



**STANISLAUS LAFCO  
LOCAL AGENCY FORMATION COMMISSION**

**Sara Lytle-Pinhey, Executive Officer**  
1010 10<sup>th</sup> Street, Third Floor  
Modesto, California 95354  
Phone: 209-525-7660  
Fax: 209-525-7643  
[www.stanislauslafco.org](http://www.stanislauslafco.org)

**Chair Michael Van Winkle**, City Member  
**Vice Chair, Jim DeMartini**, County Member  
Terry Withrow, County Member  
Bill Berryhill, Public Member  
Amy Bublak, City Member  
Richard O'Brien, Alternate City Member  
Brad Hawn, Alternate Public Member  
Vito Chiesa, Alternate County Member

---

**AGENDA  
Wednesday, August 28, 2019  
6:00 P.M.  
Joint Chambers—Basement Level  
1010 10<sup>th</sup> Street, Modesto, California 95354**

The Stanislaus Local Agency Formation Commission welcomes you to its meetings. As a courtesy, please silence your cell phones during the meeting. If you want to submit documents at this meeting, please bring 15 copies for distribution. Agendas and staff reports are available on our website at least 72 hours before each meeting. Materials related to an item on this Agenda, submitted to the Commission or prepared after distribution of the agenda packet, will be available for public inspection in the LAFCO Office at 1010 10<sup>th</sup> Street, 3<sup>rd</sup> Floor, Modesto, during normal business hours.

**1. CALL TO ORDER**

- A. Pledge of Allegiance to the Flag.
- B. Introduction of Commissioners and Staff.

**2. PUBLIC COMMENT PERIOD**

This is the period in which persons may speak on items that are not listed on the regular agenda. All persons wishing to speak during this public comment portion of the meeting are asked to fill out a "Speaker's Card" and provide it to the Commission Clerk. Each speaker will be limited to a three-minute presentation. No action will be taken by the Commission as a result of any item presented during the public comment period.

**3. APPROVAL OF MINUTES**

- A. Minutes of the June 26, 2019 Meeting.

**4. CORRESPONDENCE**

No correspondence addressed to the Commission, individual Commissioners or staff will be accepted and/or considered unless it has been signed by the author, or sufficiently identifies the person or persons responsible for its creation and submittal.

- A. Specific Correspondence.

- B. Informational Correspondence.

- 1. CALAFCO Board Nominations and Achievement Award Nominations Packet.
- 2. CALAFCO Proposed dues structure for 2020.
- 3. 2019 Annual CALAFCO Conference Flier.

C. "In the News."

**5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS**

**6. CONSENT ITEM**

The following consent items are expected to be routine and non-controversial and will be acted upon by the Commission at one time without discussion, unless a request has been received prior to the discussion of the matter.

A. **MUNICIPAL SERVICE REVIEW NO. 2019-02 AND SPHERE OF INFLUENCE UPDATE NO. 2019-02 – HILLS FERRY, KNIGHTS FERRY AND PATTERSON CEMETERY DISTRICTS.** The Commission will consider the adoption of a Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the Hills Ferry, Knights Ferry and Patterson Cemetery Districts. This item is exempt from the California Environmental Quality Act (CEQA) review pursuant to sections 15306 and 15061(b)(3). (Staff Recommendation: Approve the update and adopt Resolution No. 2019-16.)

**7. PUBLIC HEARINGS**

Any member of the public may address the Commission with respect to a scheduled public hearing item. Comments should be limited to no more than three (3) minutes, unless additional time is permitted by the Chair. All persons wishing to speak during this public hearing portion of the meeting are asked to fill out a "Speaker's Card" and provide it to the Commission Clerk prior to speaking.

A. **LAFCO APPLICATION NO. 2019-09, MSR. NO. 19-05 & SOI. NO, 19-06 – NORTHWEST TRIANGLE NO. 2 REORGANIZATION TO THE CITY OF TURLOCK.** The City of Turlock has requested to expand its Sphere of Influence and annex approximately 22 acres located at 3525 W. Monte Vista Avenue to the City of Turlock and detach the area from the Keyes Fire Protection District. The site is part of the City of Turlock's Northwest Triangle Specific Plan. An updated Municipal Service Review has been prepared and will be included as part of the Commission's action. The City of Turlock, as Lead Agency, has prepared an initial study and adopted a Mitigated Negative Declaration (SCH No. 2017042019) consistent with its General Plan Environmental Impact Report, pursuant to Section 21157.1 of the CEQA Guidelines. LAFCO, as a Responsible Agency, will consider the environmental documentation prepared by the City as part of its action. (Staff Recommendation: Adopt Resolution No. 2019-15, approving the Reorganization.)

**8. OTHER BUSINESS**

A. **INTERACTIVE MAPPING TOOL FOR CITY & SPECIAL DISTRICT DATA**  
(Staff Recommendation: Accept the report.)

**9. COMMISSIONER COMMENTS**

Commission Members may provide comments regarding LAFCO matters.

**10. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON**

The Commission Chair may announce additional matters regarding LAFCO matters.

**11. EXECUTIVE OFFICER'S REPORT**

The Commission will receive a verbal report from the Executive Officer regarding current staff activities.

A. On the Horizon.

**12. CLOSED SESSION – EXECUTIVE OFFICER ANNUAL EVALUATION**

Pursuant to Government Code Section 54957, a closed session will be held to consider the following item: Public Employee Performance Evaluation – Title: LAFCO Executive Officer

**13. ADJOURNMENT**

A. Set the next meeting date of the Commission for September 25, 2019.

B. Adjournment.

---

**LAFCO Disclosure Requirements**

**Disclosure of Campaign Contributions:** If you wish to participate in a LAFCO proceeding, you are prohibited from making a campaign contribution of more than \$250 to any commissioner or alternate. This prohibition begins on the date you begin to actively support or oppose an application before LAFCO and continues until three months after a final decision is rendered by LAFCO. No commissioner or alternate may solicit or accept a campaign contribution of more than \$250 from you or your agent during this period if the commissioner or alternate knows, or has reason to know, that you will participate in the proceedings. If you or your agent have made a contribution of more than \$250 to any commissioner or alternate during the twelve (12) months preceding the decision, that commissioner or alternate must disqualify himself or herself from the decision. However, disqualification is not required if the commissioner or alternate returns the campaign contribution within thirty (30) days of learning both about the contribution and the fact that you are a participant in the proceedings.

**Lobbying Disclosure:** Any person or group lobbying the Commission or the Executive Officer in regard to an application before LAFCO must file a declaration prior to the hearing on the LAFCO application or at the time of the hearing if that is the initial contact. Any lobbyist speaking at the LAFCO hearing must so identify themselves as lobbyists and identify on the record the name of the person or entity making payment to them.

**Disclosure of Political Expenditures and Contributions Regarding LAFCO Proceedings:** If the proponents or opponents of a LAFCO proposal spend \$1,000 with respect to that proposal, they must report their contributions of \$100 or more and all of their expenditures under the rules of the Political Reform Act for local initiative measures to the LAFCO Office.

**LAFCO Action in Court:** All persons are invited to testify and submit written comments to the Commission. If you challenge a LAFCO action in court, you may be limited to issues raised at the public hearing or submitted as written comments prior to the close of the public hearing. All written materials received by staff 24 hours before the hearing will be distributed to the Commission.

**Reasonable Accommodations:** In compliance with the Americans with Disabilities Act, hearing devices are available for public use. If hearing devices are needed, please contact the LAFCO Clerk at 525-7660. Notification 24 hours prior to the meeting will enable the Clerk to make arrangements.

**Alternative Formats:** If requested, the agenda will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC 12132) and the Federal rules and regulations adopted in implementation thereof.

**Notice Regarding Non-English Speakers:** LAFCO meetings are conducted in English. Please make arrangements for an interpreter if necessary.

---



**DRAFT**

# STANISLAUS LOCAL AGENCY FORMATION COMMISSION

## MINUTES

June 26, 2019

### 1. CALL TO ORDER

Chair Van Winkle called the meeting to order at 6:00 p.m.

- A. Pledge of Allegiance to Flag. Chair Van Winkle led in the pledge of allegiance to the flag.
- B. Introduction of Commissioners and Staff. Chair Van Winkle led in the introduction of the Commissioners and Staff.

Commissioners Present: Michael Van Winkle, Chair, City Member  
Jim DeMartini, Vice Chair County Member  
Terry Withrow, County Member

Staff Present: Sara Lytle-Pinhey, Executive Officer  
Javier Camarena, Assistant Executive Officer  
Jennifer Goss, Commission Clerk  
Alice Mimms, LAFCO Counsel

Commissioners Absent: Bill Berryhill, Public Member  
Amy Bublak, City Member  
Vito Chiesa, Alternate County Member  
Richard O'Brien, Alternate City Member  
Brad Hawn, Alternate Public Member

### 2. PUBLIC COMMENT

None.

### 3. APPROVAL OF MINUTES

- A. Minutes of the May 22, 2019 Meeting.

Motion by Commissioner DeMartini, seconded by Commissioner Withrow and carried with a 3-0 vote to approve the Minutes of the May 22, 2019 meeting by the following vote:

Ayes: Commissioners: DeMartini, Van Winkle and Withrow  
Noes: Commissioners: None  
Ineligible: Commissioners: None  
Absent: Commissioners: Berryhill, Bublak, Chiesa, Hawn and O'Brien  
Abstention: Commissioners: None

**4. CORRESPONDENCE**

A. Specific Correspondence.

1. Item 7B – Email from Annabel Gammon, resident of Riverbank; and letter from Churchwell White, on behalf of the City of Riverbank, both dated June 26, 2019.

B. Informational Correspondence.

None.

C. “In the News”

**5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS**

None.

**6. CONSENT ITEM**

None.

**7. PUBLIC HEARINGS**

A. **OUT OF BOUNDARY SERVICE APPLICATION – CERES WEST MOBILE HOME PARK.** The Commission will consider a request by the City of Ceres to extend water service outside its city limits and sphere of influence to an existing mobile home park located at 2030/2048 E. Grayson Road. The City of Ceres, as Lead Agency under the California Environmental Quality Act (CEQA) has determined the proposal is statutorily exempt pursuant to Public Resources Code 21080.21. As a responsible agency, the Commission will consider the City’s determination. (Staff Recommendation: Approve and adopt Resolution No. 2019-14.)

Javier Camarena, Assistant Executive Officer, presented the item with a recommendation of approval.

Chair Van Winkle opened the Public Hearing at 6:06 p.m.

Toby Wells, City Manager, City of Ceres, answered questions of the Commission.

Chair Van Winkle closed the Public Hearing at 6:11 p.m.

Motion by Commissioner Withrow, seconded by Commissioner Van Winkle, and carried with a 3-0 vote to adopt Resolution No. 2019-14, by the following vote:

Ayes:	Commissioners: DeMartini, Van Winkle and Withrow
Noes:	Commissioners: None
Ineligible:	Commissioners: None
Absent:	Commissioners: Berryhill, Bublak, Chiesa, Hawn & O’Brien
Abstention:	Commissioners: None

- B. **LAFCO APPLICATION NO. 2019-06 – CROSSROADS WEST CHANGE OF ORGANIZATION TO THE CITY OF RIVERBANK.** The City of Riverbank has requested to annex approximately 403.79 acres at the northwest corner of Claribel Road and Oakdale Road to the City of Riverbank. The annexation is within the City's Sphere of Influence and is meant to accommodate the Crossroads West Specific Plan which proposes a mix of residential uses, retail, parks, open space, potential school sites and mixed uses. The City of Riverbank, as Lead Agency under the California Environmental Quality Act (CEQA) has adopted an Environmental Impact Report (SCH No, 2017032062). As a responsible agency, the Commission will consider this environmental documentation and adoption of the same findings. (Staff Recommendation: Adopt Resolution No. 2019-13, approving the Change of Organization.)

Sara Lytle-Pinhey, Executive Officer, presented the item with a recommendation of approval.

Chair Van Winkle opened the Public Hearing at 6:22 p.m.

John Anderson, JB Anderson Land Planning, representing City of Riverbank; Sean Scully, City Manager, City of Riverbank; and Dave Romano landowner representative all spoke in favor of the project.

Chair Van Winkle closed the Public Hearing at 6:39 p.m.

Motion by Commissioner DeMartini, seconded by Commissioner Withrow, and carried with a 3-0 vote to adopt Resolution No. 2019-13 approving the Change of Organization, by the following vote:

Ayes:	Commissioners: DeMartini, Van Winkle and Withrow
Noes:	Commissioners: None
Ineligible:	Commissioners: None
Absent:	Commissioners: Berryhill, Bublak, Chiesa, Hawn and O'Brien
Abstention:	Commissioners: None

**8. OTHER BUSINESS**

None.

**9. COMMISSIONER COMMENTS**

None.

**10. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON**

None.

**11. EXECUTIVE OFFICER'S REPORT**

- A. On the Horizon. The Executive Officer informed the Commission of the following:
- On June 19<sup>th</sup> at 6:00 p.m. LAFCO and CSDA hosted a free Governance Best Practices training in Basement Chambers. Approximately 30 Special District

representatives attended. Staff is looking forward to holding trainings on an annual basis for Special Districts.

- Staff has received two annexations applications that are currently incomplete. Since there are no completed applications at this time, Staff is recommending cancelation of the July 24, 2019 LAFCO meeting. The next meeting will be August 28, 2019.

