

RESOLUTION NO. LAFCO NO. 1265

**RESOLUTION MAKING DETERMINATIONS AND APPROVING
ANNEXATION OF THE CITY OF WEST SACRAMENTO
TO SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT
(04-01)
(CEQA Negative Declaration)**

WHEREAS, the Board of Directors of the Sacramento Regional County Sanitation District has applied by resolution to the Sacramento Local Agency Formation Commission to annex the City of West Sacramento to Sacramento Regional County Sanitation District (04-01); and the City of West Sacramento concurs with this annexation proposal; and

WHEREAS, the Sacramento Local Agency Formation Commission has the sole discretion to, according to Government Code Section 56428, approve annexations; and

WHEREAS, the Sacramento Local Agency Formation Commission is designated as the principal county for the proposed change of organization; and

WHEREAS, the City of West Sacramento is located wholly within the County of Yolo, and is within the service area of the Sacramento Regional County Sanitation District's adopted Master Plan, and also within the District's Sphere of Influence, as adopted December 3, 2003; and

WHEREAS, City of West Sacramento is in need of sanitary sewer service and annexation for territory within the boundary of the City of West Sacramento; and

WHEREAS, the development anticipated in the City's General Plan requires that the City provide additional wastewater treatment capacity as part of the basic services required to serve planned development within the City of West Sacramento General Plan dated June 2000; and

WHEREAS, the City Council of the City of West Sacramento has evaluated a range of options for providing wastewater treatment capacity to meet its future needs; and

WHEREAS, the City Council of the City of West Sacramento has provided for and considered public comment throughout the evaluation of the options for providing wastewater treatment capacity to meet its future needs; and

WHEREAS, the City of West Sacramento and Sacramento Regional County Sanitation District have jointly prepared and executed “Principles of Agreement,” by document dated January 8, 2001, attached hereto and incorporated herein. The Principals of Agreement reflect the joint policies agreed to by the City of West Sacramento and Sacramento Regional County Sanitation District; and

WHEREAS, the City Council of the City of West Sacramento concludes that the City’s interest is best served by annexation to Sacramento Regional County Sanitation District, a political subdivision of the State of California, to provide for regional wastewater conveyance and treatment services; and

WHEREAS, the Sacramento Regional County Sanitation District is capable of providing the service to the City of West Sacramento; and

WHEREAS, a plan for providing services to the territory proposed for Annexation is set forth in the 2000 Sacramento Regional County Sanitation District Interceptor System Master Plan and the Sacramento Regional Wastewater Treatment Plant Master Plan 2020, filed with the Sacramento Local Agency Formation Commission, as the Amended Master Services Element; and

WHEREAS, Annexation of the City of West Sacramento to the Sacramento Regional County Sanitation District will add 14,584 acres to the service area of the Sacramento Regional County Sanitation District; and

WHEREAS, pursuant to Division 6, Title 14, Chapter 3, Article 6, Sections 15070 and 15071 of the California Administrative Code and pursuant to the Procedures for Preparation and Processing of Environmental Impacts Reports adopted by the County of Sacramento, the Environmental Coordinator of the Sacramento Local Agency Formation Commission, it has been determined that the project will not have a significant effect on the environment, has numerous potential beneficial effects, and an Initial Study/ Negative Declaration [State Clearing House No. 2003102157] was prepared for this project; the Negative Declaration was certified as adequate and complete by the Sacramento Local Agency Formation Commission on December 3, 2003; and

WHEREAS, the Executive Officer has prepared a staff recommendation and report regarding the Annexation of the City of West Sacramento to Sacramento Regional County Sanitation District and in the form and manner provided by law given public notice of public hearing(s) by this Commission upon the Annexation; and

WHEREAS, the Commission has heard and received all oral and written testimony and evidence which was made, presented, or filed and persons present were provided an opportunity to hear and be heard in respect to any matter related to these hearing(s); and

WHEREAS, the Commission amended the Sphere of Influence of the Sacramento Regional County Sanitation District to include the City of West Sacramento on December 3, 2003, and the Commission has considered the merits of this proposal;

NOW, THEREFORE, THE SACRAMENTO LOCAL AGENCY FORMATION COMMISSION DOES HEREBY FIND AND RESOLVE AS FOLLOWS:

1. All public notice requirements as contained in Government Code Section 56660 have been satisfied.
2. The Sacramento Local Agency Formation Commission determines that the Initial Study/Negative Declaration for both the Sphere of Influence Amendment to include the City of West Sacramento within Sacramento Regional County Sanitation District and the Annexation of the City of West Sacramento to Sacramento Regional County Sanitation District is adequate and complete in meeting the California Environmental Quality Act “CEQA” requirements for this project.
3. The Sacramento Local Agency Formation Commission hereby approves the Annexation of the City of West Sacramento to Sacramento Regional County Sanitation District (04-01), subject to the following findings of fact and imposed conditions. A Map and description of boundaries of the territory to be Annexed is attached hereto as Exhibit A and incorporated herein.

