones within a fire protection district by requiring the district hold an election, regardless of the protest level, if the district wants to substantially expand services outside the zone. This is unrelated to 56133. CALAFCO will retain a Watch position.

SB 414 (Caballero D) Small System Water Authority Act of 2019.

Current Text: Amended: 4/4/2019 [html](#) [pdf](#)

Introduced: 2/20/2019

Last Amended: 4/4/2019

Status: 4/11/2019-Set for hearing April 22.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

4/22/2019 10 a.m. - John L. Burton Hearing Room (4203)

SENATE APPROPRIATIONS, PORTANTINO, Chair

Summary:

Would create the Small System Water Authority Act of 2019 and state legislative findings and declarations relating to authorizing the creation of small system water authorities that will have powers to absorb, improve, and competently operate noncompliant public water systems. The bill, no later than March 1, 2020, would require the state board to provide written notice to cure to all public agencies, private water companies, or mutual water companies that operate a public water system that has either less than 3,000 service connections or that serves less than 10,000 people, and are not in compliance, for the period from July 1, 2018, through December 31, 2019, with one or more state or federal primary drinking water standard maximum contaminant levels, as specified.

Position: Watch

Subject: Water

CALAFCO Comments: This bill is very similar to AB 2050 (Caballero) from 2018. Several changes have been made. This bill is sponsored by Eastern Municipal Water District and the CA Municipal Utilities Assoc. The intent is to give the State Water Resources Control Board (SWRCB) authority to mandate the dissolution of existing drinking water systems (public, mutual and private) and authorize the formation of a new public water authority. The focus is on non contiguous systems. The SWRCB already has the authority to mandate consolidation of these systems, this will add the authority to mandate dissolution and formation of a new public agency.

LAFCo will be responsible for dissolving any state mandated public agency dissolution, and the formation of the new water authority. The SWRCB's appointed Administrator will act as the applicant on behalf of the state. LAFCo will have ability to approve with modifications the application, and the new agency will have to report to the LAFCo annually for the first 3 years.

SB 646 (Morrell R) Local agency utility services: extension of utility services.

Current Text: Amended: 4/11/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Last Amended: 4/11/2019

Status: 4/11/2019-From committee with author's amendments. Read second time and amended. Re-referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

4/24/2019 9 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

Summary:

The Mitigation Fee Act, among other things, requires fees for water or sewer connections, or capacity charges imposed by a local agency to not exceed the estimated reasonable cost of providing the service for which the fee or charge is imposed, unless a question regarding the amount of the fee or charge imposed in excess of the reasonable cost of providing the service or materials is submitted to and approved by 2/3 of the electors voting on the issue. This bill would state that a fee or charge for the extension of water or sewer service may not be utilized for facilities or services other than those for which the fee or charge is imposed.

Position: Neutral

Subject: CKH General Procedures

CALAFCO Comments: UPDATE AS OF THE 4/11/19 AMENDMENTS: These amendments address all of our concerns and the bill now only addresses fees.

This bill does 3 things. (1) Seeks to add a provision to 56133 that requires LAFCo to approve an extension of service regardless of whether a future annexation is anticipated or not. It further requires the service provider to extend the provision of service to a property owner regardless of a

whether there is a pending annexation or pre-annexation agreement. The newly proposed subsection directly contradicts subsection (b). (2) Changes the definition of "fee" by requiring the new fee "is of proportional benefit to the person or property being charged." There is no reasonable definition or application of "proportional benefit". (3) Narrows the scope of application of Section 56133 to water or sewer service; and prohibits the service provider to charge higher fees and charges to those outside the jurisdictional boundaries.

2

AB 213 (Reyes D) Local government finance: property tax revenue allocations: vehicle license fee adjustments.

Current Text: Introduced: 1/15/2019 [html](#) [pdf](#)

Introduced: 1/15/2019

Status: 4/10/2019-In committee: Set, first hearing. Referred to APPR. suspense file.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would, for the 2019–20 fiscal year, require the vehicle license fee adjustment amount to be the sum of the vehicle license fee adjustment amount in the 2018–19 fiscal year, the product of that sum and the percentage change in gross taxable assessed valuation within the jurisdiction of that entity between the 2018–19 fiscal year to the 2018–19 fiscal year, and the product of the amount of specified motor vehicle license fee revenues that the Controller allocated to the applicable city in July 2010 and 1.17.