## **12. ADJOURNMENT**

- A. Chair Van Winkle adjourned the meeting at 6:42 p.m.

---

Sara Lytle-Pinhey, Executive Officer

June 25, 2019

**To:** Local Agency Formation Commission  
Members and Alternate Members

**From:** Shiva Frentzen, Committee Chair  
CALAFCO Board Election Committee  
CALAFCO Board of Directors

**CALAFCO**



**RE: Nominations for 2019/2020 CALAFCO Board of Directors**

Nominations are now open for the fall elections of the CALAFCO Board of Directors. Serving on the CALAFCO Board is a unique opportunity to work with other commissioners throughout the state on legislative, fiscal and operational issues that affect us all. The Board meets four to five times each year at alternate sites around the state. Any LAFCo commissioner or alternate commissioner is eligible to run for a Board seat.

CALAFCO's Election Committee is accepting nominations for the following seats on the CALAFCO Board of Directors:

**Northern Region**

County Member  
District Member

**Central Region**

City Member  
Public Member

**Coastal Region**

City Member  
Public Member

**Southern Region**

County Member  
District Member

The election will be conducted during Regional Caucuses at the CALAFCO Annual Conference prior to the Annual Membership Meeting on Thursday, October 31, 2019 at the Hyatt Regency in Sacramento, CA.

**Please inform your Commission that the CALAFCO Election Committee is accepting nominations for the above-cited seats until *Monday, September 30, 2019*.**

Incumbents are eligible to run for another term. Nominations received by September 30 will be included in the Election Committee's Report and will be on the ballot. The Report will be distributed to LAFCo members no later than October 16, 2019 and ballots made available to Voting Delegates at the Annual Conference. Nominations received after this date will be returned; however, nominations will be permitted from the floor during the Regional Caucuses or during at-large elections, if required, at the Annual Membership Meeting.

For those member LAFCos who cannot send a representative to the Annual Meeting an electronic ballot will be made available if requested in advance. **The ballot request must be made no later than Monday, September 30, 2019. Completed absentee ballots must be returned by 8:00 a.m., Monday, October 28, 2019.**

*Should your Commission nominate a candidate, the Chair of your Commission must complete the attached Nomination Form and the Candidate's Resume Form, or provide the specified information in another format other than a resume. Commissions may also include a letter of recommendation or resolution in support of their nominee.*

**The nomination forms and materials must be received by the CALAFCO Executive Director no later than *Monday, September 30, 2019 at 5:00 p.m.*** Here is a summary of the deadlines for this year's nomination process:

- **June 26** – Nomination Announcement and packet sent to LAFCo membership and posted on the CALAFCO website.
- **September 30** – Completed Nomination packet due
- **September 30** – Request for an absentee/electronic ballot due
- **September 30** – Voting delegate name due to CALAFCO
- **October 16** – Distribution of the Election Committee Report (includes all completed/submitted nomination papers)
- **October 16** – Distribution of requested absentee/electronic ballots.
- **October 28** – Absentee ballots due to CALAFCO
- **October 31** - Elections

Returning the nomination form prior to the deadline ensures your nominee is placed on the ballot. Names will be listed in the order nominations were received should there be multiple candidates. Electronic filing of nomination forms and materials is encouraged to facilitate the recruitment process. Please send e-mails with forms and materials to [info@calafco.org](mailto:info@calafco.org). Alternatively, nomination forms and materials can be mailed or faxed to the address or fax number below. Please forward nominations to:

CALAFCO Election Committee c/o Executive Director  
California Association of Local Agency Formation Commissions  
1020 12<sup>th</sup> Street, Suite 222  
Sacramento, California 95814  
FAX: 916-442-6535  
EMAIL: [info@calafco.org](mailto:info@calafco.org)

Questions about the election process can be sent to the Chair of the Committee, Shiva Frentzen, at [sfrentzen@calafco.org](mailto:sfrentzen@calafco.org) or by calling her at 530-621-5390. You may also contact CALAFCO Executive Director Pamela Miller at [pmiller@calafco.org](mailto:pmiller@calafco.org) or by calling 916-442-6536.

Members of the 2019/2020 CALAFCO Election Committee are:

Shiva Frentzen, Chair <a href="mailto:sfrentzen@calafco.org">sfrentzen@calafco.org</a>	El Dorado LAFCo (Central Region) 530-621-5390
Josh Susman <a href="mailto:jsusman@calafco.org">jsusman@calafco.org</a>	Nevada LAFCo (Northern Region) 530-265-7180
Cheryl Brothers <a href="mailto:cbrothers@calafco.org">cbrothers@calafco.org</a>	Orange LAFCo (Southern Region) 714-640-5100
Jane Parker <a href="mailto:jparker@calafco.org">jparker@calafco.org</a>	Monterey LAFCo (Coastal Region) 831-883-7570

Attached please find a copy of the CALAFCO Board of Directors Nomination and Election Procedures as well as the current listing of Board Members and corresponding terms of office.

*Please consider joining us!*

Enclosures

## **Board of Directors Nomination and Election Procedures and Forms**

The procedures for nominations and election of the CALAFCO Board of Directors [Board] are designed to assure full, fair and open consideration of all candidates, provide confidential balloting for contested positions and avoid excessive demands on the time of those participating in the CALAFCO Annual Conference.

The Board nomination and election procedures shall be:

### **1. APPOINTMENT OF AN ELECTION COMMITTEE:**

- a. Following the Annual Membership Meeting the Board shall appoint an Election Committee of four members of the Board. The Election Committee shall consist of one member from each region whose term is not ending.<sup>8</sup>
- b. The Board shall appoint one of the members of the Election Committee to serve as Chairman. The CALAFCO Executive Officer shall appoint a CALAFCO staff member to serve as staff for the Election Committee in cooperation with the CALAFCO Executive Director.<sup>8</sup>
- c. Each region shall designate a regional representative to serve as staff liaison to the Election Committee.<sup>8</sup>
- d. Goals of the Committee are to provide oversight of the elections process and to encourage and solicit candidates by region who represent member LAFCoS across the spectrum of geography, size, and urban suburban and rural population if there is an open seat for which no nominations papers have been received close to the deadline.<sup>8</sup>

### **2. ANNOUNCEMENT TO ALL MEMBER LAFCoS:**

- a. No later than three months prior to the Annual Membership Meeting, the Election Committee Chair shall send an announcement to each LAFCo for distribution to each commissioner and alternate. The announcement shall include the following:<sup>8</sup>
  - i. A statement clearly indicating which offices are subject to the election.
  - ii. A regional map including LAFCoS listed by region.
  - iii. The dates by which all nominations must be received by the Election Committee. The deadline shall be no later than 30 days prior to the opening of the Annual Conference. Nominations received after the closing date shall be returned to the proposing LAFCo marked "Received too late for Elections Committee action."<sup>8</sup>
  - iv. The names of the Election Committee members with the Committee Chairman's LAFCo address and phone number, and the names and contact information for each of the regional representatives.<sup>8</sup>
  - v. The address to send the nominations forms.
  - vi. A form for a Commission to use to nominate a candidate and a candidate resume form of no more than one page each to be completed for each nominee.
- b. No later than four months before the annual membership meeting, the Election Committee Chairman shall send an announcement to the Executive Director for distribution to each member LAFCo and for publication in the newsletter and on the web site. The announcement shall include the following:<sup>8</sup>

<b>Key Timeframes for Nominations Process</b>	
<u>Days*</u>	
90	Nomination announcement
30	Nomination deadline
14	Committee report released
<small>*Days prior to annual membership meeting</small>	

- i. A statement clearly indicating which offices are subject to the election.
  - ii. The specific date by which all nominations must be received by the Election Committee. Nominations received after the closing dates shall be returned to the proposing LAFCo marked "Received too late for Election Committee action."<sup>8</sup>
  - iii. The names of the Election Committee members with the Committee Chair's LAFCo address and phone number, and the names and contact information for each of the regional representatives.<sup>8</sup>
  - iv. Requirement that nominated individual must be a commissioner or alternate commissioner from a member in good standing within the region.
- c. A copy of these procedures shall be posted on the web site.

### **3. THE ELECTION COMMITTEE:**

- a. The Election Committee and the regional representatives have the responsibility to monitor nominations and help assure that there are adequate nominations from each region for each seat up for election. No later than two weeks prior to the Annual Conference, the Election Committee Chair shall distribute to the members the Committee Report organized by regions, including copies of all nominations and resumes, which are received prior to the end of the nomination period.<sup>8</sup>
- b. At the close of the nominations the Election Committee shall prepare regional ballots. Each region will receive a ballot specific to that region. Each region shall conduct a caucus at the Annual Conference for the purpose of electing their designated seats. Caucus elections must be held prior to the annual membership meeting at the conference. The Executive Director or assigned staff along with a member of the Election Committee shall tally ballots at each caucus and provide the Election Committee the names of the elected Board members and any open seats. In the event of a tie, the staff and Election Committee member shall immediately conduct a run-off ballot of the tied candidates.<sup>8</sup>
- c. Make available sufficient copies of the Committee Report for each Voting Delegate by the beginning of the Annual Conference.
- d. Make available blank copies of the nomination forms and resume forms to accommodate nominations from the floor at either the caucuses or the annual meeting (if an at-large election is required).
- e. Advise the Executive Director to provide "CANDIDATE" ribbons to all candidates attending the Annual Conference.<sup>8</sup>
- f. Post the candidate statements/resumes organized by region on a bulletin board near the registration desk.
- g. Regional elections shall be conducted as described in Section 4 below. The representative from the Election Committee shall serve as the Presiding Officer for the purpose of the caucus election.<sup>8</sup>
- h. Following the regional elections, in the event that there are open seats for any offices subject to the election, the Election Committee Chair shall notify the Chair of the Board of Directors that an at-large election will be required at the annual membership meeting and to provide a list of the number and category of seats requiring an at-large election.<sup>8</sup>

**4. ELECTRONIC BALLOT FOR LAFCO IN GOOD STANDING NOT ATTENDING ANNUAL MEETING<sup>6</sup>**

Limited to the elections of the Board of Directors

- a. Any LAFCo in good standing shall have the option to request an electronic ballot if there will be no representative attending the annual meeting.
- b. LAFCos requesting an electronic ballot shall do so in writing no later than 30 days prior to the annual meeting.
- c. The Executive Director shall distribute the electronic ballot no later than two weeks prior to the annual meeting.
- d. LAFCo must return the ballot electronically to the executive director no later than three days prior to the annual meeting.
- e. LAFCos voting under this provision may discard their electronic ballot if a representative is able to attend the annual meeting.
- f. LAFCos voting under this provision may only vote for the candidates nominated by the Election Committee and may not vote in any run-off elections.<sup>8</sup>

**5. AT THE TIME FOR ELECTIONS DURING THE REGIONAL CAUCUSES OR ANNUAL MEMBERSHIP MEETING:**

- a. The Election Committee Chairman, another member of the Election Committee or the Chair's designee (hereafter called the Presiding Officer) shall:<sup>8</sup>
  - i. Review the election procedure with the membership.
  - ii. Present the Election Committee Report (previously distributed).
  - iii. Call for nominations from the floor by category for those seats subject to this election:
    1. For city member.
    2. For county member.
    3. For public member.
    4. For special district member.
- b. To make a nomination from the floor, a LAFCo, which is in good standing, shall identify itself and then name the category of vacancy and individual being nominated. The nominator may make a presentation not to exceed two minutes in support of the nomination.
- c. When there are no further nominations for a category, the Presiding Officer shall close the nominations for that category.
- d. The Presiding Officer shall conduct a "Candidates Forum". Each candidate shall be given time to make a brief statement for their candidacy.
- e. The Presiding Officer shall then conduct the election:
  - i. For categories where there are the same number of candidates as vacancies, the Presiding Officer shall:
    1. Name the nominees and offices for which they are nominated.
    2. Call for a voice vote on all nominees and thereafter declare those unopposed candidates duly elected.

- ii. For categories where there are more candidates than vacancies, the Presiding Officer shall:
  - 1. Poll the LAFCoS in good standing by written ballot.
  - 2. Each LAFCo in good standing may cast its vote for as many nominees as there are vacancies to be filled. The vote shall be recorded on a tally sheet.
  - 3. Any ballots submitted electronically for candidates included in the Election Committee Report shall be added to the tally.<sup>8</sup>
  - 4. With assistance from CALAFCO staff, tally the votes cast and announce the results.
- iii. Election to the Board shall occur as follows:
  - 1. The nominee receiving the majority<sup>6</sup> of votes cast is elected.
  - 2. In the case of no majority, the two nominees receiving the two highest number of votes cast shall face each other in a run-off election. Electronic ballots are not included in the tally for any run-off election(s).<sup>6</sup>
  - 3. In case of tie votes<sup>6</sup>:
    - a. A second run-off election shall be held with the same two nominees.
    - b. If there remains a tie after the second run-off, the winner shall be determined by a draw of lots.
  - 4. In the case of two vacancies, any candidate receiving a majority of votes cast is elected.<sup>6</sup>
    - a. In the case of no majority for either vacancy, the three nominees receiving the three highest number of votes cast shall face each other in a run-off election.
    - b. In the case of no majority for one vacancy, the two nominees receiving the second and third highest number of votes cast shall face each other in a run-off election.
    - c. In the event of a tie, a second run-off election shall be held with the tied nominees. If there remains a tie after the second run-off election the winner shall be determined by a draw of lots.

