

STANISLAUS LAFCO

Stanislaus Local Agency Formation Commission

1010 – 10th Street, 3rd Floor ♦ Modesto, CA 95354

(209) 525-7660 ♦ FAX (209) 525-7643

www.stanislauslafco.org

FILING REQUIREMENTS FOR SUBMITTING APPLICATIONS

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

1. Application form completed with original signatures and required attachments.
2. Filing fee (deposit) payable to Stanislaus LAFCO. (See Schedule of Fees and Deposits.)
3. Vicinity Map (8½"x11" paper)
4. Legal description and map prepared to formatting requirements. Provide an original copy, stamped by the engineer on 8½"x11" paper. (See Legal Description and Map Requirements.) *A separate fee for the State Board of Equalization filing will be determined and collected at time of project approval.*
5. Evidence of approval. Please check the appropriate items:
 - A. If annexation is to a city, the resolution and map of rezoning is required. Include the CEQA Initial Study, Notice of Determination, and copy of Fish & Wildlife receipt.
 - B. If annexation is to a district, resolution or copy of development approval (e.g. tentative subdivision map, use permit, conditions of approval, etc). Include the CEQA Initial Study, Notice of Determination, and copy of Fish & Wildlife receipt.
 - C. If applicant is city or district, a Resolution of Application by the city council or district governing board.
 - D. If application is by petition of registered voters or landowners, a Notice of Intent to Circulate Petition has been provided and a completed petition is attached. (See Petition for Proceedings template.)
6. Plan for Services, prepared pursuant to Government Code Section 56653 demonstrating the agency's ability to provide services, a financing plan, and evidence of the timely availability of water supplies adequate for projected needs (Section 56668k).
7. Plan for Agricultural Preservation: For a sphere of influence expansion or annexation to a city or special district providing one or more urban services (i.e. potable water, sewer) that includes agricultural lands, a Plan for Agricultural Preservation must be provided, consistent with Commission Policy 22.
8. For applications with lengthy support documents, digital copies may be requested for the Commission.
9. Two (2) sets of mailing labels for property owners and registered voters within the boundaries of the proposal and one (1) set of mailing labels for property owners and registered voters within a 300ft radius, outside the proposal area (provide a map showing this area).

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APPLICATION FOR (Check all that apply):

- Sphere of Influence Amendment
- Annexation to: City of: _____ District: _____
- Detachment from: City of: _____ District: Central California Irrigation District (CCID)
- Formation of a Special District: - Type of District: _____
- Other: _____

NAME OF PROPOSAL: City of Newman Detachment from the Central California Irrigation District

GENERAL DESCRIPTION OF PROPOSAL:

Detachment of properties from the Central California Irrigation District (CCID) that currently overlap the City limits of the City of Newman.

REASONS FOR PROPOSAL:

Properties within CCID are typically detached simultaneously upon annexation to the City of Newman. There are currently a number of properties that were not detached, leaving the District with area that overlaps into the City although not receiving District services. Detachment would eliminate this District / City overlap.

LOCATION AND ASSESSOR'S PARCEL NUMBERS (attach additional sheets if necessary):

Please refer to attached sheets

APPLICANT:

Name: City of Newman

Address: 938 Fresno Street, Newman CA, 95360

Phone: 209-862-3725 Fax: 209-862-3199 E-Mail: mholland@cityofnewman.com

Contact Person: Michael Holland Title: City Manager

APPLICANT'S REPRESENTATIVE:

Name: _____

Address: _____

Phone: _____ Fax: _____ E-Mail: _____

Contact Person: _____ Title: _____

LAFCO Use Only:

Proposal Name: _____ LAFCO Application No. _____

Submittal Date: _____ Cert. of Filing Date: _____

LAFCO Filing Fee: \$ _____ Fees Paid? _____ Yes _____ No

SBOE Fee: \$ _____ Fees Paid? _____ Yes _____ No

100% Property Owners Consent? _____ Yes _____ No

Territory Uninhabited? _____ Yes _____ No

PROPERTY OWNER(S):

If multiple property owners, please provide the names, with address information, on a separate page.

Name: _____

Address: _____

Phone: _____ Fax: _____ E-Mail: _____

Name: _____

Address: _____

Phone: _____ Fax: _____ E-Mail: _____

SUBJECT AGENCIES WITHIN PROPOSAL AREA THAT WILL GAIN OR LOSE TERRITORY:

If more than three subject agencies, please provide the names and information on a separate page.

