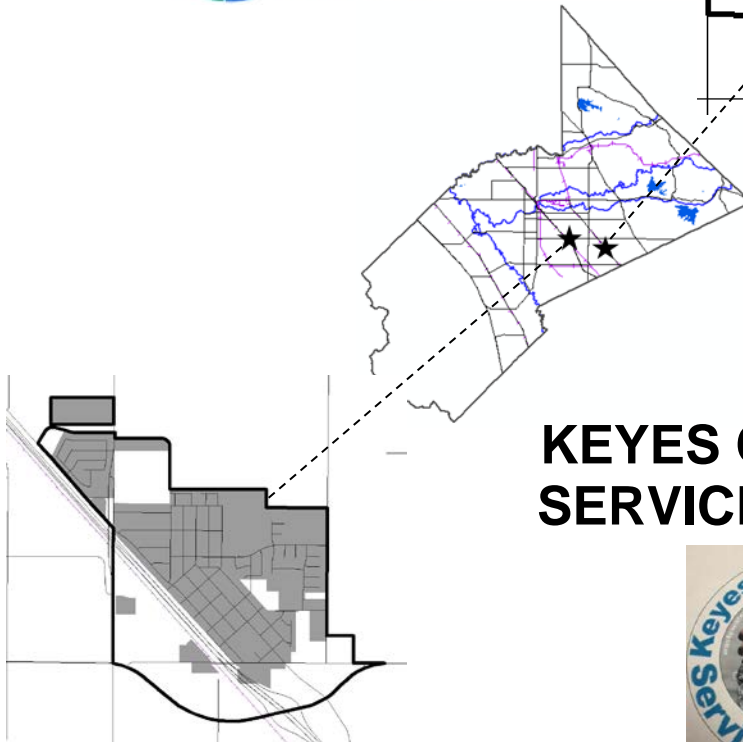
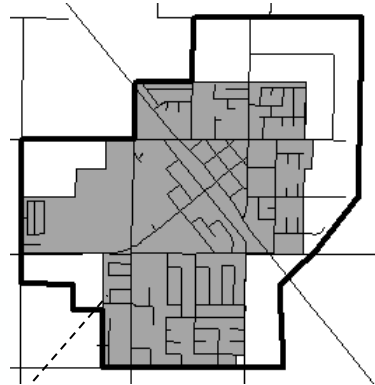


# **MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR:**

## **DENAIR COMMUNITY SERVICES DISTRICT**



## **KEYES COMMUNITY SERVICES DISTRICT**



*Prepared By:*

**Stanislaus Local Agency Formation Commission**  
1010 Tenth Street, Third Floor  
Modesto, CA 95354  
Phone: (209) 525-7660

*Adopted: January 22, 2020*

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# **STANISLAUS**

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# **Municipal Service Review and Sphere of Influence Update for the Denair and Keyes Community Services Districts**

## **Introduction**

The Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000 Act (CKH Act) requires the Local Agency Formation Commission (LAFCO) to update the spheres of influence (SOI) for all applicable jurisdictions in the County. A sphere of influence is defined by Government Code 56076 as "...a plan for the probable physical boundary and service area of a local agency, as determined by the Commission." The Act further requires that a municipal service review (MSR) be conducted prior to or, in conjunction with, the update of a sphere of influence (SOI).

The legislative authority for conducting a municipal service review is provided in Government Code Section 56430 of the CKH Act. The Act states, that "in order to prepare and to update spheres of influence in accordance with Section 56425, the commission shall conduct a service review of the municipal services provided in the county or other appropriate area..." MSRs must have written determinations that address the following factors in order to update a Sphere of Influence. These factors were recently amended to include the consideration of disadvantaged unincorporated communities within or contiguous to the sphere of influence of an agency.

## **Municipal Service Review Factors to be Addressed**

1. Growth and Population Projections for the Affected Area
2. The Location and Characteristics of Any Disadvantaged Unincorporated Communities Within or Contiguous to the Sphere of Influence
3. Present and Planned Capacity of Public Facilities, Adequacy of Public Services, and Infrastructure Needs or Deficiencies Including Needs or Deficiencies Related to Sewers, Municipal and Industrial Water, and Structural Fire Protection in Any Disadvantaged, Unincorporated Communities Within or Contiguous to the Sphere of Influence
4. Financial Ability of Agencies to Provide Services
5. Status of, and Opportunities for, Shared Facilities
6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies
7. Any Other Matter Related to Effective or Efficient Service Delivery, as Required by Commission Policy

This MSR will analyze the Denair and Keyes Community Services Districts. The MSR will also provide the basis for LAFCO to reaffirm the Districts' Spheres of Influence.