## **6. ADDITIONAL PROCEDURES**

- a. For categories where there are more candidates than vacancies, names will be listed in the order nominated.
- b. The Election Committee Chair shall announce and introduce all Board Members elected at the Regional Caucuses at the annual business meeting.<sup>8</sup>
- c. In the event that Board seats remain unfilled after a Regional Caucus, an election will be held immediately at the annual business meeting to fill the position at-large. Nominations will be taken from the floor and the election process will follow the procedures described in Section 4 above. Any commissioner or alternate from a member LAFCo may be nominated for at-large seats.
- d. Seats elected at-large become subject to regional election at the expiration of the term. Only representatives from the region may be nominated for the seat.
- e. As required by the Bylaws, the members of the Board shall meet as soon as possible after

election of new board members for the purpose of electing officers, determining meeting places and times for the coming year, and conducting any other necessary business.

### 7. LOSS OF ELECTION IN HOME LAFCO

Board Members and candidates who lose elections in their home office shall notify the Executive Director within 15 days of the certification of the election.

### 8. FILLING BOARD VACANCIES

Vacancies on the Board of Directors may be filled by appointment by the Board for the balance of the unexpired term. Appointees must be from the same category as the vacancy, and should be from the same region.

These policies and procedures were adopted by the CALAFCO Board of Directors on 12 January 2007 and amended on 9 November 2007<sup>1</sup>, 8 February 2008<sup>2</sup>, 13 February 2009<sup>3</sup>, 12 February 2010<sup>4</sup>, 18 February 2011<sup>5</sup>, 29 April 2011<sup>6</sup>, 11 July 2014<sup>7</sup> and 27 October 2017<sup>8</sup>. They supersede all previous versions of the policies.

## CALAFCO Regions

### FOUR REGIONS



The counties in each of the four regions consist of the following:

**Northern Region**

Butte  
Colusa  
Del Norte  
Glenn  
Humboldt  
Lake  
Lassen  
Mendocino  
Modoc  
Nevada  
Plumas  
Shasta  
Sierra  
Siskiyou  
Sutter  
Tehama  
Trinity  
Yuba

**CONTACT:** Steve Lucas  
Butte LAFCo  
slucas@buttecounty.net

**Southern Region**

Orange  
Los Angeles  
Imperial  
Riverside  
San Bernardino  
San Diego

**CONTACT:** Keene Simonds  
San Diego LAFCo  
keene.simonds@sdcounty.ca.gov

**Coastal Region**

Alameda  
Contra Costa  
Marin  
Monterey  
Napa  
San Benito  
San Francisco  
San Luis Obispo  
San Mateo  
Santa Barbara  
Santa Clara  
Santa Cruz  
Solano  
Sonoma  
Ventura

**CONTACT:** Martha Poyatos  
San Mateo LAFCo  
mpoyatos@smcgov.org

**Central Region**

Alpine  
Amador  
Calaveras  
El Dorado  
Fresno  
Inyo  
Kern  
Kings  
Madera  
Mariposa  
Merced  
Mono  
Placer  
Sacramento  
San Joaquin  
Stanislaus  
Tulare  
Tuolumne  
Yolo

**CONTACT:** Christine Crawford, Yolo LAFCo  
christine.crawford@yolocounty.org

# Board of Directors 2019/2020 Nominations Form

## *Nomination to the CALAFCO Board of Directors*

In accordance with the Nominations and Election Procedures of CALAFCO,

\_\_\_\_\_ LAFCo of the \_\_\_\_\_ Region

Nominates \_\_\_\_\_

for the (check one)     City     County     Special District     Public

Position on the CALAFCO Board of Directors to be filled by election at the next Annual Membership Meeting of the Association.

\_\_\_\_\_  
LAFCo Chair

\_\_\_\_\_  
Date

### **NOTICE OF DEADLINE**

Nominations must be received by **September 30, 2019** at 5:00 p.m. to be considered by the Election Committee. Send completed nominations to:  
CALAFCO Election Committee  
CALAFCO  
1020 12<sup>th</sup> Street, Suite 222  
Sacramento, CA 95814

## Board of Directors 2019/2020 Candidate Resume Form

Nominated By: \_\_\_\_\_ LAFCo Date: \_\_\_\_\_

Region (please check one):  Northern  Coastal  Central  Southern

Category (please check one):  City  County  Special District  Public

Candidate Name \_\_\_\_\_

Address \_\_\_\_\_

Phone Office \_\_\_\_\_ Mobile \_\_\_\_\_

e-mail \_\_\_\_\_

Personal and Professional Background:

LAFCo Experience:

CALAFCO or State-level Experience:

Availability:

Other Related Activities and Comments:

**NOTICE OF DEADLINE**

Nominations must be received by **September 30, 2019** at 5:00 p.m. to be considered by the Election Committee. Send completed nominations to:  
CALAFCO Election Committee  
CALAFCO  
1020 12<sup>th</sup> Street, Suite 222  
Sacramento, CA 95814

*This page intentionally left blank.*

**Date:** July 10, 2019

**To:** LAFCo Commissioners and Staff  
CALAFCO Members  
Other Interested Organizations

**From:** CALAFCO Achievement Awards Committee

**Subject:** **2019 CALAFCO Achievement Award Nominations**

**CALAFCO  
2019  
AWARDS**



Each year, CALAFCO recognizes outstanding achievements by dedicated and committed individuals and/or organizations from throughout the state at the Annual Conference Achievement Awards Ceremony.

Recognizing individual and organizational achievements is an important responsibility. It provides visible recognition and support to those who go above and beyond in their work to advance the principles and goals of the Cortese-Knox-Hertzberg Act. We invite you to use this opportunity to nominate the individuals and organizations you feel deserve this important recognition. **Please carefully review the nomination instructions and the criteria for each category.**

To make a nomination, please use the following procedure:

1. Nominations may be made by an individual, a LAFCo, a CALAFCO Associate Member, or any other organization. There is no limit to the number of nominations you can submit.
2. Please use a separate form (attached) for each nomination. Nominations **must be submitted with a completed nomination form**. The form is your opportunity to highlight the most important points of your nomination.
3. Nominations must be **limited to no more than 1500 words or 3 pages in length maximum**. You are encouraged to write them in a clear, concise and understandable manner. If the Awards Committee members require additional information, you will be contacted with that request. Any nomination received that exceeds this amount will be returned.
4. All supporting information (e.g. reports, news articles, etc.) must be submitted with the nomination. **Limit supporting documentation to no more than 5 pages**. If the Awards Committee members require additional information, you will be contacted with that request. Any nomination received that exceeds this amount will be returned.
5. All nomination materials must be submitted at one time and must be received by the deadline. Electronic submittals are encouraged.
6. **Nominations and supporting materials must be received no later than 5:00 p.m., Friday, September 20, 2019.** Send nominations via e-mail, or U.S. mail to:

Stephen Lucas, CALAFCO Executive Officer  
c/o Butte LAFCo  
1453 Downer Street, Suite C  
Oroville, CA 95965  
slucas@calafco.org

Members of the 2019 CALAFCO Board of Directors Awards Committee are:

*Mike Kelley*, Committee Chair (Imperial LAFCo, Southern Region)  
*Cheryl Brothers* (Orange LAFCo, Southern Region)  
*Debra Lake* (Humboldt LAFCo, Northern Region)  
*Margie Mohler* (Napa LAFCo, Coastal Region)  
*Daniel Parra* (Fresno LAFCo, Central Region)

mkelley@calafco.org  
cbrothers@calafco.org  
dlake@calafco.org  
mmohler@calafco.org  
dparra@calafco.org

Please contact Steve Lucas, CALAFCO Executive Officer, at slucas@calafco.org or (530) 538-7784 with any questions. A list of the previous Achievement Award recipients is attached to this announcement.



## **Nomination Form**

**NOMINEE - Person or Agency Being Nominated:**

Name:

Organization:

Address:

Phone:

E-mail:

**NOMINATION CATEGORY** (check one – see category criteria on attached sheet)

- Outstanding CALAFCO Member
- Most Effective Commission
- Outstanding Commissioner
- Outstanding LAFCo Professional
- Outstanding LAFCo Clerk
- Outstanding CALAFCO Associate Member
- Project of the Year
- Distinguished Service Award
- Government Leadership Award
- Legislator of the Year (must be approved by the full CALAFCO Board)
- Mike Gotch Courage and Innovation in Local Government Award
- Lifetime Achievement Award

**NOMINATION SUBMITTED BY:**

Name:

Organization:

Address:

Phone:

E-mail:



## **2019 Achievement Award Nominations**

### **NOMINATION SUMMARY**

In no more than 250 words, summarize why this recipient is the most deserving of this award.

### **ACHIEVEMENTS**

Please indicate the reasons why this person or agency deserves to be recognized (Remember to keep this portion to 1500 words or 3 pages maximum and use additional sheets as needed):



## 2019 Achievement Award Nominations

### CALAFCO ACHIEVEMENT AWARD CATEGORIES

CALAFCO recognizes excellence within the LAFCo community and the full membership by presenting the *Achievement Awards* at the CALAFCO Annual Conference. Nominations are being accepted until **5:00 p.m., Friday, September 20, 2019** in the following categories:

<b>Outstanding CALAFCO Member</b>	Recognizes a CALAFCO Board Member or staff person who has provided exemplary service during the past year.
<b>Distinguished Service Award</b>	Given to a member of the LAFCo community to recognize long-term service by an individual.
<b>Most Effective Commission</b>	Presented to an individual Commission to recognize innovation, streamlining, and/or initiative in implementing LAFCo programs; may also be presented to multiple Commissions for joint efforts.
<b>Outstanding Commissioner</b>	Presented to an individual Commissioner for extraordinary service to his or her Commission.
<b>Outstanding LAFCo Professional</b>	Recognizes an Executive Officer, Staff Analyst, or Legal Counsel for exemplary service during the past year.
<b>Outstanding LAFCo Clerk</b>	Recognizes a LAFCo Clerk for exemplary service during the past year.
<b>Outstanding CALAFCO Associate Member</b>	Presented to an active CALAFCO Associate Member (person or agency) that has advanced or promoted the cause of LAFCos by consistently producing distinguished work that upholds the mission and goals of LAFCos, and has helped elevate the roles and mission of LAFCos through its work. Recipient consistently demonstrates a collaborative approach to LAFCo stakeholder engagement.
<b>Project of the Year</b>	Recognition for a project-specific program that involved complex staff analysis, community involvement, or an outstanding solution.
<b>Government Leadership Award</b>	Presented to a decision-making body at the city, county, special district, regional or state level which has furthered good government efforts in California.
<b>Legislator of the Year</b>	Presented to a member of the California State Senate or Assembly in recognition of leadership and valued contributions in support of LAFCo goals. Selected by CALAFCO Board.
<b>Mike Gotch Courage and Innovation in Local Government Award</b>	Presented to an individual who has taken extraordinary steps to improve and innovate local government. This award is named for Mike Gotch: former Assembly Member, LAFCo Executive Officer and CALAFCO Executive Director responsible for much of the foundations of LAFCo law and CALAFCO. He is remembered as a source of great inspiration for staff and legislators from throughout the state.
<b>Lifetime Achievement Award</b>	Recognizes any individual who has made extraordinary contributions to the LAFCo community in terms of longevity of service, exemplary advocacy of LAFCo-related legislation, proven leadership in approaching a particular issue or issues, and/or demonstrated support in innovative and creative ways of the goals of LAFCos throughout California. At a minimum, the individual should be involved in the LAFCo community for at least ten years.



