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# STANISLAUS LAFCO

Stanislaus Local Agency Formation Commission

1010 – 10th Street, 3<sup>rd</sup> Floor ♦ Modesto, CA 95354

(209) 525-7660 ♦ FAX (209) 525-7643

[www.stanislauslafco.org](http://www.stanislauslafco.org)

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## FILING REQUIREMENTS FOR SUBMITTING APPLICATIONS FOR ACTIVATION OF LATENT POWERS

This checklist is provided as a guide for the preparation of a complete Activation of Latent Powers application packet to LAFCO. **You are required to consult with LAFCO staff prior to the submittal of the packet and copying the completed Activation of Latent Powers application.** If you have any questions regarding your proposal or preparation of your application packet, please contact the LAFCO staff at (209) 525-7660.

- ☒ 1. Completed application for Activation of Latent Powers with original signatures and required attachments.
- ☒ 2. Filing fee (deposit) payable to Stanislaus LAFCO. (See [Schedule of Fees and Deposits.](#))
- ☒ 3. One (1) Vicinity map showing the district's geographical location.
- ☒ 4. A Certified Resolution of Application from the subject district.
- ☒ 5. Environmental Documentation (e.g., Initial Study, Notice of Determination, Notice of Exemption, Environmental Impact Report, etc.) and copies of receipts from any filing fees paid (including Fish and Wildlife fees).
- ☒ 6. A three-year operating budget containing details concerning staffing, benefits, services and supplies, fixed assets, contingency reserves, etc.
- ☒ 7. A Capital Improvement Program budget for proposed capital projects required to implement the new service(s). (If the service to be provided is water, evidence and documentation of availability and sufficiency of water supplies to serve the subject area is required.
- ☒ 8. Two (2) sets of mailing labels for property owners and registered voters within the boundaries of the proposal and one (1) set of labels for property owners and registered voters within a 300ft radius, outside the proposal area (provide a map showing this area).

*Additional information may be requested during staff's review of the proposal.*

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### ACTIVATION OF LATENT POWERS APPLICATION

The information in this application is used by LAFCO staff to evaluate requests for activation of latent powers to provide new or additional service(s). Please respond to all items in this form an indicated "NA", when an item does NOT apply.

Application is hereby made to authorize the: Monterey Park Tract Community Services District  
(Name of District)

to provide this new or additional service(s): Sewer Service  
(Type of Service)

(Type of Service continued)

#### APPLICANT:

Name: Monterey Park Tract Community Services District  
Address: 7655 Foy Avenue Ceres, CA 95307-7527  
Phone: (209) 499-1113 Fax: x E-Mail: diaz\_f4@hotmail.com  
Contact Person: Francisco Diaz Title: Board President

#### PERSONS REQUESTING TO BE NOTIFIED:

If more than two names, please provide the names and information on a separate page.

Name: Self Help Enterprises  
Address: 8445 W Elowin Ct, Visalia, CA 93291  
Phone: 559-802-1650 Fax: 559-651-3634 E-Mail: brianab@selfhelpenterprises.org  
Contact Person: Briana Becerra Title: MANAGER

Name: AM Consulting Engineers  
Address: 5150 N. Sixth St, Fresno, CA 93710  
Phone: 559-473-1371 Fax: x E-Mail: Brandon.cauble@am-ce.com  
Contact Person: Brandon Cauble Title: Assistant Engineer

#### DESCRIPTION/JUSTIFICATION

1. Describe the new service that is being proposed, and discuss why the district should be authorized to provide the requested service at this time.

A septic to sewer feasibility study revealed the most feasible wastewater disposal method for the residents is to construct an onsite wastewater treatment facility coupled with a community wide sewer collection system, The District has the technical, managerial and financial ability to provide sewer services to its residents.

2. Indicate if the proposed new service would be provided throughout the district or be restricted to a particular area or areas. Please submit a map of the area(s) specified to receive service, if other than the entire district.  
The entire District will be served by the sewer service.


