

APPENDIX “D”

PETITION AND APPLICATION INSTRUCTIONS

LANDOWNER/REGISTERED VOTER PROPOSALS	AGENCY PROPOSALS
<ol style="list-style-type: none">1. Submit Notice of Intent to Circulate Petition to Solano LAFCo (Page 1)2. After submittal of Notice to Circulate Petition the proponent may circulate the Petition for Signatures.3. Proponent submits Petition, Party Disclosure Form and Consent of Agency (pages 2 - 7), Application for Proceedings (pages 8 - 10), fees and all required additional information.4. LAFCo staff reviews Application and Petition for adequacy and may request additional information.5. CEQA documentation prepared and finalized6. LAFCo Executive Officer files Certificate of Filing and sets matter for hearing before the Commission	<ol style="list-style-type: none">1. Agency submits Application for Proceedings (pages 8 - 11), Resolution of Application (example on page 12), CEQA documentation, fees and all required additional information.2. LAFCo staff reviews Application and CEQA documentation for adequacy and may request additional information.3. LAFCo Executive Officer files Certificate of Filing and sets matter for hearing before the Commission

NOTE:

For Landowner/Registered Voter Proposals:

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

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

For Landowner/Registered Voter/Agency Proposals:

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

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

Solano Local Agency Formation Commission
744 Empire Street, Suite 106
Fairfield, CA 94533
(707) 438-1785

CHECK LIST CITY ANNEXATION PROPOSALS ONLY

The following is required for a complete LAFCO application:

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

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CHECK LIST DISTRICT ANNEXATION PROPOSALS ONLY

The following is required for a complete LAFCO application:

1. ____ One (1) original of the Notice of Intent to Circulate a Petition (for Non-Agency Proposals only). Submit prior to circulating a petition.
2. ____ Check for appropriate LAFCO application fee made payable to Solano LAFCO.
3. ____ One (1) original of the Application (and Petition for Non-Agency Proposals).
4. ____ Forty (40) copies of the metes and bounds legal description.
5. ____ One (1) copy of map reduced to 8.5" x 11" for recording by the County Recorder.
6. ____ Forty (40) copies of the map.
7. ____ Two (2) sets of mailing labels for landowners within 300 feet of project area.
8. ____ Thirteen (13) copies of the Response to LAFCO Standards.
9. ____ Two (2) copies of the Environmental Impact Report or two (2) copies of the Negative Declaration including the initial Study, along with 13 CD's containing all environmental documents in either Word or PDF Format..
10. ____ Thirteen (13) copies of the Agency's action Certifying the Environmental Impact Report or adopting the Negative Declaration, and Notice of Determination.
11. ____ Thirteen (13) copies of a "will serve" letter from the District.
12. ____ Thirteen (13) copies of the Fair Political Practice Statement of contributions (If applicable).

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CHECK LIST
DISTRICT DETACHMENT PROPOSALS ONLY

The following is required for a complete LAFCO application:

1. ____ One (1) original of the Notice of Intent to Circulate a Petition (for Non-Agency Proposals only). Submit prior to circulating a petition.
2. ____ Check for appropriate LAFCO application fee made payable to Solano LAFCO.
3. ____ One (1) original of the Application (and Petition for Non-Agency Proposals).
4. ____ Forty (40) copies of the metes and bounds legal description.
5. ____ Forty (40) copies of the map.
6. ____ One (1) copy of map reduced to 8.5" x 11" for recording by the County Recorder.
7. ____ Eleven (11) copies of the Response to LAFCO Standards.
8. ____ Two (2) copies of the Environmental Impact Report or two (2) copies of the Negative Declaration including the Initial Study, along with a CD containing all environmental documents in either Word or PDF format..
9. ____ Eleven (11) copies of the Agency's action Certifying the Environmental Impact Report or adopting the Negative Declaration, and Notice of Determination.
10. ____ Eleven (11) copies of the Fair Political Practice Statement of contributions (If applicable).