Findings of Fact

- (a) Pursuant to Health and Safety Code Section 4730 (Assembly Bill AB 864; Stats. 2001), Sacramento Regional County Sanitation District Board of Directors provides for representation of the City of West Sacramento and the County of Yolo on the Sacramento Regional County Sanitation District Board of Directors.
- (b) The proposed Annexation is consistent with LAFCo policies that encourage regional planning and cooperation among neighboring jurisdictions.
- (c) The planned wastewater flows and loads from West Sacramento have been included in the SRWTP 2020 Master Plan flows and loads. In 2000, the wastewater flows averaged approximately 154 mgd ADWF conditions for SRWTP and approximately 5 mgd ADWF for West Sacramento, for a combined total of 159 mgd. The existing SRWTP permitted capacity is 181 mgd.
- (d) Beneficial project impacts related to water quality, service delivery and other issues include:
 - Elimination of the West Sacramento discharge into the Sacramento River near Clarksburg and the overflow outfall near the existing City wastewater treatment plant site. These discharges will cease upon completion of

construction of the proposed SRCSD Lower Northwest Interceptor and connection of the City of West Sacramento.

- The SRCSD Regional Treatment Plant has the capability to store treated secondary effluent in emergency Storage Basins during low Sacramento River flow or when a 14:1 dilution with the river cannot be attained. West Sacramento does not have this capability.
 - The SRCSD plant has a history of fewer violations of waste discharge requirements.
 - The proposed discharge for an expanded West Sacramento facility near the Barge Canal may be seen as problematic with the proposed Freeport Regional Water Project intake to be located approximately 6000 feet upstream of the Freeport Bridge.
 - The SRWTP waste discharge requirements/ limitations are higher than those imposed by West Sacramento; especially for metals and contain mass limits for mercury and lindane.
 - The proposed Sphere of Influence Amendment is consistent with the County of Sacramento General Plan, the City of West Sacramento General Plan and also the County and Sacramento Regional County Sanitation District policy to increase boundaries for efficiency and environmental benefit.
 - A decrease in per customer service/operational costs due to recognized economies of scale are anticipated consistent with LAFCo policies of increasing service efficiencies.
 - Economic benefit to Sacramento Regional County Sanitation District because of the proximity of West Sacramento to the alignment of the LNWI and the SRWTP has the effect of reducing the average cost for conveyance for the region as a whole.
 - The project is not considered growth inducing since it would allow accommodation of growth already planned for under the City of West Sacramento General Plan and specific plans.
 - Provide regional economic development opportunities.
- (e) The proposed Annexation of the City of West Sacramento within the Sacramento Regional County Sanitation District will not have a significant impact on the existing or proposed rates of the Sacramento Regional County Sanitation District.

4. As approved, the proposal is in conformity with applicable General and Specific Plans and is in conformance with the General Plan of the City of West Sacramento, as amended, and Annexation into Sacramento Regional County Sanitation District will provide service to existing and developing areas within the boundaries of the City of West Sacramento. The Sacramento County General Plan includes a policy promoting increased boundaries for the Sacramento Regional County Sanitation District to adjacent communities.

Annexation Terms and Conditions

5. The effective date of the annexation of the City of West Sacramento to Sacramento Regional County Sanitation District will be upon filing of the Certificate of Completion by the Executive Officer after the Waste Water Services Agreement has been executed by both the City of West Sacramento and Sacramento Regional County Sanitation District, provided the Agreement is executed by the date of October 1, 2004. If the Agreement is not executed by that date, the project will be deemed abandoned by the Sacramento Local Agency Formation Commission.
6. The City of West Sacramento and the Sacramento Regional County Sanitation District approved a Waste Water Services Agreement on January 21, 2004 and January 28, 2004, respectively. The Terms and Conditions of the Waste Water Services Agreement are hereby incorporated in this Resolution in their entirety by reference except for terms related to future annexations. Future annexations, if any, will be governed by applicable LAFCo policies.
7. The City of West Sacramento shall comply with the policies, procedures and regulations of the Sacramento Regional County Sanitation District to the extent that the same are consistent with the Principles of Agreement dated January 8, 2001, Exhibit B, the Waste Water Services Agreement, Contract No. 70241 (attached), and any related agreements between the District and the City of West Sacramento. A copy of the Waste Water Services Agreement, Right-of-Way Agreement (Contract No. 70240), and Tree Mitigation Agreement (Contract No. 70239), is attached hereto as Exhibit C and incorporated herein by this reference.
8. The City of West Sacramento shall continue to operate and maintain its own sewage collection system and will be responsible for decommissioning its treatment plant operations in a timely fashion after connection to the LNWI. After connection to the LNWI, service will be provided by Sacramento Regional County Sanitation District's treatment plant located in Sacramento County.

Conducting Authority Proceeding

9. The Sacramento Local Agency Formation Commission will act as the Conducting Authority for this proceeding, as provided in Government Code Section 56000 et. seq., and will hold a noticed public hearing prior to issuing a Certificate of Completion.

On a motion by Commissioner _____, seconded by Commissioner _____, the foregoing resolution was passed and adopted by the **SACRAMENTO LOCAL AGENCY FORMATION COMMISSION**, State of California, at a meeting of this **fourth day of February, 2004**, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

By: _____
Elliot Mulberg, Chair
SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

ATTEST:

Marilyn Ann Flemmer
Commission Clerk

PB:Maf
(Reso 1265 Annex of West Sac to SRCSD)