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3. Currently what service(s) is/are being provided by the district? How many acres are currently included within the district?  
Water Service is currently provided to the +/- 30 acre service area.


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4. When was the district formed and under what principal act? What service(s) did the district originally provide?  
The District was formed in 1984 under California Governing Code (CGC) 61000


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5. Explain the potential for the proposed new service to be extended into adjacent territory, and the likelihood that the service will be extended in the future.  
The MPTCSD is a small, rural subdivision with no neighboring communities. The MPTCSD does not anticipate expansion beyond their current service area.


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6. Provide the level and range of proposed services and when those services can feasibly be extended to the affected territory.  
The MPTCSD proposes the addition of sewer service throughout their service area. Their service area is composed of 51 residential connections and 2 commercial connections (Church & District Community Center)


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7. Provide a description of any improvement or upgrading of structures, roads, sewer or water facilities, or any additional improvements that will be required in order to provide services.  
MPTCSD will be receiving a grant for the installation of a community wide sewer collection system coupled with an onsite wastewater treatment plant (one 20,000 Gal Xeres Septic Tank, one 10,000 Gal Xeres Septic Tank, two Orenco AdvanTex AX-Max treatment units and two leach fields).


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8. Identify existing service providers and discuss all changes in providers, services, agreements etc. needed to accommodate the proposal. Any potential conflicts with existing agreements?  
There are no potential conflicts with existing agreements.


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9. If the service to be provided is water, evidence and documentation of availability and sufficiency of water supplies to serve the subject area is required.

## LAND USE INFORMATION

1. How many acres or square miles of territory would receive the proposed new service?  
±31.5 acres


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2. How many residents would receive the new service? 2021 - 133 residents; Build out - 200 residents  
How many of these are registered voters? All residents


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*(This information can be obtained from the Stanislaus County Elections Office along with the mailing address information – See Checklist Item #8.)*



3. List any adjacent or overlapping agency that is either currently providing the service requested by this proposal, or is authorized to provide that service.  
N/A  


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4. Describe the current prevalent land uses in the area and the predominant General Plan designations within the district.  
Residential  


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5. Is any change in land use anticipated as a result of this proposal? What other land uses or new development might occur?  
No, land use designation changes are not anticipated.  


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6. Describe the topography of the area as well as the district's geographic location in relation to cities, communities, freeways/highways, or major topographical features.  
MPTCSD is a small flat rural community located approximately 5 miles southerly of the City of Ceres in Stanislaus County. More specifically, MPTCSD is located approximately one mile west of the intersection of Crows Landing Road and West Monte Vista Avenue.  


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## FISCAL INFORMATION

For the questions in this section, please submit answers on additional pages and attach to this form.

1. Explain how the new service, if authorized, would be financed?
2. Indicate the approximate total cost of the new service as well as the anticipated cost to district residents.
3. If improvement districts or tax zones are proposed to be formed, explain the rationale used to determine the boundaries and associated benefit fees, taxes, or assessments.

## ENVIRONMENTAL ANALYSIS

A. Lead Agency for project: Monterey Park Tract CSD

B. The project:

- ☐ Is exempt pursuant to CEQA section \_\_\_\_\_ and a Notice of Exemption has been prepared by the lead agency (please attach).
- ☐ Will have no significant adverse environmental impacts and a Negative Declaration was prepared. (Please attach Notice of Determination.)
- ☐ Was found to be within the scope of a Master Environmental Impact Report (EIR) pursuant to CEQA Guidelines Section 21157.1. (Please attach Notice of Determination.)



May have significant adverse environmental impacts and in accordance with Section 15070 of the CEQA Guidelines, a Mitigated Negative Declaration (MND) has been certified by the lead agency. (Please attach Notice of Determination.)

List impact areas in the MND that propose mitigation measures to lessen the environmental impacts to less than significant: Bio-1: Protect Nesting Swainsons Hawks  
Bio-2: Protect Nesting Birds, Cul-1: Archaeological Remains



Will have significant adverse environmental impacts and the lead agency has prepared an Environmental Impact Report (EIR). (Please attach.)