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Notice of Intent to Circulate Petition
Mandatory for Landowner and Registered Voter Applications

(Date)

FROM:

(Name)

(Address)

(Phone #)

TO:

**Executive Officer
Solano Local Agency Formation Commission
744 Empire St., Suite 106
Fairfield, CA 94533**

SUBJECT: Notice of Intent to Circulate a Petition

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

_____.

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

Signature of Proponent or Proponent's Representative

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

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744 Empire Street, Suite 106
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(707) 438-1785**

PETITION FOR PROCEEDINGS PURSUANT TO THE CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000

The undersigned hereby petition(s) the Local Agency Formation Commission of Solano County for approval of a proposed change of organization or reorganization, and stipulate(s) as follows:

1. This proposal is made pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with Section 56000, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000)
2. The specific change(s) of organization proposed (i.e., annexation, detachment, reorganization, etc.) is (are):

3. The boundaries of the territory(ies) included in the proposal are as described in Exhibit(s) _____ attached hereto and by this reference incorporated herein.
4. The territory(ies) included in the proposal is (are):
_____ inhabited (12 or more registered voters) or
_____ uninhabited.
5. This proposal is/is not consistent with the sphere(s) of influence of the affected city and /or district(s).
6. The reason(s) for the proposed _____ (annexation, detachment, reorganization, etc.) is/are:

7. The proposed condition(s) is/are requested to be made subject to the following terms and conditions:

8. The persons signing this petition have signed as
_____ Registered voters or
_____ Owners of land.

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9. If the formation of a new district is included in the proposal:
- (a) The principal act under which the district is proposed to be formed is:

 - (b) The proposed name of the new district is:

 - (c) The boundaries of the proposed new district are as described in Exhibit _____ heretofore incorporated herein.

10. If the proposal includes the consolidation of special districts, the proposed name of the consolidated district is:

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

Chief Petitioners (not to exceed three)

Date	Printed Name	Signature	Residence Address	APN
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____

APN = Assessor's Parcel Number (if landowner petition)

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

Proposal Description:

FROM:

(Name of Agency)

(Address)

(Name of Contact Person)

(Phone #)

TO:

**Executive Officer
Solano Local Agency Formation Commission
744 Empire St., Suite 106
Fairfield, CA 94533**

SUBJECT:

Notice of Consent to Proposal

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

[Attach additional pages if needed]

Dated: _____

Signature of Authorized Agency Employee

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

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PARTY DISCLOSURE FORM

Information Sheet

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

Important Notice

Basic Provisions of Government Code Section 84308

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

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

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

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

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

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

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

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744 Empire Street, Suite 106
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LAFCo Party Disclosure Form
(Name of Board or Commission)

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

Party's Name: _____

Party's Address: _____

_____ City

_____ State Zip Phone

Application or Proceeding

Title and Number: _____

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

Name of Member: _____

Name of Contributor (if other than Party): _____

Date(s): _____

Amount(s): _____

Name of Member: _____

Name of Contributor (if other than Party): _____

Date(s): _____

Amount(s): _____

Name of Member: _____

Name of Contributor (if other than Party): _____

Date(s): _____

Amount(s): _____

Date: _____

Signature of Party and/or Agent

Date

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Petition Signatures: Mandatory for Landowner and Registered Voter Applications.

Title of Proposal: _____

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

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

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

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

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

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

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

(MAKE ADDITIONAL COPIES OF FORM, AS NEEDED)

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 744 Empire Street, Suite 106
 Fairfield, CA 94533
 (707) 438-1785



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744 Empire Street, Suite 106
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**AGENCY/LAND OWNER/REGISTERED VOTER APPLICATION
 FOR PROCEEDINGS PURSUANT TO THE CORTESE-KNOX-HERTZBERG
 LOCAL GOVERNMENT REORGANIZATION ACT OF 2000**

LAFCO APPLICATION NO. _____
DATE INITIALLY SUBMITTED _____
FILING FEE \$ _____ RECEIPT NO. _____ RECEIVED BY _____
(office use only)

The undersigned hereby petitions(s) the Solano Local Agency Formation Commission for approval of a proposed change of organization or reorganization, and stipulates(s) as follows:

1. The proposal is made pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with Section 56000, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000).
2. Type of Proposal: AGENCY LAND OWNER REGISTERED VOTER

Agency Applicants: Attach a "Resolution of Application" (Example provided, Page 12) and environmental documentation prepared by the agency for the proposal.

Land Owner/Registered Voter Applicants: A "Notice of Intent to Circulate Petition" must be filed with Solano LAFCo prior to submittal of this application, (see "Notice of Intent to Circulate Petition", page 1). A Petition for Proceedings (pages 2-7) must also be submitted along with this Application.