Attachments:

[CALAFCO Support Letter](#)

Position: Support

Subject: Tax Allocation

CALAFCO Comments: Sponsored by the League, this bill will reinstate ERAF funding for inhabited annexations. This bill is the same as AB 2268 (Reyes) from last year.

AB 818 (Cooley D) Local government finance: vehicle license fee adjustment amounts.

Current Text: Introduced: 2/20/2019 [html](#) [pdf](#)

Introduced: 2/20/2019

Status: 4/3/2019-In committee: Set, first hearing. Referred to APPR. suspense file.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current property tax law, for the 2006–07 fiscal year, and for each fiscal year thereafter, requires the vehicle license fee adjustment amount to be the sum of the vehicle license fee adjustment amount for the prior fiscal year, if specified provisions did not apply, and the product of the amount as so described and the percentage change from the prior fiscal year in the gross taxable valuation within the jurisdiction of the entity. Current law establishes a separate vehicle license fee adjustment amount for a city that was incorporated after January 1, 2004, and on or before January 1, 2012. This bill would establish a separate vehicle license fee adjustment amount for a city incorporating after January 1, 2012, including an additional separate vehicle license fee adjustment amount for the first fiscal year of incorporation and for the next 4 fiscal years thereafter.

Attachments:

[LAFCo Support letter template](#)

[CALAFCO Support March 2019](#)

Position: Support

Subject: Financial Viability of Agencies

CALAFCO Comments: Sponsored by the League, this bill will reinstate ERAF funding for cities incorporating after 2018. This is the same bill as AB 2491 from 2018.

AB 1304 (Waldron R) Water supply contract: Native American tribes.

Current Text: Introduced: 2/22/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Status: 3/11/2019-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered

1st House	2nd House	Conc.			
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Calendar:

5/1/2019 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

Summary:

Current law provides for the establishment and operations of various water districts. This bill would specifically authorize a water district, as defined, that supplies potable water to enter into a contract with a Native American tribe to receive water deliveries from an infrastructure project on tribal lands.

Position: Watch

Subject: Municipal Services, Water

CALAFCO Comments: This bill amends the water code to allow a Native American tribe to sell/deliver water to a water district (as defined in the water code section 20200).

[SB 379](#) (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/20/2019 [html](#) [pdf](#)

Introduced: 2/20/2019

Status: 4/4/2019-Read third time. Urgency clause adopted. Passed. (Ayes 36. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

This bill would enact the First Validating Act of 2019, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:

[CALAFCO Support March 2019](#)

Position: Support

Subject: LAFCo Administration

CALAFCO Comments: This is one of three annual validating acts.

[SB 380](#) (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/20/2019 [html](#) [pdf](#)

Introduced: 2/20/2019

Status: 4/4/2019-Read third time. Urgency clause adopted. Passed. (Ayes 36. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

This bill would enact the Second Validating Act of 2019, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:

[CALAFCO Support March 2019](#)

Position: Support

Subject: LAFCo Administration

CALAFCO Comments: This is one of three annual validating acts.

[SB 381](#) (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/20/2019 [html](#) [pdf](#)

Introduced: 2/20/2019

Status: 4/4/2019-Read third time. Passed. (Ayes 36. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

This bill would enact the Third Validating Act of 2019, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:

[CALAFCO Support March 2019](#)

Position: Support

Subject: LAFCo Administration

CALAFCO Comments: This is one of three annual validating acts.

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[AB 530](#) (Aguiar-Curry D) The Fairfield-Suisun Sewer District.

Current Text: Amended: 3/20/2019 [html](#) [pdf](#)

Introduced: 2/13/2019

Last Amended: 3/20/2019

Status: 4/11/2019-From committee: Amend, and do pass as amended. (Ayes 8. Noes 0.) (April 10).

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Fairfield-Suisun Sewer District Act creates the Fairfield-Suisun Sewer District and grants to the district various powers relating to the treatment and disposal of sewage. The act provides for the election of a board of directors for the district and administrative procedures for the operation of the district. This bill would make various administrative changes to the act, including removing the requirement that the district appoint a clerk and changing the posting requirements for regulations.