## **Sphere of Influence Update Process**

A special district is a government agency that is required to have an adopted and updated sphere of influence. Section 56425(g) of the CKH Act calls for spheres of influence to be reviewed and updated every five years, as necessary. Stanislaus LAFCO processes municipal service reviews and sphere of influence updates concurrently to ensure efficient use of resources. For rural special districts, which do not have the typical municipal-level services to review, this document will be used to determine what type of services each district is expected to provide and the extent to which they are actually able to do so. For these special districts, the spheres will delineate the service capability and expansion capacity of the agency, if applicable.

Spheres of Influence for the Denair and Keyes Community Services Districts were originally adopted by the Commission in 1984. The most recent update, adopted in 2014, proposed no changes to the Districts' SOIs. The current update serves to comply with Government Code Section 56425 and will reaffirm the SOIs for each district.

## **Sphere of Influence Determinations**

In determining a sphere of influence (SOI) of each local agency, the Commission shall consider and prepare determinations with respect to each of the following factors, pursuant to Government Code Section 56425:

1. The present and planned land uses in the area, including agricultural open-space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.
5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

## **Authority**

This review will cover two independent special districts: Denair Community Services District and Keyes Community Services District. The Districts were organized under Section 61000 et. seq. of the Government Code. In addition, each District is considered "registered voter districts", as the board members are elected by the registered voters residing within the district's boundaries.

## **Purpose**

Community Services Districts may be formed to provide water, sewer, or garbage services, fire protection, public recreation, street lighting, mosquito abatement, police services, library services, street improvements, conversion of overhead electric and communication facilities to underground locations, ambulance services, airport facilities, flood control and transportation services.

## **Classification of Services**

As part of the previous municipal service review, the Districts provided a listing of the services provided within their boundaries. The Districts are authorized to provide the functions or classes of services (e.g. water, sewer, street lighting) as identified in this report. Due to recent changes in the Cortese-Knox-Hertzberg Act, the Districts would have to seek LAFCO approval to exercise other latent powers not currently provided.

# **Municipal Service Review – Denair Community Services District**

## **Formation**

The Denair Community Services District was formed on October 3, 1961.

## **Services**

The District provides sewer and domestic water services to the community of Denair. In addition, the District has a contractual agreement with the City of Turlock for sewer disposal services.

The District also owns and operates the following community service buildings: Community Center, Gaslight Theatre, Library Building, Senior Center, and Scout Hall.

## **Capacity**

The District has purchased the necessary sewer capacity from the City of Turlock to serve existing and future development within its sphere of influence. Infrastructure improvements would be required in order to deliver additional wastewater to the City's treatment plant.

With regards to domestic water, the District currently has four groundwater wells, five lift stations, and an above-ground steel water tank to serve customers within the existing District boundaries. Water produced from the District's wells has consistently met the State's Title 22 (Code of Regulations) drinking water standards. In order to accommodate future growth within the District's sphere of influence, installation of additional groundwater wells and/or pipelines would be necessary. In 2000, the District adopted a Water Master Plan, which identifies projected water requirements and recommended system improvements over the next 10 to 20 years.

## **Location and Size**

The District is located in the unincorporated community of Denair, east of the City of Turlock, in eastern Stanislaus County, and encompasses approximately 674 acres.

## **Sphere of Influence**

The District's Sphere of Influence (SOI) incorporates approximately 1,056 acres (see Map - District Boundaries and Sphere of Influence). The original SOI boundary was established by LAFCO in 1984 to correspond with the Denair Community Plan. In 1998, the County approved updates to the Denair Community Plan, which maintained the same community planning boundaries (see Map - Denair Community Plan).

## **Governance**

A five member Board of Directors, elected by registered voters within the District boundaries, governs the District. Meetings are held on the third Tuesday of each month at 6:00 p.m., at the District Office, located at 3850 N. Gratton Road, Denair.

The District also has established a website that current information on District programs and activities ([www.denaircsd.org](http://www.denaircsd.org)).



### **Personnel**

The District has 7 full-time employees. The District also contracts with outside consultants for engineering, legal, and financial (auditor) services.

### **Support Agencies**

The District maintains collaborative relationships with other agencies, such as the: the City of Turlock, State Water Resources Control Board, Department of Water Resources, California Rural Water Association, California Special Districts Association, National Rural Water Association, and American Water Works Association.

### **Funding Sources**

The District receives funds from monthly user and connection fees, as well as a very small portion of the shared property tax revenues from Stanislaus County.

## **Municipal Service Review Determinations Denair Community Services District**

The following are determinations related to the seven factors required by Section 56430 for a Service Review for the Denair Community Services District:

### **1. Growth and Population Projections for the Affected Area**

The District serves the unincorporated community of Denair. The area is designated in the Stanislaus County General Plan and Denair Community Plan for residential, commercial, and industrial uses. The District currently serves an estimated population of 4,873 persons with water and sewer service. Although the District has purchased the necessary sewer capacity from the City of Turlock to serve future development within its sphere of influence, due to limited infrastructure and resources, it is not expected that any significant population growth will occur within the District boundaries at this time. The District may consider expanding its current infrastructure and facilities within the next 2-5 years should development consistent with the Denair Community Plan area be approved by the County.