**CALAFCO ACHIEVEMENT AWARD RECIPIENTS**

**2018**

---

Distinguished Service Award	<b>John Withers</b> , Orange LAFCo
Most Effective Commission	<b>Santa Clara LAFCo</b>
Outstanding Commissioner	<b>Margie Mohler</b> , Napa LAFCo
Outstanding LAFCo Professional	<b>George Williamson</b> , Del Norte LAFCo
Outstanding LAFCo Clerk	<b>Elizabeth Valdez</b> , Riverside LAFCo
Outstanding CALAFCO Associate Member	<b>Best Best &amp; Krieger</b>
Project of the Year	<b>Lake LAFCo</b> , water services consolidation
Government Leadership Award	<b>City of Porterville, County of Tulare, Dept. of Water Resources, State Water Resources Control Board, Governor's Office of Emergency Services, Self Help Enterprises, Community Water Center</b> for East Porterville water supply project
Mike Gotch Courage & Innovation in Local Government Leadership Award	<b>Mike Ott</b> , San Diego LAFCo
Legislator of the Year	<b>Assembly Member Anna Caballero</b>
Lifetime Achievement Award	<b>Pat McCormick</b> , Santa Cruz LAFCo, <b>George Spiliotis</b> , Riverside LAFCo

**2017**

---

Most Effective Commission	<b>Los Angeles LAFCo</b>
Outstanding CALAFCO Member	<b>Sblend Sblendorio</b> , Alameda LAFCo
Outstanding Commissioner	<b>John Marchand</b> , Alameda LAFCo
Outstanding LAFCo Professional	<b>Paul Novak</b> , Los Angeles LAFCo
Outstanding LAFCo Clerk	<b>Richelle Beltran</b> , Ventura LAFCo
Outstanding CALAFCO Associate Member	<b>Policy Consulting Associates</b>
Project of the Year	<b>County Services MSR</b> , Butte LAFCo <b>Santa Rosa Annexation</b> , Sonoma LAFCo <b>San Luis Obispo County Public Works Dept.</b>
Government Leadership Award	<b>Kathy Rollings McDonald</b> (San Bernardino)
Lifetime Achievement Award	

**2016**

---

Distinguished Service Award	<b>Peter Brundage</b> , Sacramento LAFCo
Most Effective Commission	<b>San Luis Obispo LAFCo</b>
Outstanding CALAFCO Member	<b>John Leopold</b> , Santa Cruz LAFCo
Outstanding Commissioner	<b>Don Tatzin</b> , Contra Costa LAFCo
Outstanding LAFCo Professional	<b>Steve Lucas</b> , Butte LAFCo
Outstanding LAFCo Clerk	<b>Cheryl Carter-Benjamin</b> , Orange LAFCo
Project of the Year	<b>Countywide Water Study</b> , (Marin LAFCo)
Government Leadership Award	<b>Southern Region of CALAFCO</b>
Lifetime Achievement Award	<b>Bob Braitman</b> (retired Executive Officer)



## 2019 Achievement Award Nominations

### 2015

---

Mike Gotch Courage & Innovation in  
Local Government Leadership Award

Distinguished Service Award

Most Effective Commission

Outstanding CALAFCO Member

Outstanding Commissioner

Outstanding LAFCo Professional

Outstanding LAFCo Clerk

Project of the Year

Government Leadership Award

CALAFCO Associate Member of the Year

Legislators of the Year Award

Lifetime Achievement Award

**Yuba County Water Agency**

**Mary Jane Griego**, Yuba LAFCo

**Butte LAFCo**

**Marjorie Blom**, formerly of Stanislaus LAFCo

**Matthew Beekman**, formerly of Stanislaus LAFCo

**Sam Martinez**, San Bernardino LAFCo

**Terri Tuck**, Yolo LAFCo

**Formation of the Ventura County Waterworks District No. 38 (Ventura LAFCo) and 2015 San Diego County Health Care Services five-year sphere of influence and service review report (San Diego LAFCo)**

**The Cities of Dublin, Pleasanton, Livermore and San Ramon, the Dublin San Ramon Services District and the Zone 7 Water Agency**

**Michael Colantuono** of Colantuono, Highsmith & Whatley  
**Assembly member Chad Mayes**

**Jim Chapman** (Lassen LAFCo) and **Chris Tooker** (formerly of Sacramento LAFCo)

### 2014

---

Mike Gotch Courage & Innovation in  
Local Government Leadership Award

Distinguished Service Award

Most Effective Commission

Outstanding CALAFCO Member

Outstanding Commissioner

Outstanding LAFCo Professional

Outstanding LAFCo Clerk

Project of the Year

Government Leadership Award

Legislators of the Year Award

Lifetime Achievement Award

**David Church**, San Luis Obispo LAFCo

**Kate McKenna**, Monterey LAFCo

**Santa Clara LAFCo**

**Stephen Lucas**, Butte LAFCo

**Paul Norsell**, Nevada LAFCo

**Kate McKenna**, Monterey LAFCo

**Paige Hensley**, Yuba LAFCo

**LAFCo Procedures Guide: 50<sup>th</sup> Year Special Edition**,  
San Diego LAFCo

**Orange County Water District, City of Anaheim, Irvine Ranch Water District, and Yorba Linda Water District**

**Assembly member Katcho Achadjian**

**Susan Wilson**, Orange LAFCo

### 2013

---

Mike Gotch Courage & Innovation in  
Local Government Leadership Award

Distinguished Service Award

Most Effective Commission

Outstanding CALAFCO Member

Outstanding Commissioner

Outstanding LAFCo Professional

LAFCo Outstanding LAFCo Clerk

Project of the Year

**Simón Salinas**, Commissioner, Monterey LAFCo

**Roseanne Chamberlain**, Amador LAFCo

**Stanislaus LAFCo**

**Harry Ehrlich**, San Diego LAFCo

**Jerry Gladbach**, Los Angeles LAFCo

**Lou Ann Texeira**, Contra Costa

**Kate Sibley**, Contra Costa LAFCo

**Plan for Agricultural Preservation**, Stanislaus LAFCo



## 2019 Achievement Award Nominations

Government Leadership Award

Legislators of the Year Award

Lifetime Achievement Award

**Orange County LAFCo Community Islands Taskforce,**  
Orange LAFCo

**Senators Bill Emmerson and Richard Roth**

**H. Peter Faye,** Yolo LAFCo; **Henry Pellissier,** Los Angeles LAFCo; **Carl Leverenz,** Butte LAFCo; **Susan Vicklund-Wilson,** Santa Clara LAFCo.

### 2012

---

Mike Gotch Courage & Innovation in  
Local Government Leadership Award

Distinguished Service Award

Most Effective Commission

Outstanding CALAFCO Member

Outstanding Commissioner

LAFCo Outstanding LAFCo Professional

Outstanding LAFCo Clerk

Project of the Year

Government Leadership Award

Lifetime Achievement Award

**Bill Chiat,** CALAFCO Executive Director

**Marty McClelland,** Commissioner, Humboldt LAFCo

**Sonoma LAFCo**

**Stephen A. Souza,** Commissioner, Yolo LAFCo and  
CALAFCO Board of Directors

**Sherwood Darington,** Monterey

**Carole Cooper,** Sonoma LAFCo

**Gwenna MacDonald,** Lassen LAFCo

**Countywide Service Review & SOI Update,** Santa Clara  
LAFCo

**North Orange County Coalition of Cities,** Orange LAFCo

**P. Scott Browne,** Legal Counsel LAFCos

### 2011

---

Mike Gotch Courage & Innovation in  
Local Government Leadership Award

Distinguished Service Award

LAFCo Most Effective Commission

Outstanding CALAFCO Member

Outstanding Commissioner

Outstanding LAFCo Professional

Outstanding LAFCo Clerk

Project of the Year

Government Leadership Award

**Martin Tuttle,** Deputy Director for Planning, Caltrans

**Mike McKeever,** Executive Director, SACOG

**Carl Leverenz,** Commissioner and Chair, Butte

**San Bernardino LAFCo**

**Keene Simonds,** Executive Officer, Napa LAFCo

**Louis R. Calcagno,** Monterey LAFCo

**June Savala,** Deputy Executive Officer, Los Angeles LAFCo

**Debbie Shubert,** Ventura LAFCo

**Cortese-Knox-Hertzberg Definitions Revision**

Bob Braitman, Scott Browne, Clark Alsop, Carole Cooper,  
and George Spiliotis

**Contra Costa Sanitary District**

**Elsinore Water District and Elsinore Valley Municipal Water  
District**

### 2010

---

Mike Gotch Courage & Innovation in  
Local Government Leadership Award

Distinguished Service Award

Most Effective Commission

Outstanding CALAFCO Member

Outstanding Commissioner

Outstanding LAFCo Professional

**Helen Thompson,** Commissioner, Yolo LAFCo

**Kathleen Rollings-McDonald,** Executive Officer, San  
Bernardino LAFCo

**Bob Braitman,** Executive Officer, Santa Barbara LAFCo

**Tulare LAFCo**

**Roger Anderson, Ph.D.,** CALAFCO Chair, Santa Cruz LAFCo

**George Lange,** Ventura LAFCo

**Harry Ehrlich,** Government Consultant, San Diego LAFCo



## 2019 Achievement Award Nominations

Outstanding LAFCo Clerk

**Candie Fleming**, Fresno LAFCo

Project of the Year

**Butte LAFCo**

Sewer Commission - Oroville Region Municipal Service Review

Government Leadership Award

**Nipomo Community Services District** and the **County of San Luis Obispo**

Special Achievement

**Chris Tooker**, Sacramento LAFCo and CALAFCO Board of Directors

### 2009

---

Mike Gotch Courage & Innovation in Local Government Leadership Award

**Paul Hood**, Executive Officer, San Luis Obispo LAFCo

Distinguished Service Award

**William Zumwalt**, Executive Officer, Kings LAFCo

Most Effective Commission

**Napa LAFCo**

Outstanding CALAFCO Member

**Susan Vicklund Wilson**, CALAFCO Vice Chair

**Jerry Gladbach**, CALAFCO Treasurer

Outstanding Commissioner

**Larry M. Fortune**, Fresno LAFCo

Outstanding LAFCo Professional

**Pat McCormick**, Santa Cruz LAFCo Executive Officer

Outstanding LAFCo Clerk

**Emmanuel Abello**, Santa Clara LAFCo

Project of the Year

**Orange LAFCo** Boundary Report

Government Leadership Award

**Cities of Amador City, Jackson, Lone, Plymouth & Sutter Creek; Amador County; Amador Water Agency; Pine Grove CSD** – Countywide MSR Project

Legislator of the Year Award

**Assembly Member Jim Silva**

### 2008

---

Distinguished Service Award

**Peter M. Detwiler**, Senate Local Government Committee Chief Consultant

Most Effective Commission

**Yuba LAFCo**

Outstanding Commissioner

**Dennis Hansberger**, San Bernardino LAFCo

Outstanding LAFCo Professional

**Michael Ott**, San Diego LAFCo Executive Officer

**Martha Poyatos**, San Mateo Executive Officer

Outstanding LAFCo Clerk

**Wilda Turner**, Los Angeles LAFCo

Project of the Year

**Kings LAFCo**

City and Community District MSR and SOI Update

Government Leadership Award

**San Bernardino Board of Supervisors**

Legislator of the Year Award

**Assembly Member Anna M. Caballero**

### 2007

---

Outstanding CALAFCO Member

**Kathy Long**, Board Chair, Ventura LAFCo

Distinguished Service Award

**William D. Smith**, San Diego Legal

Counsel Most Effective Commission

**Santa Clara LAFCo**

Outstanding Commissioner

**Gayle Uilkema**, Contra Costa LAFCo

Outstanding LAFCo Professional

**Joyce Crosthwaite**, Orange LAFCo Executive Officer

Outstanding LAFCo Clerk

**Debby Chamberlin**, San Bernardino LAFCo

Project of the Year

**San Bernardino LAFCo and City of Fontana** Islands Annexation Program



## 2019 Achievement Award Nominations

Government Leadership Award  
Lifetime Achievement

City of Fontana - Islands Annexation Program  
John T. "Jack" Knox

### 2006

---

Outstanding CALAFCO Member

Everett Millais, CALAFCO Executive Officer and Executive Officer of Ventura LAFCo

Distinguished Service Award

Clark Alsop, CALAFCO Legal Counsel

Most Effective Commission Award

Alameda LAFCo

Outstanding Commissioner Award

Ted Grandsen, Ventura LAFCo

Chris Tooker, Sacramento LAFCo

Outstanding LAFCo Professional Award

Larry Calemine, Los Angeles LAFCo Executive Officer

Outstanding LAFCo Clerk Award

Janice Bryson, San Diego LAFCo

Marilyn Flemmer, Sacramento LAFCo

Project of the Year Award

Sacramento Municipal Utility District Sphere of Influence Amendment and Annexation; Sacramento LAFCo

Outstanding Government Leadership Award

Cities of Porterville, Tulare, and Visalia and Tulare LAFCo Island Annexation Program

Legislator of the Year Award

Senator Christine Kehoe

### 2005

---

Outstanding CALAFCO Member

Peter Herzog, CALAFCO Board, Orange LAFCo

Distinguished Service Award

Elizabeth Castro Kemper, Yolo LAFCo

Most Effective Commission Award

Ventura LAFCo

Outstanding Commissioner Award

Art Aseltine, Yuba LAFCo

Henri Pellissier, Los Angeles LAFCo

Outstanding LAFCo Professional Award

Bruce Baracco, San Joaquin LAFCo

Outstanding LAFCo Clerk Award

Danielle Ball, Orange LAFCo

Project of the Year Award

San Diego LAFCo

MSR of Fire Protection and Emergency Medical Services

Outstanding Government Leadership Award

Sacramento Area Council of Governments (SACOG)

### 2004

---

Outstanding CALAFCO Member

Scott Harvey, CALAFCO Executive Director

Distinguished Service Award

Julie Howard, Shasta LAFCo

Most Effective Commission Award

San Diego LAFCo

Outstanding Commissioner Award

Edith Johnsen, Monterey LAFCo

Outstanding LAFCo Professional Award

David Kindig, Santa Cruz LAFCo

Project of the Year Award

San Luis Obispo LAFCo

Nipomo CSD SOI Update, MSR, and EIR

### 2003

---

Outstanding CALAFCO Member

Michael P. Ryan, CALAFCO Board Member

Distinguished Service Award

Henri F. Pellissier, Los Angeles LAFCo

Most Effective Commission Award

San Luis Obispo LAFCo

Outstanding Commissioner Award

Bob Salazar, El Dorado LAFCo

Outstanding LAFCo Professional Award

Shirley Anderson, San Diego LAFCo

Outstanding LAFCo Clerk Award

Lori Fleck, Siskiyou LAFCo



## 2019 Achievement Award Nominations

Project of the Year Award

**Napa LAFCo**  
Comprehensive Water Service Study

Special Achievement Award

**James M. Roddy**

### 2002

---

Outstanding CALAFCO Member

**Ken Lee**, CALAFCo Legislative Committee Chair

Most Effective Commission Award

**San Diego LAFCo** Outstanding

Commissioner Award

**Ed Snively**, Imperial LAFCo

Outstanding LAFCo Professional Award

**Paul Hood**, San Luis Obispo LAFCo

Outstanding LAFCo Clerk Award

**Danielle Ball**, Orange LAFCo

Project of the Year Award

**San Luis Obispo LAFCo**

Outstanding Government Leadership Award

**Napa LAFCo, Napa County Farm Bureau, Napa Valley Vintners Association, Napa Valley Housing Authority, Napa County Agricultural Commissioner's Office, Napa County Counsel Office, and Assembly Member Patricia Wiggins**