Position: Watch

Subject: Special District Powers, Special Districts Governance

CALAFCO Comments: This bill makes administrative changes to this special act district. It also allows for an extension of service pursuant to 56133 (keeping that LAFCo process intact).

[AB 1053](#) (Dahle R) Fallen Leaf Lake Community Service District.

Current Text: Amended: 3/25/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Last Amended: 3/25/2019

Status: 3/26/2019-Re-referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/1/2019 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

Summary:

Would prohibit, on and after January 1, 2020, the Fallen Leaf Lake Community Services District from providing any services or facilities except fire protection, including medical response and emergency services, and parks and recreation services or facilities.

Position: Watch

CALAFCO Comments: CALAFCO will watch this bill to determine if the outcome of the State Audit on this district will have an impact on all CSDs.

[AB 1457](#) (Reyes D) Omnitrans Transit District.

Current Text: Amended: 4/11/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Last Amended: 4/11/2019

Status: 4/11/2019-Read second time and amended.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

4/22/2019 3 p.m. - State Capitol, Room 4202 ASSEMBLY TRANSPORTATION, FRAZIER, Chair

Summary:

Would create the Omnitrans Transit District in the County of San Bernardino. The bill would provide that the jurisdiction of the district would initially include the Cities of Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, and Yucaipa, and specified portions of the unincorporated areas of

the County of San Bernardino. The bill would authorize other cities in the County of San Bernardino to subsequently join the district.

Attachments:

[CALAFCO Oppose unless amended letter April 2019](#)

Position: Oppose unless amended

CALAFCO Comments: This is a special act district formation. The bill takes what is currently a JPA and transforms it into a special district. The bill specifically addresses annexations and detachments and dissolution processes that do not include LAFCo. Also of concern is the lack of specificity in the process for adding new board members when a territory is annexed.

[SB 654](#) (Moorlach R) Local government: planning.

Current Text: Introduced: 2/22/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Status: 3/14/2019-Referred to Com. on RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, makes certain findings and declarations relating to local government organizations, including, among other things, the encouragement of orderly growth and development, and the logical formation and modification of the boundaries of local agencies, as specified. This bill would make nonsubstantive changes to these findings and declarations.

Position: Watch

CALAFCO Comments: This is a spot bill. The author indicates he has no plans to use this for LAFCo law.

[SB 780](#) (Committee on Governance and Finance) Local Government Omnibus Act of 2019.

Current Text: Amended: 4/11/2019 [html](#) [pdf](#)

Introduced: 2/28/2019

Last Amended: 4/11/2019

Status: 4/11/2019-From committee with author's amendments. Read second time and amended. Re-referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

4/24/2019 9 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

Summary:

Current law requires the governing body of a public agency, within 70 days after the commencement of the agency's legal existence, to file with the Secretary of State, on a form prescribed by the secretary, and also with the county clerk of each county in which the public agency maintains an office, a specified statement of facts about the agency. Current law requires this information to be updated within 10 days of a change in it. Current law requires the Secretary of State and each county clerk to establish and maintain an indexed Roster of Public Agencies that contains this information. This bill would instead require the Secretary of State and each county clerk to establish and maintain an indexed Registry of Public Agencies containing the above-described information.

Position: Watch

CALAFCO Comments: This is the Senate Governance & Finance Committee's annual Omnibus bill.

Total Measures: 20

Total Tracking Forms: 20

4/17/2019 5:17:57 PM

LAFCo EO Activity Report

March 25 through April 19, 2019

Date	Meeting/Milestone	Comments
03/25-03/27/19	Vacation	Off the Grid
04/04/2019	Tour of the Port of West Sacramento	MSR/SOI
04/09/2019	Meeting w/Olin Woods	LAFCo Agenda Review
04/10-04/12/2019	CALAFCO Staff Workshop-San Jose	Participant, Attendee
04/11/2019	Conference call regarding City of Davis Broadband Task Force	Call to discuss April BATF meeting agenda.
04/16/2019	County-Winters 2x2	Attended re: potential City of Winters annexation
04/18/2019	Meeting w/Yolo County Public Agency Risk Management Insurance Authority (YCPARMIA)	<ul style="list-style-type: none"> • Introduction to new CEO/Risk Manager, Armond Sarkis • Discussion re: JPA Service Review
04/18/2019	Meeting w/Taro Echiburu (Dept. of Community Services)	LAFCo's use of the County Surveyor