### **2. The Location and Characteristics of Any Disadvantaged Unincorporated Communities Within or Contiguous to the Sphere of Influence**

Upon review of available Census data, there does not appear to be any communities meeting the criteria for disadvantaged within or contiguous to the Sphere of Influence of the District.

### **3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs or Deficiencies Related to Sewers, Municipal Water and Industrial Water, and Structural Fire Protection in Any Disadvantaged, Unincorporated Communities Within or Contiguous to the Sphere of Influence**

The present water and sewer demand within the District's current boundaries can be met with existing facilities and infrastructure. However, before additional areas can be served within the sphere of influence, significant sewer and water infrastructure facilities will be required.

The District recently completed construction of an above-ground steel water tank (Water Tank No. 1) and associated booster pumps to help minimize capacity constraints during peak flows, and to increase fire-flow requirements for the Denair Middle School and surrounding community. The water tank is adjacent to the existing trunk system which was designed and constructed in 2005 to provide the District with increased capacity.

### **4. Financial Ability of Agencies to Provide Services**

At the present time, the District has the necessary financial resources to fund existing levels of water and sewer services within the District's boundaries. There is no overlapping or duplication of services within these boundaries. The District, on an annual basis, reviews its rate and fee schedule and attempts to keep the rates and fees as minimal as possible.

**5. Status of, and Opportunities for, Shared Facilities**

The District shares facilities with other agencies as necessary and continually reviews new opportunities to continue these efforts. For example, the District owns, operates and maintains the following community facilities: Community Center, Gaslight Theater, Library Building, Senior Center, and Scout Hall.

**6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies**

A five-member Board of Directors, elected by the registered voters, governs the District. The District conforms to the provisions of the Brown Act requiring open meetings. The District has recently upgraded its website which includes meeting agendas and minutes. It appears that the District has the necessary resources and staffing levels to operate in a cost-efficient and professional manner.

**7. Any Other Matter Related to Effective or Efficient Service Delivery, as Required by Commission Policy**

Since the previous update, the District established a corporation yard for the storage of materials required to maintain water and sewer mains, utility services and fire hydrants within the community of Denair. The additional space provided by the yard assists the District in providing efficient service to maintain District facilities.

## SOI Update – Denair Community Services District

The following determinations for the Denair Community Services District Sphere of Influence update are made in conformance with Government Code Section 56425 and local Commission policy.

### **Determinations:**

#### **1. Present and Planned Land Uses in the Area, Including Agricultural and Open-Space Lands**

The District's Sphere of Influence (SOI) includes approximately 1,056 acres. Territory within the District boundaries consists of residential, commercial, and industrial land use areas. These uses are not expected to change. In addition, the District does not have the authority to make land use decisions within its boundaries. The responsibility for land use decisions within the District boundaries is retained by the County.

#### **2. Present and Probable Need for Public Facilities and Services in the Area**

The District is presently meeting the water and sewer needs of its customers within its existing service area boundary. However, additional infrastructure and resources would be necessary to accommodate future development within the District's Sphere of Influence (e.g. additional water wells and installation of transmission lines to connect to the Turlock wastewater disposal system).

#### **3. Present Capacity of Public Facilities and Adequacy of Public Services that the Agency Provides or is Authorized to Provide**

The District currently has adequate capacity to provide the necessary water and sewer services to customers within its existing service area boundary.

#### **4. The Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines That They are Relevant to the Agency**

The unincorporated community of Denair is the only community of interest within the District boundaries. The Turlock city limits lie approximately 1.3 miles west of the District's current boundaries. The two entities' Spheres of Influence are approximately 680 feet apart.

#### **5. For an Update of a Sphere of Influence of a City or Special District That Provides Public Facilities or Services Related to Sewers, Municipal and Industrial Water, or Structural Fire Protection, the Present and Probable Need for Those Public Facilities and Services of Any Disadvantaged Unincorporated Communities Within the Existing Sphere of Influence**

As current Census data did not identify any areas qualifying as disadvantaged unincorporated communities within the District's Sphere of Influence, no analysis is required for this determination.