List impact areas that were found to be unmitigatable in the EIR: (Attach any Statement of Overriding Considerations, as applicable) \_\_\_\_\_

### CERTIFICATION

I certify, under penalty of perjury, under the laws of the State of California, that the information contained in this application is true and correct. I acknowledge and agree that the Stanislaus Local Agency Formation Commission is relying on the accuracy of the information provided and my representations in order to process this application proposal.

Print Name: Francisco Diaz

Title: Board President

Signature: \_\_\_\_\_

Date: 1/25/22



City or District Applicant



Property Owner Applicant



Applicant's Representative/Agent (Proof of authority must be provided)

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## INDEMNITY AGREEMENT

As part of this application, the applicant agrees to defend, indemnify, hold harmless and release the Stanislaus Local Agency Formation Commission (LAFCO), its officers, employees, attorneys, or agents from any claim, action or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul, in whole or in part, LAFCO's action on a proposal or on the environmental documents submitted to support it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, and expert witness fees that may be asserted by any person or entity, including the applicant arising out of or in connection with the application.

Date: 1/20/22

APPLICANT OR APPLICANT'S REPRESENTATIVE:  
(Proof of authority must be provided)

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Francisco Diaz

Title: \_\_\_\_\_

Board President

Agency: \_\_\_\_\_

Monterey Park Tract CSD

Address: \_\_\_\_\_

P.O. Box 1301

Ceres, CA 95307



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## COMPLIANCE WITH POLITICAL EXPENDITURE AND CONTRIBUTION DISCLOSURE REQUIREMENTS

Effective January 1, 2008: Pursuant to Government Code Sections 56700.1 and 57009 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, and 82015 and 82025 of the Political Reform Act, applicants for LAFCO approvals and those opposing such proposals are required to report to LAFCO all political contributions and expenditures with respect to the proposal that exceed \$1,000. By your signature to this application, you are binding the applicant to abide by these disclosure requirements. You are further agreeing that should LAFCO be required to enforce these requirements against you (or if the agency is the formal applicant, the real party in interest) that you will reimburse LAFCO for all staff cost and legal fees, and litigation expenses incurred in that enforcement process.

Date: 1/25/22

APPLICANT OR APPLICANT'S REPRESENTATIVE:  
(Proof of authority must be provided)

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Francisco Diaz

Title: \_\_\_\_\_

Board President

Agency: \_\_\_\_\_

Monterey Park Tract CSD

Address: \_\_\_\_\_

P.O. Box 1301

Ceres, CA 95307

# MONTEREY PARK TRACT COMMUNITY SERVICE DISTRICT

## RESOLUTION NO. 01242022

**A RESOLUTION OF THE BOARD OF DIRECTORS, OF THE MONTEREY PARK TRACT COMMUNITY SERVICES DISTRICT TO SUBMIT AN APPLICATION TO THE LOCAL AGENCY FORMATION COMMISSION FOR THE ACTIVATION OF SEWER SERVICE LATENT POWERS FOR THE MONTEREY PARK TRACT COMMUNITY SERVICES DISTRICT.**

**WHEREAS**, the Monterey Park Tract Community Services District ("District") is a local government agency formed and operating in accordance with Section §61000 et seq. of the California Government Code; and

**WHEREAS**, the District is currently authorized to provide water services to residents within the MPTCSD service area.

**WHEREAS**, Government Code Section §61100(B) authorizes Community Services District to collect, treat, or dispose of sewage/wastewater; and

**WHEREAS**, in order to establish the authority to provide for the collection or disposal of sewage/wastewater, it is necessary, in accordance with Section 56824.10 et seq. of the Government Code to submit a resolution of Application to be filed with the Executive Officer of the Local Agency Formation Commission (LAFCO) for the purpose of submitting an activation of latent powers application with the Stanislaus County LAFCO Commission for the approval of the exercise of said authority; and

**WHEREAS**, the District, based on evidence and public testimony provided at the public meetings conducted regarding the collection, treatment, or dispose of sewage/wastewater finds:

- That the residents of the District desire a local voice and local control regarding the nature, extent, and cost of receiving sewer services.
- That the District is not in the sphere of influence of another city or special district that currently provides sewer services; and

**THEREFORE**, BE IT RESOLVED that the Board finds, determines, and resolves as follows:

SECTION 1. The Board adopts the foregoing recitals as true and correct.