### 2001

---

Outstanding CALAFCO Member

**SR Jones**, CALAFCO Executive Officer

Distinguished Service Award

**David Martin**, Tax Area Services Section, State Board of Equalization

Outstanding Commissioner Award

**H. Peter Faye**, Yolo LAFCo

Outstanding LAFCo Professional Award

**Ingrid Hansen**, San Diego LAFCo

Project of the Year Award

**Santa Barbara LAFCo**

Outstanding Government Leadership Award

**Alameda County Board of Supervisors, Livermore City Council, Pleasanton City Council**

Legislator of the Year Award

**Senator Jack O'Connell**

### 2000

---

Outstanding CALAFCO Member

**Ron Wootton**, CALAFCO Board Chair

Distinguished Service Award

**Ben Williams**, Commission on Local Governance for the 21st Century

Most Effective Commission Award

**Yolo LAFCo**

Outstanding Commissioner

**Rich Gordon**, San Mateo LAFCo

Outstanding LAFCo Professional Award

**Annamaria Perrella**, Contra Costa LAFCo

Outstanding LAFCo Clerk Award

**Susan Stahmann**, El Dorado LAFCo

Project of the Year Award

**San Diego LAFCo**

Legislator of the Year Award

**Robert Hertzberg**, Assembly Member

### 1999

---

Distinguished Service Award

**Marilyn Ann Flemmer-Rodgers**, Sacramento LAFCo

Most Effective Commission Award

**Orange LAFCo**

Outstanding Executive Officer Award

**Don Graff**, Alameda LAFCo

Outstanding LAFCo Clerk Award

**Dory Adams**, Marin LAFCo

Most Creative Solution to a Multi-Jurisdictional Problem

**San Diego LAFCo**

Outstanding Government Leadership Award

**Assembly Member John Longville**

Legislator of the Year Award

**Assembly Member Robert Hertzberg**

### 1998

---

Outstanding CALAFCO Member	Dana Smith, Orange LAFCo
Distinguished Service Award	Marvin Panter, Fresno LAFCo
Most Effective Commission Award	San Diego LAFCo
Outstanding Executive Officer Award	George Spiliotis, Riverside LAFCo
Outstanding Staff Analysis	Joe Convery, San Diego LAFCo Joyce Crosthwaite, Orange LAFCo
Outstanding Government Leadership Award	Santa Clara County Planning Department

### 1997

---

Most Effective Commission Award	Orange LAFCo
Outstanding Executive Officer Award	George Finney, Tulare LAFCo
Outstanding Staff Analysis	Annamaria Perrella, Contra Costa LAFCo
Outstanding Government Leadership Award	South County Issues Discussion Group
Most Creative Solution to a Multi-Jurisdictional Problem	Alameda LAFCo and Contra Costa LAFCo
Legislator of the Year Award	Assembly Member Tom Torlakson

**Please join us for the  
CALAFCO Annual Conference  
October 30 – November 1, 2019  
Sacramento, California**



March 6, 2019

TO: Member LAFCos

Dear Member LAFCos:

Over the last several years the CALAFCO Board of Directors has continued to develop member services to meet the changing needs of LAFCo commissioners, staff and stakeholders. Over its 48-year existence, CALAFCO has matured from a volunteer organization to a professional educational organization.

At the CALAFCO Annual Meeting in Yosemite last fall, the Board explained that additional revenues must be raised to close the ongoing structural deficit, which the association has operated with since its inception. As many of you heard, CALAFCO has had an unhealthy reliance on Conference revenue to balance the budget which is not a sound fiscal practice. Approximately \$69,000 in additional revenue is needed next fiscal year just to close the structural deficit. Failing to close this deficit jeopardizes CALAFCO's ability to maintain the existing level of services provided.

During the regional roundtables at the 2018 Conference, members provided the Board valuable feedback about the structural deficit and the dues structure. At the Board's recent strategic planning workshop and meeting, they deliberated at length about these two matters. It is clear the current dues structure no longer reflects the diversity of our membership and our structural deficit continues to grow as core revenue does not meet operational expenses.

During the recent Board strategic planning workshop, the Board-appointed ad hoc financial committee (who have been meeting for more than a year) presented the Board several options to close the deficit and offered a recommendation. After long (almost half-day) discussion, followed by another round of discussions at the Board meeting the next day, the Board made two critical decisions.

The first decision is a short-term action strategy to close the structural deficit. The Board unanimously approved a one-time cost sharing option to close the structural deficit. This option will take effect FY 2019-20. The cost sharing option includes a 16.25% dues increase to all member LAFCos, which will generate an additional \$33,452. The other \$35,591 necessary to close the structural deficit will be covered by using a substantial portion of the net profit received from the 2018 Annual Conference.

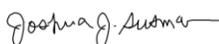
Just as important, the Board is committed to a long-term strategy of revising the current dues structure into a more sustainable and equitable model. As a result, the Board directed the ad hoc finance committee to bring a proposal to the Board at their May 10 meeting for a new dues structure to move the organization forward. This new dues structure will use the current FY 2018-19 dues as the baseline (rather than the increased dues for next FY).

A new dues structure requires the approval of the membership as it is a change in the Bylaws. It is the intention of the Board to place this item on the agenda for membership approval at the October 31, 2019 Annual Membership Business Meeting. Once the draft proposal is approved at its May 10 meeting, the Board will distribute the draft dues structure to the membership with ample time for review and discussion before the Annual Membership Business Meeting.

We understand raising dues at any time is a difficult proposition. Our work at CALAFCO strives to support the success and meet the needs of all member LAFCos, large and small. We are committed to continually enhancing the services of CALAFCO and fulfilling our mandate "to assist member LAFCos with educational and technical resources that otherwise would not be available." We hope you will agree when we discuss this at our annual membership meeting at this year's Conference.

We and the rest of the Board are available to answer any questions you may have. You are encouraged to seek out the feedback of your regional Board members.

On behalf of the CALAFCO Board of Directors,



Josh Susman  
Chair of the Board



Pamela Miller  
Executive Director

Cc: CALAFCO Board of Directors  
enclosures

# CALAFCO BULLETIN

## Membership Dues Increase Questions & Answers



**Question: *What's the issue?***

**Answer:** The issue is that CALAFCO has operated for many years with a structural deficit. The structural deficit is defined as the member LAFCo dues do not cover the operational costs of the organization. The organization continues an unhealthy and unstable fiscal reliance on net profits from the Annual Conference and a year-end net balance carryover to balance the budget.

**Question: *How did the structural deficit happen?***

**Answer:** For many, many years CALAFCO's member LAFCo dues have not covered the operational costs of the organization. Overall, the cost of doing business is increasing and we are not accounting for the additional inflow of sustainable revenue to keep up with rising costs and expansion of services. As a result, the deficit grows.

**Question: *How has CALAFCO been able to sustain itself if the structural deficit has been ongoing?***

**Answer:** In previous years, the organization relied on Fund Reserves and Conference net profit. Recently we have been using Conference net profits and end-of-year savings (net balance) to avoid having to use reserves. However, for FY 2018-19, the Board adopted an unbalanced budget, relying on Fund Reserves for the first time in a long time.

As recently as FY 2004-05 the organization ended the year with a deficit. The dues restructuring beginning FY 2005-06 helped close a portion of the structural deficit. The Board has been successful over the past 12 years in building a healthy Fund Reserve. Today the Fund Reserve balance is \$162,754, which represents approximately 60% of the operating costs of the organization. Some years CALAFCO has a strong net profit on the Conference, which sustains the budget for a few years. Further, CALAFCO has been budgeting a Conference net profit much higher than policy calls for in order to balance the budget. Last year we did not meet that target and this year our Annual Conference was at one time in jeopardy of happening due to the fires in the area.

**Question: *How was the cost sharing solution and dues increase developed?***

**Answer:** In October 2016 the Board formed an ad hoc finance committee (with equitable regional representation as well as urban-suburban-rural representatives). After 15 months of work the committee made recommendations to the Board at the recent strategic planning workshop. To close the structural deficit short-term, the committee provided the Board four (4) options. In addition, CALAFCO has been reducing costs with minimal to no impact to the level of service being provided wherever possible. After lengthy consideration, the Board unanimously approved a hybrid of one of the options. The approved option calls for a 16.25% increase from member LAFCos and the other portion of the deficit to be filled using net profits from the 2018 Annual Conference. These profits would have otherwise been budgeted for transfer to the Reserve Fund and/or used for special projects for the association.

As the cost-sharing strategy is a one-year only solution, the Board instructed the ad hoc committee to work on a long-term solution that calls for a revision of the current dues structure.

**Question: *What is the current dues structure based on and will that change?***

**Answer:** The current dues structure is codified in the CALAFCO Bylaws and was approved by the membership in 2006. It is based on the county population categories by the California State Association of Counties (CSAC) as urban, suburban and rural. As stated above, the ad hoc committee is working on a new dues structure that goes beyond the current three (3) categories. It is anticipated the new structure will have more categories and will create greater equity in terms of the categories and their associated populations. The financial situation was discussed at the 2018 Annual Conference and in response to information gathered from the membership at the regional roundtables, the Board is intent on presenting all member LAFCos with a sustainable and equitable solution.

At its May 10 meeting the Board plans to review and discuss this new draft structure, then distribute the draft recommended dues structure to the membership with ample time for review and discussion before the Annual Membership Business Meeting on October 31, 2019. If approved at this Annual Business Meeting, the new dues structure would take effect FY 2020-21 and serve to finally close the structural deficit.

As directed by the Board, the baseline for the new dues structure will be the current FY 2018-19 dues amount. What this means for you is the lower amount of what your LAFCo is paying now (versus what you will pay in FY 2019-20) will be the minimum baseline for calculating the new dues.

**Question: *How do we know there will not be more dues increases in the future?***

**Answer:** Of course no one can predict the future economy. The goal of the Board is to permanently close the structural deficit and it believes this two-part strategy will accomplish that. Further, setting sights into the future, the hope is eventually there is enough sustainable revenue to again increase member services.

**Question: *Who can I talk to if I have questions?***

**Answer:** If you have questions you are encouraged to contact Pamela Miller, CALAFCO's Executive Director at [pmiller@calafco.org](mailto:pmiller@calafco.org) or 916-442-6536. You can also contact the CALAFCO Board Chair Josh Susman at [jsusman@calafco.org](mailto:jsusman@calafco.org). You are highly encouraged to reach out to any of your regional Board members. All of their names and contact information can be found on the CALAFCO website at [www.calafco.org](http://www.calafco.org).