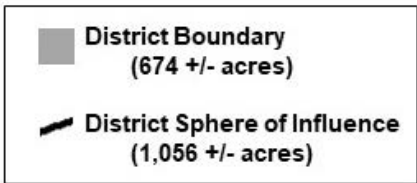
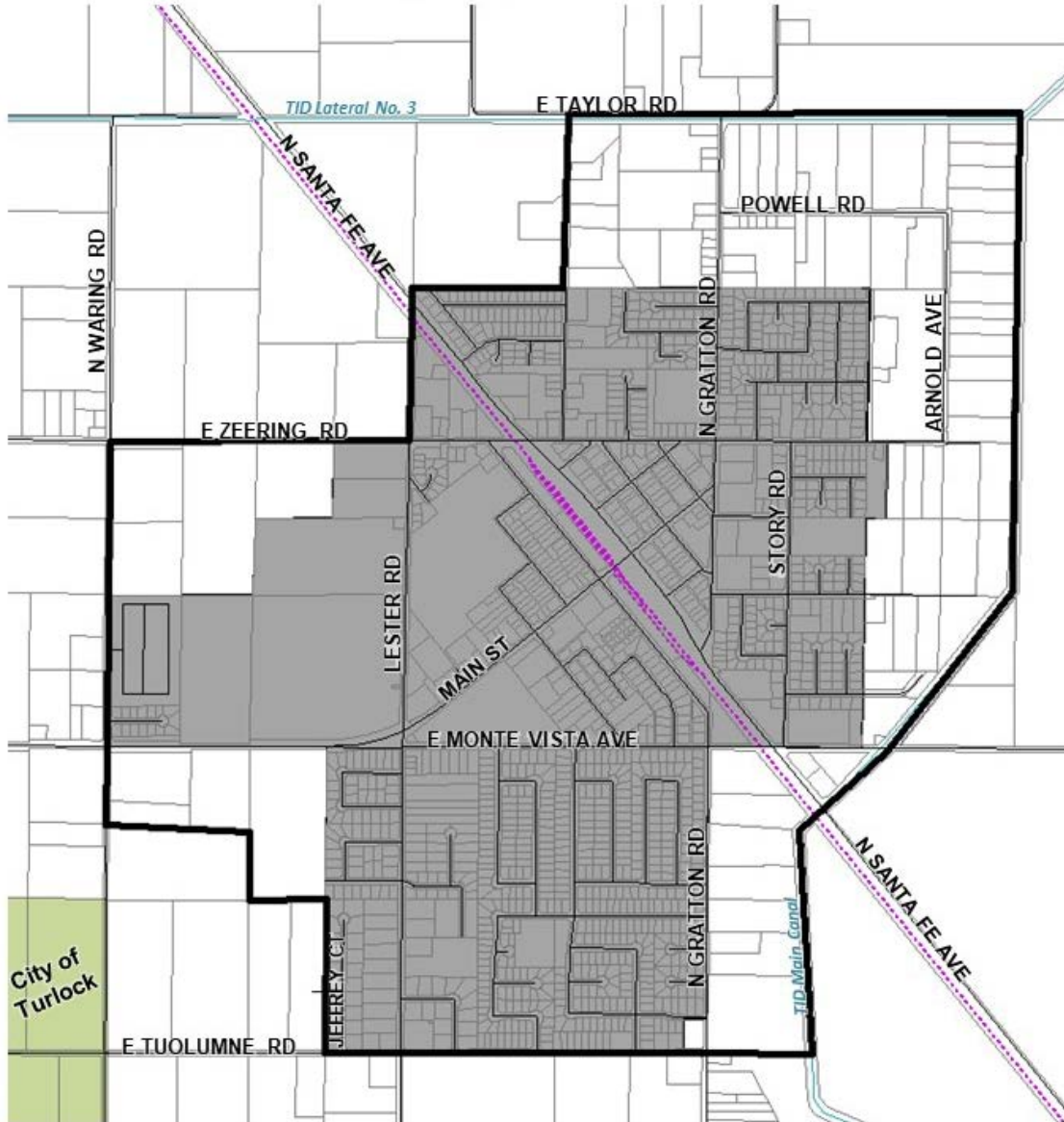
## DISTRICT SUMMARY PROFILE

District:	<b>DENAIR COMMUNITY SERVICES DISTRICT</b>
Location:	East of the City of Turlock, in the unincorporated community of Denair.
Service Area:	Approximately 674 acres
Population*:	4,873
Land Use:	Residential, commercial, and industrial
Date of Formation:	October 3, 1961
Enabling Act:	California Government Code, Section 61000, et seq.
Governing Body:	5 directors, elected by registered voters within District boundaries
Administration:	7 full-time employees
District Services:	Municipal water and sewer services
Total Revenues:	\$2,804,127.97 (Projected for Fiscal Year 2019-2020)
Revenue Sources:	Monthly service and connection fees; property taxes