SECTION 2. The Board finds that the Feasibility Study reflects the independent judgment of the District as the lead agency for the Project.

SECTION 3. The Board finds that it has independently reviewed and considered the information covered in the Feasibility Study and concur that the addition of sewer service is the most feasible option to serve the District.



SECTION 4. That LAFCO approve the proposal of the Monterey Park Tract Community Services District to provide its residents with sewer services pursuant to Government Code Section §61100(B).

SECTION 5. That LAFCO adopt the following conditions for providing sewer services within the District:

A. That the District adopt rules and regulations pertaining to sewer service within the District.

B. Upon adoption of the rules and regulations referenced in condition A above, the District shall be the authorized local agency to provide sewer services within the Monterey Park Tract Community Services District.

C. The above referenced Recitals constitute findings in support of this Resolution.

SECTION 6. Monterey Park Tract CSD staff is authorized and directed to file the application for activation of latent powers with the office of the Stanislaus County LAFCO in accordance with LAFCO guidelines.

I do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the Monterey Park Tract Community Services District Board of Directors held on the 24th day of January 2022, by the following vote:


AYES: 5

NOES: 0

ABSTAIN: 0

ABSENT: 0

Signature:

  
\_\_\_\_\_  
Francisco Diaz, Board President  
Monterey Park Tract Community  
Service District

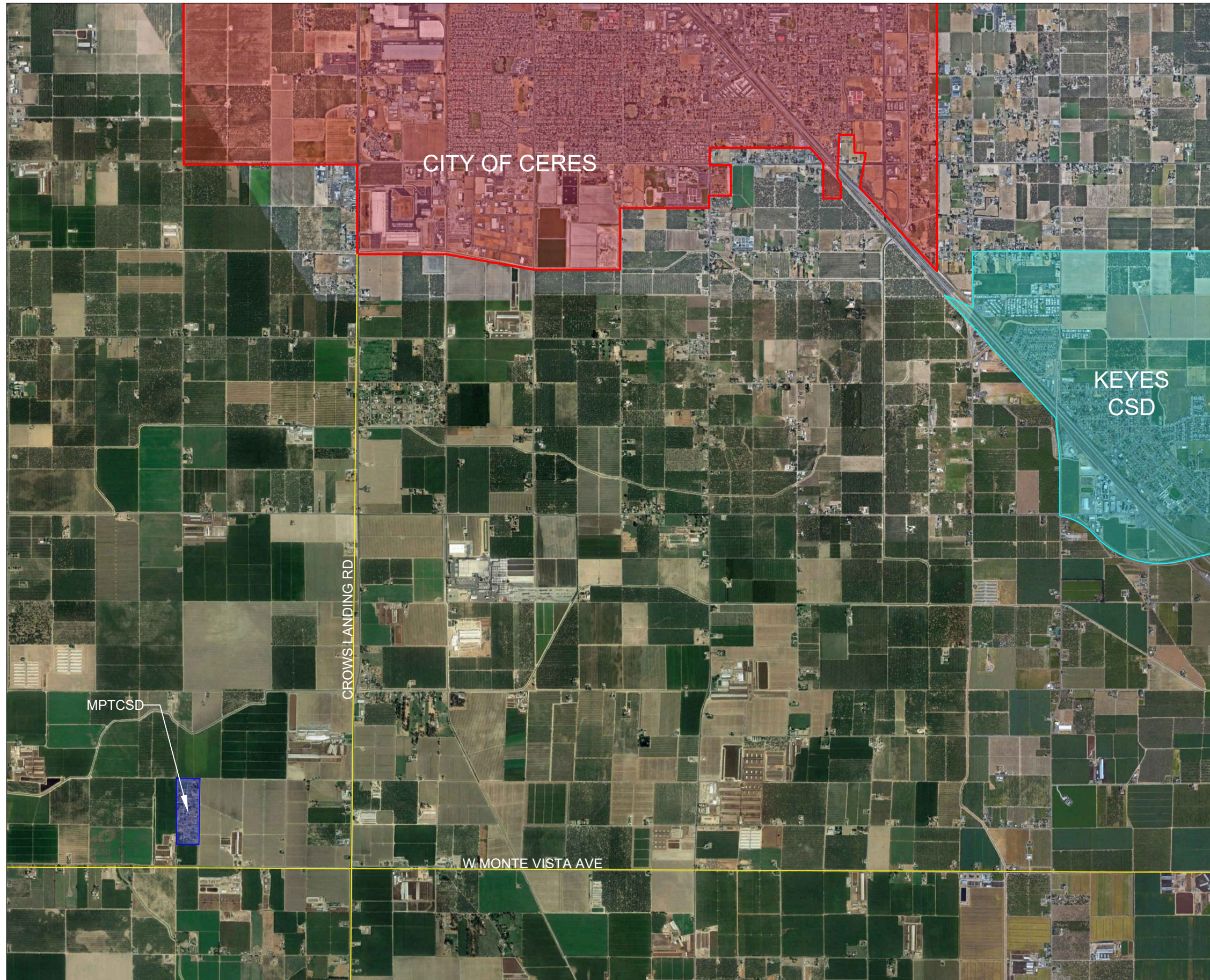
ATTEST:

  
\_\_\_\_\_  
Debra Stanard, Board Secretary



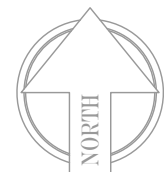
# MONTEREY PARK TRACT

## SEWER COLLECTION AND TREATMENT IMPROVEMENTS FEASIBILITY STUDY

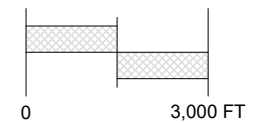


### LEGEND

- CITY OF CERES SERVICE AREA BOUNDARY
- KEYES CSD SERVICE AREA BOUNDARY
- MPTCSD SERVICE AREA BOUNDARY
- MAJOR STREETS



SCALE IN FEET



**FIGURE 1-1**  
**MPTCSD SERVICE AREA**



## Monterey Park Tract Community Services District

### Capital Improvement Program Budget

The Monterey Park tract CSD (MPTCSD) has performed a septic to sewer feasibility study utilizing grant funding. The feasibility study revealed that the most feasible option to provide sewer service to its residents is via a community wide sewer collection system coupled with an onsite wastewater treatment plant (WWTP).

As the feasibility study revealed the proposed improvements, the MPTCSD will be pursuing a construction funding grant to construct the proposed improvements.

As the MPTCSD is a Severely Disadvantaged Community (SDAC), they will receive 100% grant funding to construct the proposed improvements. Therefore, these improvements will be constructed at no cost to the residents or the District.

The proposed capital construction costs for the proposed community wide sewer collection system and onsite WWTP are as follows:

Item	Description	Quantity	Unit	Unit Cost	Total
1	Mobilization, Demobilization, Bonds, Etc.	1	LS	\$360,000	\$360,000
2	6" Gravity Sewer Collection	3,800	LF	\$155	\$589,000
3	Manholes	10	EA	\$8,400	\$84,000
4	Orenco AdvanTex AX-Max, 42' long	1	LS	\$1,006,611	\$1,006,611
5	Orenco AdvanTex AX-Max, 35' long	1			
6	TCOM Control Panel	1			
7	Anti-floatation Equipment	2			
8	Delivery	1			
9	Xerxes Septic Tank, 20,000 Gal	2	LS	\$544,943	\$544,943
10	Xerxes Septic Tank, 10,000 Gal	1			
11	Orenco Pumping Package, 50 gpm	1			
12	Anti-floatation Equipment	3			
13	Delivery	1			
14	New Leach Field	2	LS	\$108,000	\$216,000
15	Existing Septic Tank Destroy/Removal, New Sewer Lateral Addition	53	EA	\$12,000	\$636,000
16	Land Acquisition	1	EA	\$180,000	\$180,000
Subtotal					\$3,616,554
Contingency		10%	of Subtotal		\$361,655
Engineering, Environmental, Construction Adm. (25%)		25%	of Subtotal		\$904,138
Total					\$4,882,348
Total Construction Cost per Active Connection <sup>(1)</sup>					\$92,120
Note:					
<sup>(1)</sup> \$4,882,348 / 53 Active Connections = \$92,120 per Active Connection					