3. Title of Proposal: _____

4. The specific change(s) of organization proposed is/are (name of affected city or district(s)):

- _____ A. Annexation to _____
- _____ B. Detachment from _____
- _____ C. Consolidate _____
- _____ D. Dissolution of _____
- _____ F. Formation (the principal act under which the district is to be formed and the proposed name)

- _____ G. Sphere of Influence Amendment _____ Yes _____ No
- _____ H. Comprehensive Annexation Plan
- _____ I. Outside of Agency Service Extension from _____
to _____
- _____ J. Other: _____

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5. General Location Description (i.e. south side of Road A between Road B and Road C: (attach a map identifying the territory whenever possible)

6. Assessor's Parcel No(s): _____

Note: Agencies use Page 11.

7. County Zoning Designation(s): _____ County General Plan Designation(s): _____

8. City's Designation for Prezoning: _____

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

9. Are parcel(s) contracted under Williamson Act (City Annexations only) _____ Yes _____ No
If yes, please provide: Contract No. _____, and date Contract was executed _____
and a copy of any protest filed by the annexing city pursuant to Government Code Section 51243.5.

10. Copy of vicinity map and site map.

11. A metes and bound description of the exterior boundaries of the territory(ies) included in the proposal, marked **Exhibit A**, and a map of said territory(ies), marked **Exhibit B**, are attached to this petition and by this reference incorporated herein (See Appendix "A" of the LAFCO Standards and Procedures).
LAFCo has the authority to reduce or enlarge the boundaries of the proposal to meet its policy objectives.

12. The territory(ies) included in the proposal is/are (check one):
_____ Inhabited (12 or more registered voters)
_____ Uninhabited (less than 12 registered voters)

13. Population (Est.): _____ Total Acreage: _____ Number of Dwelling Units: _____

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

15. The proposal is / is not consistent with the Sphere of Influence of the affected city and / or districts(s).
If you are not sure, ask the subject Agency to make this determination for you.

16. Please explain why you are seeking the change of organization:

17. Please list on an attached sheet any terms and conditions that need to be placed upon proposal:

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18. If the formation of new district(s) is included in the proposal, the principal act(s) under which said district(s) is/are proposed to be formed is/are:
-
-

Note: Applicants for District Formations will be required to provide supplemental information. Please request the information requirements from the LAFCo staff at time of submission of this form.

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

PLAN FOR PROVIDING SERVICE

Please provide as a separate attachment, detailed information responding to the following issues:

- 20. An enumeration and description of all of the services to be extended to the affected territory:
- 21. The level and range of those services:
- 22. The anticipated timing of when those services will be extended to the affected territory:
- 23. Describe any improvement or upgrading of structures, roads, sewer or water facilities, or other physical changes required to provide the proposed service.
- 24. Enumerate and explain any conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.
- 25. Information with respect to how those services to the affected territory will be financed, including the typical monthly or annual household or per parcel cost for extension of such services.

PETITION REQUIREMENTS

- 26. The signed petitioners(s) _____ **do** / _____ **do not** own 100 percent of the territory proposed for change of organization or reorganization. (Landowner/Registered Voter Applications)
- 27. The following are the names of persons (not to exceeded three (3) in number) to be identified as the Chief Petitioners who are to be furnished copies of the Executive Officer’s report.

Name _____

Street _____

City/Zip _____

Telephone _____

- 28. The following is the name of the person or agency acting as agent for the petitioner(s) (if applicable):

Name _____ Agency _____

Street _____ Telephone _____

City/Zip _____

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For Applications submitted by an Agency, list below each parcel included in the proposal, the acres per parcel, and check whether or not there is a letter or petition indicating in favor of or opposed to the proposal. Attach petitions or letters.

	Assessors Parcel Number	# Acres	Current Property Owner(s) (Per Assessors Records)	Letter In Favor	Letter Opposed
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					

(Note: If necessary, continue list on separate page, attach immediately following this page.)

**CERTIFICATION OF 100% CONSENT APPLICATION
(Agency Applications Only)**

23 **I certify** that I have checked the number of owners of property located within the change of organization or reorganization proposed by this application, and that the signatures shown on the attached petitions and/or letters represent all of the owners of property included in this proposal. **I further certify** that, pursuant to GCS 56663, the applying local government agency waives the requirement for written notice and gives consent to the Commission to make determinations on this proposal without notice and hearing.

Print Name: _____ Title: _____

Signature: _____ Date: _____

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Resolution No. _____
SAMPLE CITY/DISTRICT RESOLUTION OF APPLICATION

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

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

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

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

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

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

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

and,

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

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

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

Or

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

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

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

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

AYES:

NOES:

ABSTAIN:

ABSENT:

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

ATTEST:

(Insert Name)
Council/Board Clerk

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