\*Source: District Estimate

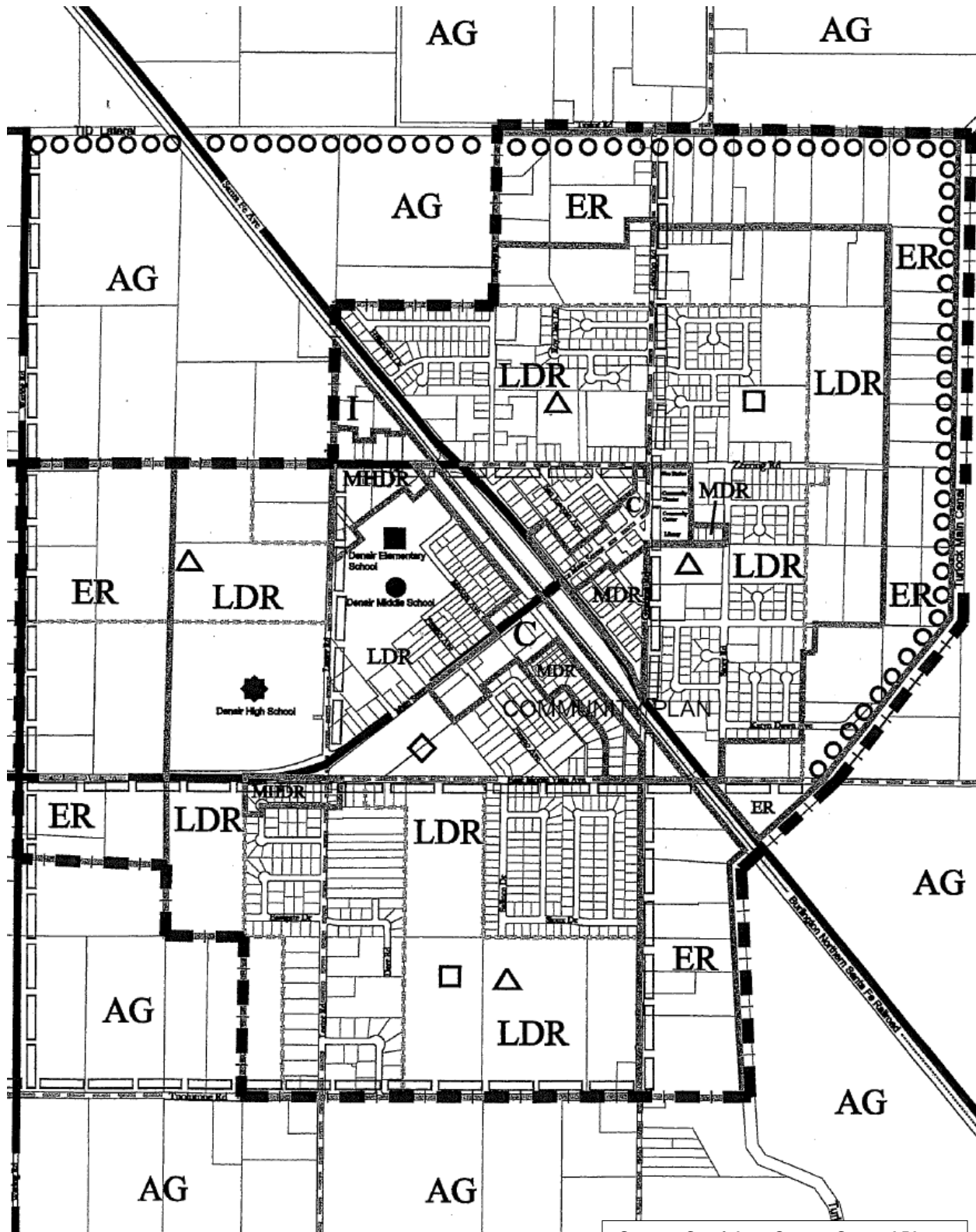
# DENAIR COMMUNITY SERVICES DISTRICT BOUNDARY AND SPHERE OF INFLUENCE



Source: LAFCO Files, December 2019



# DENAIR COMMUNITY PLAN



**■ | ■** COMMUNITY PLAN BOUNDARY

Source: Stanislaus County General Plan  
 For Illustrative Purposes Only. Check with  
 County Planning to Verify Designations

## **Municipal Service Review – Keyes Community Services District**

### **Formation**

The Keyes Community Services District was formed on June 20, 1955.

### **Services**

The District provides sewer, water and street lighting services to the community of Keyes. In addition, the District has a contractual agreement with the City of Turlock for sewer disposal services.

### **Capacity**

The District currently serves approximately 1,350 customers providing sewer, water and lighting services to its customers.

With regards to its sewer system, the District's estimated volume of wastewater is .456 mgd. District has an agreement with the City of Turlock to use collection system improvements for sewage.

Currently, the District has 4 groundwater wells that provide drinking water to District customers. The District has completed an arsenic treatment project and is in the beginning stages of starting operation of treatment. Current testing shows arsenic level being reduced to below the maximum contaminant level (MCL).

The District recently completed a master meter agreement with mobile home parks outside the District boundaries to provide arsenic-free drinking water.

### **Location and Size**

The District is located in the unincorporated community of Keyes, northwest the City of Turlock. The boundaries of the District encompass approximately 478 acres.

### **Sphere of Influence**

The District's Sphere of Influence (SOI) includes approximately 793 acres (see Map - District Boundaries and Sphere of Influence). The original SOI boundary was established by LAFCO in 1984 to correspond with the Keyes Community Plan at that time. The County updated the Keyes Community Plan in 2000 to include additional territory along the west side of Washington Road (see Map - Keyes Community Plan). Similarly, the Commission approved an expansion of the SOI and annexation of 125 acres to the Keyes CSD in 2000 to accommodate residential development and a school.