# CALAFCO LAFCo Dues FY 2019-2020

As adopted by the Board March 1, 2019

County	DOF Population Jan 2018	Category	2016-2017 Dues	7.0% Increase	2017-2018 Dues	2.9% Increase	2018-2019 Dues	16.25% Increase	2019-2020 Dues
ALAMEDA	1,660,202	Urban	8,107	567	8,674	252	8,926	1,450	10,376
ALPINE	1,154	Rural	840	59	899	26	925	150	1,075
AMADOR	38,094	Rural	840	59	899	26	925	150	1,075
BUTTE	227,621	Suburban	2,548	178	2,726	79	2,805	456	3,261
CALAVERAS	45,157	Rural	840	59	899	26	925	150	1,075
COLUSA	22,098	Rural	840	59	899	26	925	150	1,075
CONTRA COSTA	1,149,363	Urban	8,107	567	8,674	252	8,926	1,450	10,376
DEL NORTE	27,221	Rural	840	59	899	26	925	150	1,075
EL DORADO	188,399	Suburban	2,548	178	2,726	79	2,805	456	3,261
FRESNO	1,007,229	Urban	7,163	501	7,664	222	7,887	1,282	9,169
GLENN	28,796	Rural	840	59	899	26	925	150	1,075
HUMBOLDT	136,002	Suburban	2,548	178	2,726	79	2,805	456	3,261
IMPERIAL	190,624	Suburban	2,548	178	2,726	79	2,805	456	3,261
INYO	18,577	Rural	840	59	899	26	925	150	1,075
KERN	905,801	Urban	6,105	427	6,532	189	6,722	1,092	7,814
KINGS	151,662	Suburban	2,548	178	2,726	79	2,805	456	3,261
LAKE	65,081	Rural	840	59	899	26	925	150	1,075
LASSEN	30,911	Rural	840	59	899	26	925	150	1,075
LOS ANGELES	10,283,729	Urban	8,107	567	8,674	252	8,926	1,450	10,376
MADERA	158,894	Suburban	2,548	178	2,726	79	2,805	456	3,261
MARIN	263,886	Suburban	2,548	178	2,726	79	2,805	456	3,261
MARIPOSA	18,129	Rural	840	59	899	26	925	150	1,075
MENDOCINO	89,299	Rural	840	59	899	26	925	150	1,075
MERCED	279,977	Suburban	2,548	178	2,726	79	2,805	456	3,261
MODOC	9,612	Rural	840	59	899	26	925	150	1,075
MONO	13,822	Rural	840	59	899	26	925	150	1,075
MONTEREY	443,281	Suburban	3,446	241	3,687	107	3,794	617	4,411
NAPA	141,294	Suburban	2,548	178	2,726	79	2,805	456	3,261
NEVADA	99,155	Rural	840	59	899	26	925	150	1,075
ORANGE	3,221,103	Urban	8,107	567	8,674	252	8,926	1,450	10,376
PLACER	389,532	Suburban	2,548	178	2,726	79	2,805	456	3,261
PLUMAS	19,773	Rural	840	59	899	26	925	150	1,075
RIVERSIDE	2,415,955	Urban	8,107	567	8,674	252	8,926	1,450	10,376
SACRAMENTO	1,529,501	Urban	8,107	567	8,674	252	8,926	1,450	10,376
SAN BENITO	57,088	Rural	840	59	899	26	925	150	1,075
SAN BERNARDINO	2,174,938	Urban	8,107	567	8,674	252	8,926	1,450	10,376
SAN DIEGO	3,337,456	Urban	8,107	567	8,674	252	8,926	1,450	10,376
SAN FRANCISCO	883,963	Urban	6,481	454	6,935	201	7,136	1,160	8,296
SAN JOAQUIN	758,744	Suburban	5,297	371	5,668	164	5,832	948	6,780
SAN LUIS OBISPO	280,101	Suburban	2,548	178	2,726	79	2,805	456	3,261
SAN MATEO	774,155	Urban	5,864	410	6,274	182	6,456	1,049	7,505
SANTA BARBARA	453,457	Suburban	3,399	238	3,637	105	3,742	608	4,350
SANTA CLARA	1,956,598	Urban	8,107	567	8,674	252	8,926	1,450	10,376
SANTA CRUZ	276,864	Suburban	2,548	178	2,726	79	2,805	456	3,261
SHASTA	178,271	Suburban	2,548	178	2,726	79	2,805	456	3,261
SIERRA	3,207	Rural	840	59	899	26	925	150	1,075
SISKIYOU	44,612	Rural	840	59	899	26	925	150	1,075
SOLANO	439,793	Suburban	3,419	239	3,658	106	3,764	612	4,376
SONOMA	503,332	Suburban	3,879	272	4,151	120	4,271	694	4,965
STANISLAUS	555,624	Suburban	4,090	286	4,376	127	4,503	732	5,235
SUTTER	97,238	Rural	840	59	899	26	925	150	1,075
TEHAMA	64,039	Rural	840	59	899	26	925	150	1,075
TRINITY	13,635	Rural	840	59	899	26	925	150	1,075
TULARE	475,834	Suburban	3,323	233	3,556	103	3,659	595	4,254
TUOLUMNE	54,740	Rural	840	59	899	26	925	150	1,075
VENTURA	859,073	Urban	6,591	461	7,052	205	7,257	1,179	8,436
YOLO	221,270	Suburban	2,548	178	2,726	79	2,805	456	3,261
YUBA	74,727	Rural	840	59	899	26	925	150	1,075
<b>TOTAL</b>	<b>39,809,693</b>		<b>\$187,012</b>	<b>\$13,091</b>	<b>\$200,103</b>	<b>\$5,803</b>	<b>\$205,906</b>	<b>\$33,452</b>	<b>\$239,358</b>



# Announcing The 2019 CALAFCO Annual Conference



Hosted by CALAFCO

**October 30 – November 1**

*Hyatt Regency, Sacramento*



## Value-Added and Diverse General & Breakout Session Topics

-  Stress-testing LAFCoS and local agencies in changing times\*
-  It takes a village: LAFCo, County and State collaboration to solve a local problem\*
-  Water, water everywhere but not a drop to drink
-  Planning the legislative menu rather than being on the menu
-  What's your story? Crafting and communicating a compelling LAFCo narrative
-  MSRs: You get out what you put in
-  Opportunities and challenges for LAFCo in addressing the housing call
-  Solving difficult service issues with creative and innovative solutions
-  Leading your LAFCo into the next decade with courage and independence\*
-  Annual CALAFCO Legislative Update\*
-  CALAFCO Annual Business Meeting (for all CALAFCO members)\*

*Note: The Program is subject to change.*

*\*Indicates General Session*

## Special Highlights

Mobile Workshop  
Still under construction.



We are working on a tour of the **West Sacramento Port** and **Farmers Rice Coop** plant followed by a visit to the new **Sacramento Fire Fighter's Museum** with a special farm to fork lunch and several guest speakers.

Details will be announced shortly – but register now to secure your seat!

**Wednesday from  
7:30 a.m. to 12:30 p.m.**  
(times approx..)

### LAFCo 101

An introduction to LAFCo and LAFCo law for Commissioners, Staff, and anyone interested in learning more about LAFCo

**Wednesday from  
10: 00 a.m. to Noon**

**Thursday luncheon  
keynote to be announced**

## Invaluable Networking Opportunities

-  Regional Roundtable discussions on current regional LAFCo issues
-  Extended roundtable discussion for LAFCo legal counsel
-  Networking breakfasts and breaks
-  **Pre-dinner Reception with Sponsors Wednesday**
-  **Awards Banquet Wednesday**
-  **Welcome Reception Thursday**

## Hyatt Regency downtown



Make your reservations now at the **Hyatt Regency** at the special CALAFCO rate of \$139 (excludes tax and fees). Special rates available 2 days pre and post-conference on availability, includes in-room wifi and parking.

**Reservation cutoff date is 10/08/19.**

TO MAKE HOTEL RESERVATIONS, PLEASE VISIT: [Hyatt Regency Online Reservation](https://www.hyatt.com/hotels/sacramento) or call **877-803-7534** and reference CALAFCO Conference.

Visit [www.calafco.org](http://www.calafco.org) for Conference details or call us at 916-442-6536.

**Mark your calendar and  
plan to attend!**  
**Registration is now open!**  
**Visit [www.calafco.org](http://www.calafco.org)**

CORRESPONDENCE – IN THE NEWS

Newspaper Articles

- West Side Index, June 27, 2019, “Newman, Stanislaus County settle litigation; agree on tax sharing.”
- The Modesto Bee, July 1, 2019, “Stanislaus County makes leadership change at trouble Consolidated Fire District.”
- The Modesto Bee, July 1, 2019, “Why new partnership between Modesto fire, Oakdale agencies leave mayors smiling.”
- West Side Index, July 5, 2019, “Ambulance board seats will likely remain empty until 2020”
- West Side Index, August 1, 2019, “City to meet with Northwest Newman property owners.”
- West Side Index, August 8, 2019, “NW Newman property owners, city officials discuss annexation.”
- West Side Index, August 8, 2019, “Ambulance service preparing for transition.”

# Newman, Stanislaus County settle litigation; agree on tax sharing

NEWMAN - Finances were at the heart of two recent agreements struck between the city of Newman and Stanislaus County.

The two agencies recently agreed on a property tax sharing agreement which allows the city's Northwest Newman annexation request to move forward, and reached a settlement on the county's share of funding to help offset the traffic impacts of the planned Crows Landing air base business/industrial park.

The City Council signed off on both accords in May, and the county Board of Supervisors has also given its blessings to those agreements.

City Manager Michael Holland said the tax-sharing agreement reached on the 370-acre Northwest Newman project, a mix of commercial, business park and residential development, increases the percentage of property tax which will stay in Newman.

"We were able to work with the county to get a more reasonable property tax split," Holland told Mattos Newspapers. "We use those property taxes to provide services such as police and fire protection, and recreational opportunities. The more local dollars we can keep, the better off the residents are."

Upon annexation of the property, the county will continue to receive its full share of the existing "base" tax but agrees to divide its share of future property tax increases with the city. Under the new formula the two agencies will split the county's share of new property tax revenue 50-50 on commercial/job generating property. The county will receive 60 percent of the tax increases on residential properties, while 40 percent will go to the city.

Under a previous agreement, Holland said, the county would have kept 70 percent of new property taxes generated, while the city would have received 30 percent of the new tax revenues.

Holland said the tax-sharing resolution allows the city to submit its Northwest Newman Phase I annexation request to the Local Agency Formation Commission (LAFCO), the land-use authority which must approve any expansion of the city limits.

Holland said he anticipates initiating LAFCO proceedings in the late summer to early fall.

In the meantime, he told Mattos Newspapers, city officials will meet once again with property owners to update them on the status of the annexation. He said the city will also internally evaluate whether the Phase I annexation should be expanded to include some residential land uses as well as the commercial/business park designations.

## Crows Landing accord

A settlement was also reached on the city's litigation challenging Stanislaus County's proposed share of intersection improvements on Highway 33 at Stuhr, Jensen, Yolo and Inyo in order to accommodate the increased traffic volumes expected to be generated by the air base industrial park project.

The county's initial report indicated that 28 percent of future traffic volume increases would be attributed to the Crows Landing project, Holland said, but proposed that the county pay 14 percent of the improvement costs.

**IN THE NEWS – West Side Index, June 27, 2019 (Continued Page 2)**

The county agreed in the settlement agreement to pay the 28 percent of improvement costs.

“It is only appropriate that the county pay 28 percent of the cost,” Holland stated.

The issue is of financial consequence, he added, because the cost of the improvements may well run into seven figures. The traffic plan calls for four traffic lanes on Highway 33 through Newman and traffic signals at each of the intersections, he noted.

Holland said the city hopes to land a grant to complete a comprehensive plan for the Highway 33 corridor, from Stuhr Road to the county line.

“What is that going to look like; who do we need land from? This is a 30-year project,” he commented. “Let’s get it all planned out now.”

# Stanislaus County makes leadership change at troubled Consolidated fire district

By Ken Carlson

Stanislaus County leaders have appointed two new members to the Stanislaus Consolidated Fire Protection District board, replacing the former president and a board member whose furniture sales to the district were exposed in 2017.

The county Board of Supervisors last week appointed Jonathan Goulding and Steven Stanfield to four-year terms on the board, which is composed of city and county appointees. Goulding and Stanfield replace former board president Susan Zanker and board member Dave Woods, whose terms expired Sunday.

County Supervisors Vito Chiesa and Kristin Olsen had recently conducted interviews with applicants.

Local officials and residents have criticized the district in eastern Stanislaus County for turnover in the fire chief's position, for the district's financial struggles and for soured relationships with neighboring agencies.

The city of Oakdale and Oakdale's rural fire district recently entered a contract with Modesto for emergency services after they couldn't agree to terms of renewing a five-year service agreement with Consolidated.

"We just think that board has had its share of issues," county Board Chairman Terry Withrow said. "It was time to get some new blood in there ... It was multiple things."

Zanker did not return a message from The Modesto Bee on Monday.

"I am disappointed we were not reappointed," Woods said. "We worked extremely hard under difficult conditions to bring the district back ... It takes some time for a new board member to really come up to speed on the operations of the district."

The district, with close to a \$15 million annual budget, provides emergency services in Riverbank, Waterford, Empire, Hickman and a portion of Modesto. The county appoints three of the five board members; Riverbank and Waterford each appoint a board member.

The terms of the three county appointees, including Gregory Bernardi, who joined the board in February and was reappointed last week, expire in June 2023. Michelle Guzman and Steve Green, who are Riverbank and Waterford appointees, respectively, hold seats that expire Dec. 31.

The fire district came under the glare of media attention in fall 2017 when its board took action to dismiss Fire Chief Rick Weigele after only five months on the job. Citing the short-lived tenures of two previous chiefs, some residents and elected officials raised questions about the disciplinary action and demanded a more stable administration.

In November 2017, The Bee reported that some of the furniture in district fire stations had been purchased from a business owned by Woods. Records showed that the district purchased nine recliners from Woods' online business in 2016 for a total of \$6,160.

Woods participated in board votes in October and November 2016 that approved the payments for furniture purchases from his business. Ethics laws in California prohibit public officials from using their positions for personal gain. After the story was published in The Bee, Woods returned the \$6,160 to the district.

In the past six months, Oakdale asked for more transparency and control of district costs in sometimes rancorous discussions over a renewal of the service agreement with Consolidated, which expired June

**IN THE NEWS – The Modesto Bee, July 1, 2019 (Continued Page 2)**

30. Oakdale reached out to Modesto after Consolidated didn't agree to a six- to 12-month extension so that details could be negotiated.

Supervisor Olsen released a statement saying: "Stanislaus Consolidated has suffered from a lot of turmoil and dysfunction with ever-changing chiefs, the loss of both the City of Oakdale and Oakdale Rural contracts, lack of communication, uncertainty and fear within its firefighting workforce, and more. Residents and businesses served by Consolidated deserve a stable, healthy, and accountable fire district that they can rely on, and to that end, it was time to make a change."