Name: Central California Irrigation District (CCID)

Address: 1335 W I St, Los Banos, CA 93635

Phone: (209) 826-1421 Fax: (209) 826-3184 E-Mail: JMartin@ccidwater.org

Contact Person: Jarrett Martin Title: General Manager

Name: _____

Address: _____

Phone: _____ Fax: _____ E-Mail: _____

Contact Person: _____ Title: _____

Name: _____

Address: _____

Phone: _____ Fax: _____ E-Mail: _____

Contact Person: _____ Title: _____

AFFECTED AGENCIES WITHIN PROPOSAL AREA: (Agencies that may have overlying boundaries or sphere of influence.) If more than two affected agencies, please provide the names and information, on a separate page.

Name: City of Newman

Address: 938 Fresno Street, Newman CA, 95306

Phone: 209-862-3725 Fax: _____ E-Mail: mholland@cityofnewman.com

Contact Person: Michael Holland Title: City Manager

Name: _____

Address: _____

Phone: _____ Fax: _____ E-Mail: _____

Contact Person: _____ Title: _____

SCHOOL DISTRICTS: (School districts within the proposal area)

Name: Newman-Crows Landing Unified School District

Address: 1223 Main St, Newman, CA 95360

Phone: 209-862-2933 Fax: _____ E-Mail: sposey@nclusd.k12.ca.us

Contact Person: Shawn Posey Title: Superintendent

Name: _____
Address: _____
Phone: _____ Fax: _____ E-Mail: _____
Contact Person: _____ Title: _____

INTERESTED AGENCIES: (Other agencies which provide facilities or services to proposal area.) If more than two interested agencies, please provide the name and information, on a separate page.

Name: Merced Local Agency Formation Commission
Address: 2222 M Street
Phone: 209-385-7671 Fax: 209-726-1710 E-Mail: bill.nicholson@countyofmerced.co
Contact Person: Bill Nicholson Title: Executive Officer

Name: _____
Address: _____
Phone: _____ Fax: _____ E-Mail: _____
Contact Person: _____ Title: _____

PERSONS REQUESTING TO BE NOTIFIED:
If more than two names, please provide the names and information on a separate page.

Name: _____
Address: _____
Phone: _____ Fax: _____ E-Mail: _____
Contact Person: _____ Title: _____

Name: _____
Address: _____
Phone: _____ Fax: _____ E-Mail: _____
Contact Person: _____ Title: _____

Please respond to all items in this questionnaire and indicate N/A when a question does not apply. Any additional information that is pertinent to the application filing should be included in the application at the time of submittal.

I. LANDOWNER CONSENT

Have all property owners involved with the proposal given their written consent?

- YES (If yes, please attach the original signed petitions, letters or applications)
- NO (If no, please attach the petitions, letters or applications with the original signatures of those consenting and provide the name, address and APN of those property owners not consenting.)

II. REGISTERED VOTER INFORMATION

A. Number of Registered Voters residing within the proposal: 473

(This information can be obtained from the Stanislaus County Elections Office along with the mailing address information – See Checklist Item #9.)

III. LAND USE

A. Area of Proposal (Gross Acres): _____

B. Land Uses of Proposed Area:

	EXISTING	PROPOSED
Zoning	Multiple Including- R-1, OS, M & I <input checked="" type="checkbox"/> City <input type="checkbox"/> County	N/A <input type="checkbox"/> City <input type="checkbox"/> County
General Plan Designation	Multiple- LDR, Light Ind, Heavy Ind, Rec & Parks <input checked="" type="checkbox"/> City <input type="checkbox"/> County	N/A <input type="checkbox"/> City <input type="checkbox"/> County
Use of Proposal Area	Existing Urban Uses in the City Limits	N/A

C. Surrounding Land Uses:

	Describe (including specific uses)	Zoning	General Plan Designation	City or County Designation
North	Multiple Including- R-1, OS, M & I	Multiple, See Above	Multiple, See Above	<input checked="" type="checkbox"/> City <input type="checkbox"/> County
South	Multiple Including- R-1, OS, M & I	Multiple, See Above	Multiple, See Above	<input checked="" type="checkbox"/> City <input type="checkbox"/> County
East	Multiple Including- R-1, OS, M & I	Multiple, See Above	Multiple, See Above	<input checked="" type="checkbox"/> City <input type="checkbox"/> County
West	Multiple Including- R-1, OS, M & I	Multiple, See Above	Multiple, See Above	<input checked="" type="checkbox"/> City <input type="checkbox"/> County

D. Describe any public easements/oil well operations/cellular site leases, etc. that currently exist on the site:

N/A

E. Evidence of Approval -- Are there any land use entitlements involved in the project?

Yes No

If yes, please provide a copy of the documentation for this entitlement. Please check those documents, which may apply:

- Tentative Map and Conditions
- Subdivision Map or Parcel Map
- Specific Plan
- Rezoning
- General Plan Amendment
- Rezoning
- Other - (provide explanation):

VIII. PUBLIC SERVICES

A. Services for the Proposal Area:

1. Is the reorganization requested for a proposed development? Yes No
2. Describe what services will be provided to subject property: (Please attach any "Intent to Serve" letters for water and/or sewer services). If sewer and/or water agency annexation is also part of the request, please expand upon the agency's ability to provide services in the Plan for Services document and attach any relevant studies/master plans.