### **Governance**

A five-member Board of Directors, elected by registered voters within the District boundaries, governs the District. Meetings are held on the fourth Tuesday of each month at 1:00 p.m., at the District office located at 5601 7<sup>th</sup> Street, Keyes.



### **Personnel**

The District has eight employees – 7 full-time and 1 part-time. The District also contracts out for legal, engineering and bookkeeping services.

### **Support Agencies**

The District maintains collaborative relationships with other agencies, including the City of Turlock, Stanislaus County, the Keyes Fire Protection District, California Rural Water Association, State Water Resources Control Board, and the California Statewide Development Authority.

### **Funding Sources**

The District receives funds from monthly service and connection fees, annual street lighting assessments, and a very small portion of the shared property tax revenues from Stanislaus County.

## **Municipal Service Review Determinations Keyes Community Services District**

The following are determinations related to the seven factors required by Section 56430 for a Service Review for the Keyes Community Services District:

### **1. Growth and Population Projections for the Affected Area**

The District serves a population of approximately 5,600 in the unincorporated community of Keyes. The area is designated in the Stanislaus County General Plan and Keyes Community Plan for residential, commercial, and industrial uses.

### **2. The Location and Characteristics of Any Disadvantaged Unincorporated Communities Within or Contiguous to the Sphere of Influence**

According to 2010 Census data, the community of Keyes meets the income criteria and definition of a “disadvantaged unincorporated community” pursuant to Government Code Section 56033.5. While the majority of the developed Keyes area is included within the District’s boundaries, there are scattered urban uses, including mobile home parks, in and around the District’s Sphere of Influence that are currently served by on-site sewer and water systems and may benefit from the District’s services.

### **3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs or Deficiencies Related to Sewers, Municipal Water and Industrial Water, and Structural Fire Protection in Any Disadvantaged, Unincorporated Communities Within or Contiguous to the Sphere of Influence**

At the present time, the District has the capacity to serve the residents in its existing service area boundary. Some minor growth can be accommodated with existing infrastructure, however, before major growth can occur additional facilities will need to be constructed. Currently, the District is preparing to construct a new lift station. Additionally, the District has recently completed an arsenic treatment facility and is currently in the final steps of initiating operation of the facility.

### **4. Financial Ability of Agencies to Provide Services**

The District appears to have the necessary financial resources to fund existing levels of water, sewer, and street lighting services within the District’s boundaries. The District regularly reviews its rates for services.

### **5. Status of, and Opportunities for, Shared Facilities**

The District does not share facilities with any other district or agency. There is no overlapping or duplication of services within the area.

**6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies**

A five member Board of Directors, elected by the registered voters, governs the District. The District conforms to the provisions of the Brown Act, requiring open meetings. Recently the District upgraded its website which provides District information, meeting agendas and minutes, and reports. It is reasonable to conclude the District can adequately serve the current areas under its jurisdiction. The District has a small, yet adequate staff to provide the necessary services to its customers.

**7. Any other Matter Related to Effective or Efficient Service Delivery, as Required by Commission Policy**

None.

## **SOI Update – Keyes Community Services District**

The following determinations for the Keyes Community Services District's Sphere of Influence update are made in conformance with Government Code Section 56425 and local Commission policy.

### **Determinations:**

#### **1. Present and Planned Land Uses in the Area, Including Agricultural and Open-Space Lands**

The District's Sphere of Influence (SOI) includes approximately 793 acres. Territory within the District boundaries consists of residential, commercial, and industrial land uses. These uses are not expected to change. In addition, the District does not have the authority to make land use decisions, nor does it have authority over present or planned land uses within its boundaries. The responsibility for land use decisions within the District boundaries is retained by the County.

Recently, the District has requested several service connections for water outside of the District's Boundary and Sphere of Influence. At this time there are no plans to expand the District's Sphere of Influence. However, LAFCO staff has been in contact with the District to discuss potentially amending the District's Sphere of Influence to incorporate potential future area.

#### **2. Present and Probable Need for Public Facilities and Services in the Area**

The District is presently meeting the water, sewer, and street lighting needs of its customers within the existing service area boundaries. However, additional infrastructure and resources would be necessary to accommodate future development within the District's Sphere of Influence. The District recently completed its arsenic treatment facility and is currently in the process of beginning operations.

#### **3. Present Capacity of Public Facilities and Adequacy of Public Services that the Agency Provides or is Authorized to Provide**

The District currently has adequate capacity to provide the necessary water, sewer, and street lighting services to customers within its existing service area boundary.

#### **4. The Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines That They are Relevant to the Agency**

The unincorporated community of Keyes is a community of interest within the District boundaries. The City of Ceres may also be considered a community of interest in the area as its Sphere of Influence lies approximately ¼-mile north of the District.

