

**Local Agency Formation Commission Meeting Agenda  
Thursday, August 13, 2020 9:00 A. M.**

In accordance with the Governor's Executive Order N-33-20, and for the period in which the Order remains in effect, the San Joaquin Local Agency Formation Commission will be closed to the public.

To accommodate the public during this period of time that the Board's Chambers are closed to the public, the San Joaquin Local Agency Formation Commission has arranged for members of the public to observe and address the meeting telephonically.

**TO ATTEND BY TELECONFERENCE: Toll-Free Dial-In Number: 877-778-1806  
Conference Code: 891949**

**Download Agenda Packet and Materials at: [www.sjgov.org/commission/lafco](http://www.sjgov.org/commission/lafco)**

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Call to Order  
Announce Date and Time of Meeting for the Record  
Roll Call  
Pledge of Allegiance

**CONSENT ITEMS**

1. MEETING MINUTES OF JULY 9, 2020  
(Action by All Members)  
Approve Summary Minutes of the regular meeting.
2. OUT-OF-AGENCY SERVICE REQUEST  
Request from the City of Stockton to provide out-of-agency sewer service outside the City boundary under Government Code §56133 to 1908 E. Twelfth Street, 7317 S. Newcastle Road, 7485 S. Newcastle Road, and out-of-agency water service for 10500 Harlan Road in Stockton.

**PUBLIC HEARING**

3. FINAL MUNICIPAL SERVICE REVIEW (MSR) AND SPHERE OF INFLUENCE (SOI) FOR THE CITY OF STOCKTON (LAF 10-20)  
(Action by Regular Members)  
Public Hearing to receive testimony and comments on the Final MSR and SOI Update for the the City of Stockton.

4. **SANCHEZ REORGANIZATION TO THE CITY OF STOCKTON (L AFC 13-20)**  
*(Action by Regular Members)*  
Request to annex approximately 149.01 acres to the City of Stockton with concurrent detachment from the San Joaquin County Resource Conservation District, Central San Joaquin Water Conservation District and Colledgeville Rural Fire Protection District.
5. **HOGGAN REORGANIZATION TO THE CITY OF STOCKTON (L AFC 14-20)**  
*(Action by Regular Members)*  
Request to annex approximately 20.76 acres to the City of Stockton with concurrent detachment from the San Joaquin County Resource Conservation District and Montezuma Rural Fire Protection District.

#### **ACTION ITEMS**

6. **RESULTS OF PROTEST HEARING FOR BYRON - BETHANY IRRIGATION DISTRICT AND THE WEST SIDE IRRIGATION DISTRICT CONSOLIDATION**  
*(Action by Regular Members)*  
Report from the Executive Officer on the results from the protest hearing held on August 4, 2020.

#### **PUBLIC COMMENTS**

7. Persons wishing to address the Commission on matters not otherwise on the agenda

#### **EXECUTIVE OFFICER COMMENTS**

8. Comments from the Executive Officer

#### **COMMISSIONER COMMENTS**

9. Comments, Reports, or Questions from the LAFCO Commissioners

#### **ADJOURNMENT**

# **LAFCo**

509 W. WEBER AVENUE SUITE 420 STOCKTON, CA 95203

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## **EXECUTIVE OFFICER'S REPORT**

August 13, 2020

TO: LAFCo Commissioners

FROM: James E. Glaser, Executive Officer

**SUBJECT: RESULTS OF PROTEST HEARING FOR THE CONSOLIDATION OF BYRON  
BETHANY IRRIGATION DISTRICT AND THE WEST SIDE IRRIGATION  
DISTRICT (LAFc 30-19)**

### **Recommendation**

It is recommended at the Commission approve Resolution No. 1435 ordering the consolidation of Byron Bethany Irrigation District and The West Side Irrigation District

### **Background**

On July 7, 2020 the Commission approved the consolidation of BBID and TWSID and directed the Executive Officer to conduct protest proceedings. By statute, the approval of a district consolidation is subject to a protest hearing. Due to the Governor's Executive Order N33-20 a physical location to hold a protest hearing was not held and instead a telephonic protest hearing was arranged. On August 4, 2020 at 9:00 a.m. LAFCo held a telephonic public hearing. Eligible participants were instructed to call in and were given an opportunity to provide oral comments and protests.

The purpose of the protest hearing is to allow landowners and registered voters to have a say in whether the consolidation will proceed. Government Code Section 57075(a) provides that the Commission shall make a determination regarding the value of the written protests filed and not withdrawn and take the appropriate action based on the results.

The following actions will be taken if at the close of the protest hearing the Commission receive written protests:

<b>Action</b>	<b>Written Protests Received</b>
Termination	≥ 50% of the voters residing in the territory
Approval	< 25% of registered voters OR < 25% landowners owning < 25% of assessed value of land within the territory
Election	≥ 25% but < 50% of registered voters residing in the territory; OR ≥ 25% or < 50% of landowners who own at least 25% of the assessed value of land within the territory

No written protests were received by the close of the Protest Proceedings. Based on the final results of the protest proceeding, the appropriate action to take is to order the consolidation of Byron Bethany Irrigation District and The West Side Irrigation District.

Attachment: Resolution No. 1435

RESOLUTION NO. 1435

**San Joaquin Local Agency Formation Commission Conducting Authority Resolution  
Ordering the Consolidation of Byron Bethany Irrigation District  
and The West Side Irrigation District (LAFCo 30-19)**

WHEREAS, the San Joaquin Local Agency Formation Commission (LAFCo) on June 11, 2020 approved LAFCo Resolution No. 1424, approving the consolidation of Byron Bethany Irrigation District and The West Side Irrigation District.

WHEREAS, the Commission did set forth the reasons for approval of the consolidation, made determinations, including those required by the California Environmental Quality Act (CEQA), and approved terms and conditions for the consolidation described in LAFCo Resolution No. 1424, attached hereto and by this reference incorporated herein;

WHEREAS, the consolidation was initiated by the legislative bodies of the irrigation districts adopting substantially similar Resolutions of Application;

WHEREAS, Government Code Section 56029 designates the Commission as the Conducting Authority to conduct proceedings for a consolidation pursuant to Part 4 of Division 3 of Government Code commencing with Section 57000;

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

WHEREAS, the Executive Officer set the proposal for a telephonic protest hearing on August 4, 2020 at the hour of 9:00 a.m.;

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

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

WHEREAS, the conducting authority proceeding hearing was concluded on August 4, 2020;

WHEREAS, no written protests were received either prior to, or upon conclusion of the hearing;

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

1. The consolidation of Byron Bethany Irrigation District and The West Side Irrigation District is hereby ordered pursuant to Government Code Section 57075(a);
2. Directs the Executive Officer to file a Certificate of Completion in the manner stated in Government Code Section 57000 et seq;

**PASSED AND ADOPTED this 13th day of August 2020 by the following vote:**

**AYES:**

**NOES:**

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**JESUS ANDRADE, CHAIRMAN**  
**San Joaquin Local Agency**  
**Formation Commission**