County Supervisor Vito Chiesa said he likes Stanfield's interest in public agency budgets and his role on the "Behind the Badge" show on radio. Stanfield is a public information officer for Modesto police. Goulding works for Ceres Fire Department. Both appointees live inside Consolidated's boundaries.

Chiesa said the board members who were not reappointed did bring in expertise to evaluate the fire district's financial issues. He said not any one person was to blame for the dissolution of the Oakdale-Consolidated service agreement.

"The (county) board just decided to go in a different direction as a whole," Chiesa said. "I appreciate the service of the board members we did not reappoint. I believe the board has done a few things to help get the finances under control. We want to see even more action."

# Why new partnership between Modesto fire, Oakdale agencies leave mayors smiling

By Kevin Valine

Officials gathered Monday morning at Oakdale Fire Station No. 28 to mark the start of a partnership among Modesto, Oakdale and the Oakdale Rural Fire Protection District in which Modesto will provide fire services for the two.

"This is a great day for the city of Oakdale," said JR McCarty, the city's mayor, before about three dozen firefighters as well as officials from the two cities and the fire district.

Modesto Mayor Ted Brandvold said as cities "struggle coming up with ways to save money and balance our budgets, it only makes sense to collaborate and work together to bring vital services to our citizens."

Oakdale and the Oakdale district cut their ties with the Stanislaus Consolidated Fire Protection District, which had provided them with fire protection services for five years. Consolidated has faced such issues as turnover among its fire chiefs and drawing down its budget reserves.

The officials gathered Monday in Oakdale thanked Consolidated, and Consolidated thanked them in a Facebook post and offered support in the transition.

The governing bodies for Modesto, Oakdale and the Oakdale district approved a three-year agreement with an option for two additional years. Oakdale will pay Modesto \$8.3 million over the three years, and the Oakdale district will pay \$6.2 million.

Modesto will staff Oakdale's two stations with three firefighters per station and alternate coverage of the district's Valley Home and Knights Ferry stations with two firefighters. The two Oakdale agencies will continue to own the buildings and equipment.

Modesto hired 25 Consolidated firefighters for the new contract.

Oakdale City Manager Bryan Whitemyer said his city will pay Modesto slightly more than what it paid Consolidated last year but is getting a lot more service. The number of firefighters is rising from 21 to 25.

The additional firefighters mean both Oakdale stations will be fully staffed with three each. Previously, one station had been staffed with two. And Oakdale is getting a battalion chief.

Whitemyer said Oakdale looked at staying with Consolidated, restarting its Fire Department or contracting with Modesto. He said going with Modesto made the most sense and provides a depth of service, including administrative support, that was not available through the two other options.

Stanislaus Consolidated will continue to serve its original area, which includes the east edge of Modesto along with Riverbank, Empire, Waterford and La Grange.

# Ambulance board seats will likely remain empty until 2020

The board which oversees operation of West Side Community Ambulance will likely remain two members short of a full complement of directors through late 2020.

The short-handed ambulance board, which has been operating for months with the bare minimum of three members required to conduct business, had planned to put its two vacant seats up for election in November of this year but last week decided to push the election back to November 2020.

After adopting a resolution in May to put the seats up for election this November, the board learned that its election would probably be the only one on the local ballot - and therefore the entire cost would fall to the West Side Community Healthcare District, which operates the ambulance.

If the district did pursue the election, one of the seats would be back on the November 2020 ballot regardless as the term expires, legal counsel Nicolas Cardella advised the ambulance board last week.

"In 2019, at least as of last week, we were the only ones asking for anything to be on the ballot. The district would shoulder the entire cost of holding the election," said Cardella. "In light of these cost issues, we need to make a decision as to whether we want to shoulder the additional costs of filling these seats and as soon as we can or whether we are content to continue operating with three board members until the 2020 election, at which time we would have minimal costs."

A third option, Cardella noted, is to simply declare the seats vacant and attempt to fill the posts through special appointment. But Stanislaus County officials have in the past challenged the district's ability to do so.

Cardella said he believes the district could make a case for its legal authority to do so, but acknowledged that "there are a lot of issues with that, and I think it would be counter-productive given our history with these seats."

The district has no firm cost estimate on holding a November 2019 election but Dennis Brazil, board president, estimated that the tab would be \$10,000 or more.

And, Cardella pointed out, there is no promise that any candidates would step forward to run for seats on the ambulance board, which historically have drawn little interest.

The two vacant seats are those representing the rural Newman and Newman city zones.

None of the three sitting board members - Brazil, David Varnell and Charles Tanner - expressed interest in moving forward with a November 2019 election given the potential costs involved.

"I think we would be wasting taxpayer money by doing that," Varnell stated.

"I don't think it is feasible," Brazil said of a 2019 election. "We should wait for the 2020 election to be square with the rest of the county and the normal election cycle."

Most public agencies have aligned with even-year election cycles. The cost of holding an election is shared among the agencies participating, so a crowded ballot equates to lower expenses for each.

The district will, however, take one final look at whether it can be authorized to fill the seats by special appointment.

**IN THE NEWS – West Side Index, July 5, 2019 (Continued Page 2)**

Brazil asked Cardella to confer with Stanislaus County legal counsel and pose the question of appointment authority to the state's attorney general.

Cardella indicated that he was not "terribly optimistic" about the prospects for a favorable opinion, but said he would pursue that option.

Varnell expressed concern about being two members short for the long haul.

"If one of us gets sick or something happens, we're dead in the water," he said.

That's not entirely true, Cardella said, because should an additional seat be vacated the district would have a fresh window of opportunity to appoint a replacement.

"You would be able to make an appointment as long as you do it within 90 days," he stated.

Filling the two vacant seats has proven to be no small challenge.

The board attempted to appoint two applicants earlier this year, only to learn that it had not acted within the required time frame to make the appointments under its own authority. The Stanislaus County Board of Supervisors could have made the appointments within an additional 30-day window, but has taken the position that it can only appoint applicants who reside within the geographical district they will represent.

Neither of the two candidates put forth for consideration at the county level lived in the board zones with vacancies, so the county declined to seat those individuals.

As a result, the ambulance board has continued to operate as a three-person governing body and given the latest decision will likely do so for another 18 months.

## City to meet with Northwest Newman property owners

NEWMAN - City officials will meet with property owners and residents within the first phase of annexation in the Northwest Newman project tonight (Thursday, Aug. 1) to update them on the project.

The meeting, which is open to all interested members of the public, begins at 6 p.m. in the Newman City Council chambers.

Northwest Newman is a 362-acre project which is a blend of residential, business park and commercial uses. The city initially plans to annex 121 acres, most of which is between Highway 33 and Fig Lane.

City Manager Michael Holland said the city's annexation application is expected to go to the Local Agency Formation Commission, the land use agency better known as LAFCO, for consideration in October.

"It has been a while since that project has gone anywhere because we were stalled with the county in regard to property tax sharing. That has been resolved, and we want to bring in the property owners, give them a time line and update them," Holland said.

The property included in the initial annexation is primarily earmarked for job-generating uses such as commercial and business park development. The city, which took over the planning about seven years ago after the project had faltered, estimates that 2,000 jobs will be generated in Northwest Newman.

"Our goal is always to bring jobs and commercial opportunity to the community. That is what Phase I does," Holland explained.

A small portion of Phase I is designated for residential development, Holland said, but does not provide a significant opportunity for home-building.

"We discussed additional residential with some property owners out there with larger tracts of land. We decided that they could continue farming it in the interim," Holland told Mattos Newspapers. "By leaving them out at this time they can continue to access CCID water and keep viable ag parcels."

Northwest Newman is ultimately projected to generate up to 1,200 or more residential units of varying types, ranging from multi-family complexes to executive homes.

A school and parks would be among the eventual amenities.

Holland emphasized that no changes are being proposed to existing uses by property owners within the annexation area. He said the city will adopt implementation policies to ensure an orderly transition as properties do develop, and existing uses can continue as long as they are managed appropriately.

Development in the area will be market-driven, he added, and no property owners will be forced to develop.

The city's role, he said, is to provide infrastructure to the area in preparation for development.

Part of that process, Holland noted, involves making improvements to Jensen Road to provide adequate access to the area.

"We will implement some interim measures on Jensen Road to Fig Lane and make sure we get the utilities in," he said. "Then we'll see what happens with property owners. We are not going to force property owners to develop, but if they want to we will help them the best we can."

# NW Newman property owners, city officials discuss annexation

First phase would bring in 121 acres, primarily for business park/commercial development

NEWMAN - City officials recently offered assurances to property owners in the first-phase annexation of the planned Northwest Newman project that their existing uses can largely stay unchanged until they choose to sell or develop their land.

City Manager Michael Holland led a 90-minute meeting last Thursday to update property owners on the project and field questions.

Northwest Newman is a 360-acre mixed use project that includes land designated for commercial use, a business park, professional offices and residential development, located to the north of the existing city limits and west of Highway 33.

The city is proposing to annex about 121 acres initially, most of which is earmarked for the job-generating commercial and business park uses. The city's application to annex the property is expected to go to the land use agency LAFCO for consideration in October, Holland told those gathered at the informational meeting.

He also reviewed a number of proposed changes in the implementation policy which will guide the transition from unincorporated property to urban land uses over time. He said those changes, which will go to the City Council for consideration on Aug. 13, were driven largely by comments from landowners in past meetings and reflect less restrictive policies on the city's part.

Holland also assured property owners that they will not be forced to sell or develop their property unless they so choose.

"We think the value (of property) will actually increase, but I can't promise you that," said Holland, who added that commercial properties in the city had commanded prices in the neighborhood of \$700,000.

Not everybody was convinced, however, as one in attendance termed that estimated amount a "joke" compared to true value and predicted that residents were going to be ultimately squeezed out.

Other property owners voiced questions and concerns about the impact on their land and lifestyles.

Wells were one common concern.

While the city's proposed implementation policy essentially gives landowners five years (increased from two) from the time services are available to connect to city systems, Holland said that in reality the city will allow remaining wells and septic systems to remain in use until such time that they fail or compromise the health and safety of municipal systems or surrounding properties. A handful of wells and septic systems remain in use within the city limits, he said by way of example.

Should a well fail altogether the city would require connection to the city water system rather than permitting a new well to be drilled, Holland acknowledged. That may be a fairly straightforward proposition if a water main is nearby, but Holland said there is a possibility that a landowner may have to extend a main line in order to connect to the water or sewer system. Because that main would be sized to serve additional development as well, the existing policy provides reimbursement to a landowner for seven years. At the request of landowners, Holland agreed to revisit the time frame with the City Council. That same provision applies to sewer mains.

**IN THE NEWS – West Side Index, August 8, 2019 (Continued Page 2)**

Under that scenario, one property owner said, landowners would essentially be forced to install infrastructure which benefits the city because they would not have the option to replace wells or septic systems.

Property owners who want to connect to the city water system but maintain their own well for irrigation or landscaping can do so, he added, but must install a backflow device which is tested annually to protect against contamination of the city system from a private well.

In response to a question from another audience member, Holland said the large well being drilled toward the western end of Jensen Road will not impact local wells because of its 500-foot depth which extends below the clay layer.

As part of the water project, a main line will be installed down Jensen Road to Fig Lane, and eventually connect with an existing main east of Highway 33 and adjacent railroad tracks. The city is currently waiving connection fees for nearby property owners who want to hook up to the line.

When that line goes in, he noted, the plan is to expand Jensen Road to two full lanes from Highway 33 to Fig Lane.

Livestock was another issue of concern.

The implementation policy initially adopted by the City Council would have allowed property owners to keep non-domestic livestock but not replace existing stock after they had perished.

The new proposal would allow property owners to replace non-domestic animals in an appropriate number and manner. The language will essentially allow the city and property owner to enter into an agreement allowing the non-domestic animals to be maintained and replaced. It also creates an opportunity for those with chickens to keep roosters as well.

Ultimately, Holland said, he believes annexation provides opportunities for the city to prosper and will benefit affected property owners as well through access to city services.

“We believe we are creating policies which allow them to maintain their current lifestyle, and animals if they are being managed properly and in appropriate numbers,” Holland commented. “We’re not forcing anybody to sell their property. This will all be private, market-driven. We’re just trying to set the stage so that if we grow it is done in a managed way. That was what the community told us in the general plan process that they wanted, rather than piece-meal projects.”

# Ambulance service preparing for transition

## Hiring of manager seen as pivotal step

West Side Community Ambulance is moving forward with the recruitment of a chief of operations - a position seen as critical in the company's transition from outside oversight back to an in-house management structure.

While the checklist of transition items is far-reaching, including items that range from hiring a medical director and securing narcotics purchase approvals to upgrading technology and establishing quality assurance/quality improvement protocols.

But perhaps no single step is as crucial to the future of West Side Community Ambulance as bringing the right manager in to oversee the operation, ambulance board president Dennis Brazil and Roberta Casteel, administrative supervisor for the provider.

West Side turned to outside management firms five years ago when the organization was in turmoil, but after arrangements with two different companies did not work out is going back to an in-house manager.

"It is going to be hard long-term," Casteel acknowledged. "But it didn't work with SEMSA and it didn't work with AMR (the outside firms), so where do you go? You go back to your roots, because there was a time when it did work for West Side on its own. The only way it is going to work is with the right leadership and (if) all the employees come together as a team to make it happen."

The last few years have been challenging for all West Side employees, Casteel and Brazil added.