**5. For an Update of a Sphere of Influence of a City or Special District That Provides Public Facilities or Services Related to Sewers, Municipal and Industrial Water, or Structural Fire Protection, the Present and Probable Need for Those Public Facilities and Services of Any Disadvantaged Unincorporated Communities Within the Existing Sphere of Influence**

The existing boundaries of the District encompass the majority of the urbanized area of the Keyes community. For those uses currently outside the District's boundaries, LAFCO review is required prior to the extension of services in these instances, either through an annexation request or out-of-boundary service extension application.

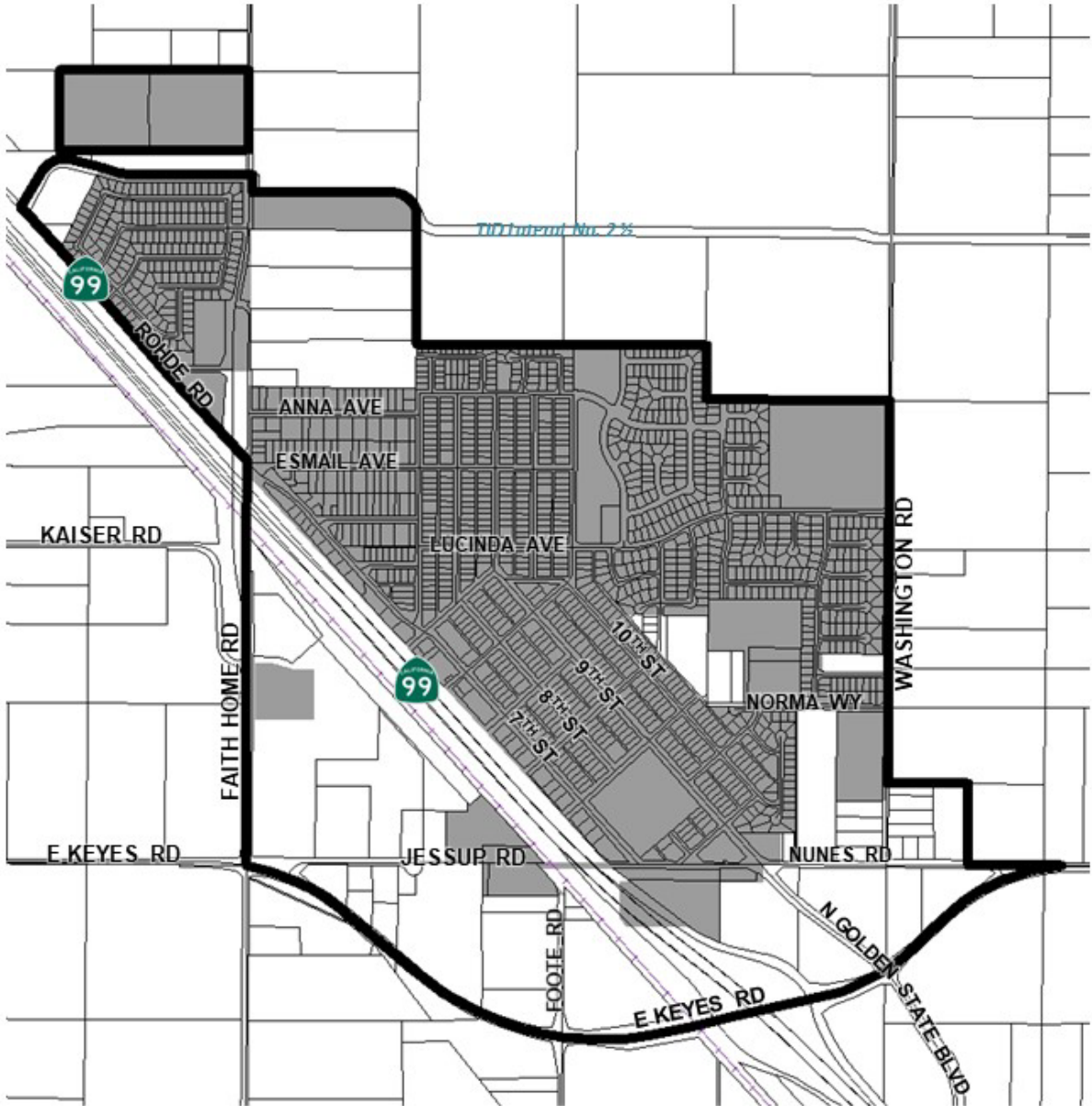
## DISTRICT SUMMARY PROFILE



District:	<b>KEYES COMMUNITY SERVICES DISTRICT</b>
Location:	In the unincorporated community of Keyes, northwest of the City of Turlock.
Service Area:	Approximately 478 acres
Population*:	5,601
Land Use:	Residential, commercial, and industrial
Date of Formation:	June 20, 1955
Enabling Act:	California Government Code, Section 61000, et. seq.
Governing Body:	5 member Board of Directors, elected by registered voters within District boundaries
Administration:	7 employees (6 full-time and 1 part-time)
District Services:	Water, sewer, and street lighting services
Total Revenues:	Approximately \$2,800,000 (Projected for Fiscal Year 2019-2020)
Revenue Sources:	Monthly service and connection fees; property taxes