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## **Monterey Park tract Community Services District**

### **Fiscal Information**

**1. Explain how the new service, if authorized, would be financed?**

The new sewer service would be financed entirely via sewer rates paid by the residents on a monthly basis.

**2. Indicate the approximate total cost of the new service as well as the anticipated cost to district residents.**

The Monterey Park tract CSD (MPTCSD) has performed a septic to sewer feasibility study utilizing grant funding. The feasibility study revealed that the most feasible option to provide sewer service to its residents is via a community wide sewer collection system coupled with an onsite wastewater treatment plant (WWTP).

As the feasibility study revealed the proposed improvements, the MPTCSD is pursuing a construction funding grant to construct the proposed improvements.

As the MPTCSD is a Severely Disadvantaged Community (SDAC), they will receive 100% grant funding to construct the proposed improvements. Therefore, these improvements will be constructed at no cost to the residents.

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3	Manholes	10	EA	\$8,400	\$84,000
4	Orenco AdvanTex AX-Max, 42' long	1	LS	\$1,006,611	\$1,006,611
5	Orenco AdvanTex AX-Max, 35' long	1			
6	TCOM Control Panel	1			
7	Anti-floatation Equipment	2			
8	Delivery	1			
9	Xerxes Septic Tank, 20,000 Gal	2	LS	\$544,943	\$544,943
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Total Construction Cost per Active Connection <sup>(1)</sup>					\$92,120
Note:					
<sup>(1)</sup> \$4,882,348 / 53 Active Connections = \$92,120 per Active Connection					

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3. If improvement districts or tax zones are proposed to be formed, explain the rationale used to determine the boundaries and associated benefit fees, taxes, or assessments.

No improvement districts or tax zones are proposed to be formed.



## Attachment No. 6 – Three Year Operating Budget

The annual operating budgets for the proposed new sewer service includes administrative costs, preventive/corrective maintenance of the sewer collection system, annual O&M costs associated with the centralized treatment facility and a capital reserve to fund the replacement of assets.

Administrative costs include the costs associated to produce and mail monthly bills. This will be performed by the Monterey Park Tract CSD staff. Maintenance of the sewer collection system includes contracting a qualified operator to perform required maintenance actions, as well as, funding the replacement of various valves, pipelines and other aspects of the sewer collection system.

The annual operating budgets for the treatment facility includes labor, energy, cleaning, pumping of solids, contract services, supplies and general repairs. In terms of labor, the centralized wastewater treatment unit will require a part time operator. The part time operator will be outsourced and hired via a contract agreement.

### Annual Sewer Service budget

Item Description	2021	2022	2023	2024
<b>Expenditures</b>				
Administration	\$5,000	\$5,150	\$5,305	\$5,464
Sewer Collection System	\$10,000	\$10,300	\$10,609	\$10,927
WWTP Operations/Maintenance	\$25,500	\$26,265	\$27,053	\$27,865
<b>Total Annual Expenditures</b>	<b>\$40,500</b>	<b>\$41,715</b>	<b>\$42,967</b>	<b>\$44,256</b>
<b>Revenue</b>				
Sewer Service	\$40,500	\$41,715	\$42,967	\$44,256
Capital Reserve	\$4,000	\$4,120	\$4,244	\$4,371
<b>Total Annual Revenue</b>	<b>\$44,500</b>	<b>\$45,835</b>	<b>\$47,211</b>	<b>\$48,627</b>