Note: Evidence must also be included to demonstrate the timely availability of water supplies adequate for projected needs of the area (Government Code Section 56668).

(A)	(B)	(C)	(D)	(E)	(F)
Service	Current Service Provider	Level & Range of Service	To be Provided by this Proposal?	If YES to (D), Approx. Date Service Will Be Available	If YES to (D), Method to Finance
WATER	N/A	N/A	N/A	N/A	N/A
SEWER	N/A	N/A	N/A	N/A	N/A
POLICE	N/A	N/A	N/A	N/A	N/A
FIRE	N/A	N/A	N/A	N/A	N/A

B. Assessment and Indebtedness of Service Areas:

1. Does the City/District/County have current plans to establish any new assessment districts in order to pay for new or extended service(s) to the proposal area?
 Yes No
 If yes, please describe: _____
2. Will the subject territory assume any existing bonded indebtedness upon annexation to the City/District?:
 Yes No
 How will indebtedness be repaid? (e.g., property taxes, assessments, service fees):

3. Will the proposal area be subject to special assessments or fees?:
 Yes No
 Explain: _____

C. Sewer Information:

1. Is extension of sewer service part of this application? Yes No
2. Is a developed parcel requesting annexation due to failed septic system?
 Yes No
If yes, please include a copy of any letters from the Dept. of Environmental Resources or a private septic system company.
3. Is the subject parcel(s) within the sphere of influence of a district or city that provides public sewer service? Yes No
If yes, which agency? _____
4. Has the agency that will be providing service issued an "Intent to Serve" letter?
 Yes No (If yes, please attach letter to application.)

If no: Will the agency be prepared to furnish sewer service upon annexation?
 Yes No
5. Does the agency have the necessary contractual and design capacity to provide sewer service to the proposed area? Yes No
If no, please describe the agency's plan to increase capacity: N/A

6. Indicate the method of financing improvements and on-going operations (e.g., general property tax, assessment district, landowner/developer fees, etc.):
N/A

7. What is the distance for connection to the agency's existing sewer system?:
N/A

D. Water Information:

1. Is extension of water part of this application? Yes No
2. Is a well or other on-site water system currently used on this property? Yes No
3. Is the subject parcel(s) within the sphere of influence of a district or city that provides public water service? Yes No
If yes, which agency? City of Newman
4. Please list:
Wholesale Water Agency: N/A
Retail Water Agency: N/A
5. Has the agency that will be providing service issued an "Intent to Serve" letter?
 Yes No (If yes, please attached letter to application)

If no: Will the agency be prepared to furnish water service upon annexation?
 Yes No

6. Does the agency have the necessary contractual and design capacity to provide water service to the proposed area? Yes No

If no, please describe the agency's plan to increase capacity: N/A

7. Indicate the method of financing improvements and on-going operations (e.g. general property tax, assessment district, landowner/developer fees, etc.):

N/A

8. What is the distance for connection to the agency's existing water system?

N/A

E. Police Service

1. If annexation to a City, what are the existing police service levels provided within the City limits? N/A

2. What level of police services will be provided to the area upon full development?

N/A

Will the service levels be maintained? Yes No

If yes, how will the City finance or maintain existing service levels to the area (master service plans, CIP, etc.)? Explain: N/A

F. Fire Protection Service

1. If annexation to a City, what are the existing fire protection service levels provided within the City limits? N/A

2. What level of fire protection services will be provided to the area upon full development?

N/A

Will the service levels be maintained? Yes No

If yes, how will the City finance or maintain existing service levels to the area (master service plans, CIP, etc.)? Explain: N/A

3. What are the "Insurance Services Office (ISO)" Class ratings of the affected agencies?

City N/A District N/A

IX. ENVIRONMENTAL ANALYSIS

A. Lead Agency for project: City of Newman

B. The project:

- Is exempt pursuant to CEQA section 15061(b)(3) 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: _____

- 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) _____

Please note: Include with the above requested attachments the complete environmental documentation (e.g., Initial Study, NOD, NOE, EIR, etc.) and copies of receipts from any filing fees paid (including Fish & Wildlife fees).