\*Source: 2019 population estimate, US Census

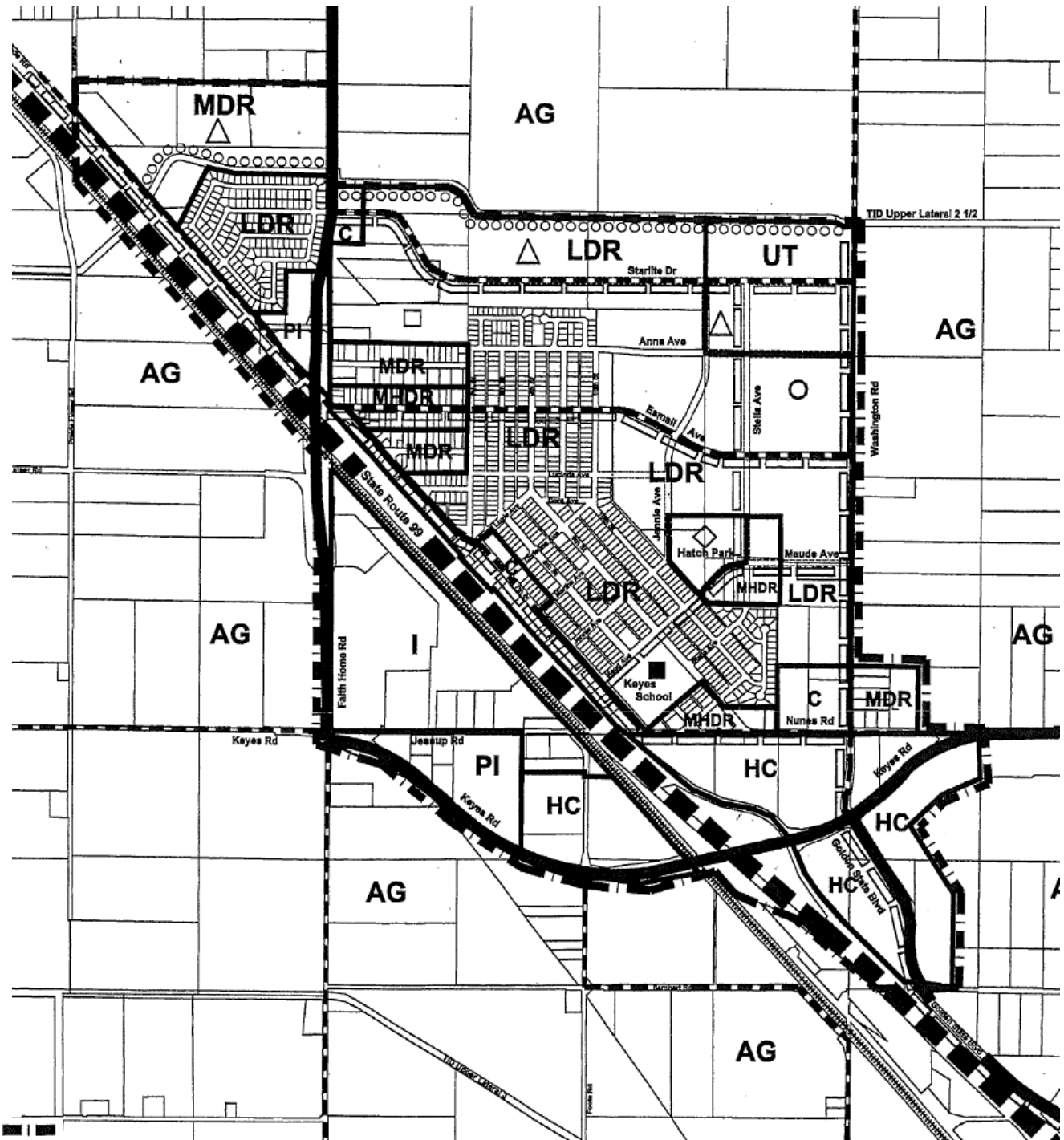
# KEYES COMMUNITY SERVICES DISTRICT BOUNDARY AND SPHERE OF INFLUENCE



	<b>District Boundary</b> (478+/- acres)
	<b>District Sphere of Influence</b> (793 +/- acres)

Source: LAFCO Files, January 7, 2020 

# KEYES COMMUNITY PLAN



**COMMUNITY PLAN BOUNDARY**

Source: Stanislaus County General Plan  
For Illustrative Purposes Only. Check with  
County Planning to Verify Designations



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