X. SPHERE OF INFLUENCE APPLICATION

For those proposals requesting a Sphere of Influence Amendment, has a Sphere of Influence Supplemental Application has been included? Yes No

XI. 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: Michael Holland Title: City Manager

Signature:  Date: 30 SEP 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: SEP 30 2022

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

Signature: 

Name: Michael Holland

Title: City Manager

Agency: City of Newman

Address: 938 Fresno Street, Newman CA, 95360

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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: SEP 30 2022

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

Signature: 

Name: Michael Holland

Title: City Manager

Agency: City of Newman

Address: 938 Fresno Street, Newman CA, 95360

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FINANCIAL DISCLOSURE STATEMENT

Consistent with the requirements of the State of California Fair Political Practices Commission, each applicant or their agent must complete and submit this Statement of Disclosure form with any application that requires discretionary action by Stanislaus LAFCO (Government Code §84308 of the Political Reform Act).

Person is defined as: "Any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any other group or combination acting as a unit."

1. List the names of all persons having any ownership interest in the property involved or any financial interest in the application. (Use additional sheets if necessary.)

N/A

2. If any person identified pursuant to #1 is a corporation or partnership, list the names of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

N/A

3. If any person identified pursuant to #1 is a non-profit organization or a trust, list the names of any person serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

N/A

4. Has any person identified pursuant to #1 had \$250 or more worth of business transacted with any Commissioner or Alternate or Commission staff person within the past 12 months? Yes / No

If Yes, please indicate person's name/s:

N/A

5. Has any person identified pursuant to #1, or his or her agent, contributed \$250 or more to any Commissioner or Alternate within the past 12 months? Yes / No

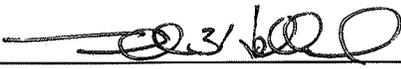
If Yes, please indicate person(s) or agent(s) making contribution:

N/A

Name/s of Commissioner(s)/Alternate(s) receiving contribution:

N/A

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Applicant Signature: 

Printed Name: Michael Holland

Date: SEP 30 2022

RESOLUTION NO. 2021-21

**A RESOLUTION OF REFERRAL TO THE STANISLAUS COUNTY LOCAL AGENCY
FORMATION COMMISSION (LAFCO) FOR THE DETACHMENT OF PROPERTIES FROM
CENTRAL CALIFORNIA IRRIGATION DISTRICT**

WHEREAS, on June 8, 1908, Newman was officially incorporated as a municipal corporation in Stanislaus County; and

WHEREAS, gradually the City has chosen to annex additional lands to the City limits through a formal annexation process; and

WHEREAS, some of said parcels annexed to the City were located within the boundaries of the Central California Irrigation District; and

WHEREAS, some of these parcels were not detached from Central California Irrigation District ("District") during the annexation process, and

WHEREAS, the majority of these parcels have been developed with urban uses; and

WHEREAS, none of the parcels utilize agricultural water supplied by the District; and

WHEREAS, the City desires to assist District in detaching parcels that remain within the District after being annexed into the City; and

WHEREAS, the proposed detachment will clearly differentiate between parcels that have been annexed into the City and those that are located within District boundaries.

NOW, THEREFORE, BE IT RESOLVED by the City of Newman City Council as follows:

1. The detachment is consistent with the Newman General Plan; and
2. The detachment is consistent with Central California Irrigation District Policy; and
3. The detachment is joint endeavor between the City and District to distinguish properties that lie within the District from those that have been annexed to the City,
4. Detachment of the parcels from District will not deprive the properties the ability to maintain a viable commercial agricultural use of the property.
5. The City desires to detach all parcels within City Limits from Central California Irrigation District.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 27th day of April, 2021 by Council Member Ball, who moved its adoption, which motion was duly seconded by Council Member McDonald, and it was upon roll call carried and the Resolution adopted by the following roll call vote:

AYES: McDonald, Ball, Pimentel and Mayor Graham.

NOES: None.

ABSENT: Candea.

ABSTAIN: None.

APPROVED:



Mayor of the City of Newman

ATTEST:



City Clerk of the City of Newman

Attachment 2

List of properties that remain within CCID

Assessor's Parcel Number (APN)
026-016-036
026-016-037
026-016-041
026-016-042
026-016-050
026-016-051
026-016-052
026-040-019
026-046-066
026-046-067
026-049-001
026-049-032
026-049-034
026-056-058
026-057-042
128-010-020
128-010-021
128-010-125
128-020-022
128-020-023
128-022-003
128-022-014
128-022-015
128-022-021
128-022-021
128-022-022
128-024-011
128-024-012
128-024-013
128-024-014
128-060-011
128-060-012
30 Parcels In North Manor No.4
49 Parcels in Corgiat Estates
50 Parcels in Creek Canyon No.2
58 Parcels in Newman Gardens