"The employees need stability," Brazil commented. "It has been a long time coming. There has been a lot of change for the employees and staff."

"It has been hard on them as well as myself. To have five managers in seven years.....there has been no consistency," Casteel said.

The new manager must be willing to handle multiple duties, Brazil emphasized - and be willing to jump aboard an ambulance if need be to keep it in service or respond to calls using the district's quick-response vehicle pickups.

West Side Community Healthcare District, which operates the taxpayer-supported ambulance, has started the recruitment process. Twenty-five candidates applied for the management position. About half are from the local area and some are current West Side employees, Casteel said.

She screened applicants, and 13 were invited to interview. Nine accepted and interviewed before a committee comprised of two area ambulance directors, a local citizen, a former local operations manager and a representative of ambulance oversight agency Mountain Valley EMS.

From that group, three finalists will be forwarded to the ambulance board for consideration.

Brazil said the hope is still to bring a manager on board in time to transition to local management in early September, but conceded that time frame may be ambitious.

**IN THE NEWS – West Side Index, August 8, 2019 (Continued Page 2)**

Brazil said the plan is to put the manager in place, and then determine if a second, part-time assistant position is required.

Given the workload and requirements, Casteel said, she believes the second position will also be imperative.

Brazil said that the district has already made arrangements with a number of outside firms to provide services such as payroll, billing and accounting.

In the past, he said, in-house staff attempted to handle some of those duties but did not have the resources to effectively do so.

Brazil said he believes West Side is fiscally sound as the agency moves into transition. The agency has account balances in excess of \$950,000, and showed a \$308,000 net income in the recently-completed fiscal year, nearly double the budget projection.

A number of challenges face West Side moving forward - including negotiating a new contract with its employees, establishing new crew quarters and potentially considering asking voters to approve an increase to the Measure A parcel tax, which has remained the same since its approval in 1984.

First, however, the district must find the right person to lead the organization, Casteel and Brazil emphasized.

“To me, this is make or break,” Casteel reflected. “We have to find people who are invested in West Side. If we don’t, it won’t happen.”

**TO: LAFCO Commissioners**

**FROM: Javier Camarena, Assistant Executive Officer**

**SUBJECT: MSR NO. 2019-02, SOI UPDATE 2019-02: MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR THE HILLS FERRY, KNIGHTS FERRY, AND PATTERSON CEMETERY DISTRICTS**

## **INTRODUCTION**

This proposal was initiated by the Local Agency Formation Commission in response to State mandates that require the Commission to conduct municipal service reviews and sphere of influence updates for all cities and special districts at least once every five years. The current review covers the Hills Ferry, Knights Ferry, and Patterson Cemetery Districts. The previous update for these districts was adopted September 24, 2014.

## **DISCUSSION**

There are three Public Cemetery Districts in Stanislaus County: Hills Ferry, Knights Ferry, and Patterson Cemetery Districts. The Districts were organized under the California Health and Safety Code Section 9000 et. seq. Pursuant to State law, Cemetery Districts are legally authorized to provide standard cemetery functions including land acquisition, cemetery maintenance, and grounds keeping. A Board of Trustees, appointed by the Stanislaus County Board of Supervisors, governs each of the Districts.

The Municipal Service Review and Sphere of Influence Update process provides an opportunity for the Districts to share accurate and current data, accomplishments and information regarding the services they provide. LAFCO Staff sent the previously approved Municipal Service Review and Sphere of Influence document to each of the Cemetery Districts for their comments, revisions and updated information. LAFCO Staff also reviews the Districts' most recent audits, current budget, and previous five years of reports from the State Controller's office. Once this data was collected, a revised Municipal Service Review and Sphere of Influence Update document was drafted.

The proposed Municipal Service Review and Sphere of Influence document is attached to this report as Exhibit 1. The relevant factors as set forth by the Cortese-Knox-Hertzberg Act are discussed for each District. No changes are being proposed for the Districts' Spheres of Influence.

## **ENVIRONMENTAL REVIEW RECOMMENDATION**

Pursuant to the California Environmental Quality Act (CEQA), the adoption of a municipal service review is considered to be categorically exempt from the preparation of environmental documentation under a classification related to information gathering (Class 6 - Regulation §15306). Further, LAFCO's concurrent reaffirmation of an existing sphere of influence qualifies for a General Exemption as outlined in CEQA Regulation §15061(b)(3), which states:

*The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.*

As there are no land use changes, boundary changes, or environmental impacts associated with

the Municipal Service Review and Sphere of Influence Update, a Notice of Exemption is the appropriate environmental document.

**ALTERNATIVES FOR COMMISSION ACTION**

After consideration of this report and any testimony or additional materials that are submitted, the Commission should consider choosing one of the following options:

- Option 1:** APPROVE the Municipal Service Review and Sphere of Influence Update for the Hills Ferry, Knights Ferry, and Patterson Cemetery Districts.
- Option 2:** DENY one or more of the updates.
- Option 3:** If the Commission needs more information, it should CONTINUE this matter to a future meeting (maximum 70 days).

**RECOMMENDED ACTION**

**Approve Option 1.** Based on the information presented, Staff recommends approval of Municipal Service Review and Sphere of Influence Update for the Hills Ferry, Knights Ferry, and Patterson Cemetery Districts. Therefore, Staff recommends that the Commission adopt Resolution No. 2019-16, which:

1. Determines that the Municipal Service Review and Sphere of Influence Update qualifies for a General Exemption from further California Environmental Quality Act (CEQA) review based on CEQA Regulations §15306 and §15061(b)(3);
2. Makes determinations related to the Municipal Service Review and Sphere of Influence Update as required by Government Code §56425 and §56430; and,
3. Determines that the Spheres of Influence for the Hills Ferry, Knights Ferry, and Patterson Cemetery Districts should be affirmed as they currently exist.

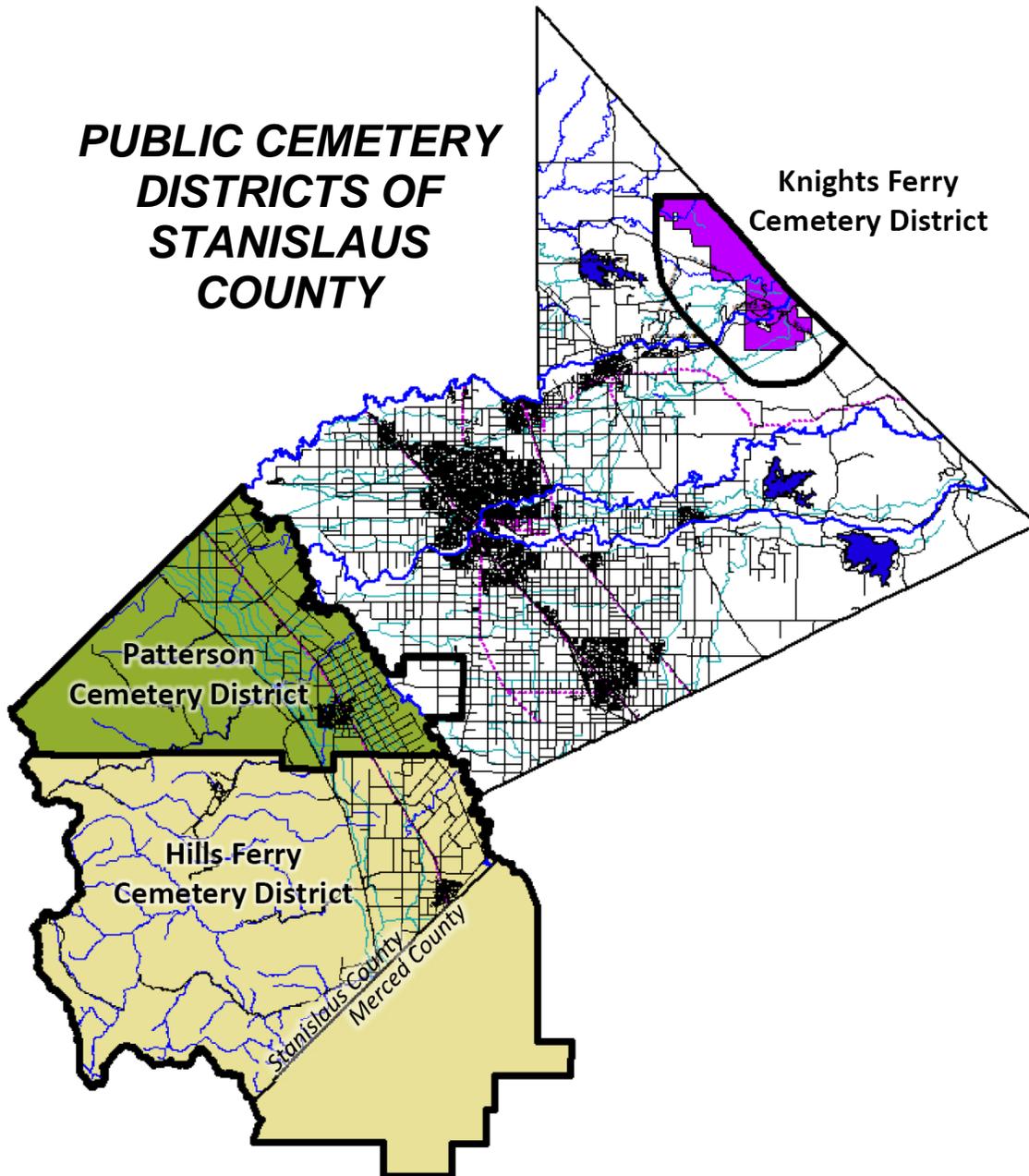
*Attachments:*

- Municipal Service Review and Sphere of Influence Update for the Hills Ferry, Knights Ferry, and Patterson Cemetery Districts
- Draft Resolution No. 2019-16



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

**PUBLIC CEMETERY  
DISTRICTS OF  
STANISLAUS  
COUNTY**



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

Adopted: \_\_\_\_\_

---

# **STANISLAUS**

## **LOCAL AGENCY FORMATION COMMISSION**

---

### **COMMISSIONERS**

Amy Bublak, City Member  
Michael Van Winkle, City Member (Chair)  
Jim DeMartini, County Member (Vice Chair)  
Terry Withrow, County Member  
William Berryhill, Public Member  
Richard O'Brien, Alternate City Member  
Vito Chiesa, Alternate County Member  
Brad Hawn, Alternate Public Member

### **STAFF**

Sara Lytle-Pinhey, Executive Officer  
Javier Camarena, Assistant Executive Officer  
Jennifer Goss, Commission Clerk  
Alice E. Mimms, Legal Counsel

---

# TABLE OF CONTENTS

---

<b>Introduction .....</b>	<b>1</b>
Municipal Service Review Factors to be Addressed .....	1
Sphere of Influence Update Process .....	2
Authority .....	2
Classification of Services.....	2

## MUNICIPAL SERVICE REVIEW (MSR)

<b>Hills Ferry Cemetery District .....</b>	<b>3</b>
Formation .....	3
Location and Size .....	3
Sphere of Influence .....	3
Governance.....	3
Personnel .....	3
Support Agencies .....	3
Funding Sources .....	3
Services .....	4
Capacity .....	4
<b>Municipal Service Review Determinations .....</b>	<b>4</b>
Growth and Population Projections.....	4
Location and Characteristics of Disadvantaged Unincorporated Communities .....	4
Present and Planned Capacity of Public Facilities, Adequacy of Public Services .....	4
Financial Ability of Agencies to Provide Services.....	5
Status of, and Opportunities for, Shared Facilities .....	5
Accountability for Community Service Needs .....	5
Any Other Matter Related to Effective or Efficient Service Delivery .....	5
<b>Knights Ferry Cemetery District .....</b>	<b>6</b>
Formation .....	6
Location and Size .....	6
Sphere of Influence .....	6
Governance.....	6
Personnel .....	6
Support Agencies .....	6
Funding Sources .....	6
Services .....	7
Capacity .....	7
<b>Municipal Service Review Determinations .....</b>	<b>7</b>
Growth and Population Projections.....	7
Location and Characteristics of Disadvantaged Unincorporated Communities .....	7
Present and Planned Capacity of Public Facilities, Adequacy of Public Services .....	7
Financial Ability of Agencies to Provide Services.....	7
Status of, and Opportunities for, Shared Facilities .....	8
Accountability for Community Service Needs .....	8
Any Other Matter Related to Effective or Efficient Service Delivery .....	8

---

**TABLE OF CONTENTS (Cont.)**

---

<b>Patterson Cemetery District .....</b>	<b>9</b>
Formation .....	9
Location and Size .....	9
Sphere of Influence .....	9
Governance.....	9
Personnel.....	9
Support Agencies .....	9
Funding Sources .....	9
Services .....	10
Capacity .....	10
<b>Municipal Service Review Determinations .....</b>	<b>10</b>
Growth and Population Projections.....	10
Location and Characteristics of Disadvantaged Unincorporated Communities .....	10
Present and Planned Capacity of Public Facilities, Adequacy of Public Services .....	10
Financial Ability of Agencies to Provide Services.....	11
Status of, and Opportunities for, Shared Facilities .....	11
Accountability for Community Service Needs .....	11
Any Other Matter Related to Effective or Efficient Service Delivery .....	11

### **SPHERE OF INFLUENCE (SOI) UPDATE**

<b>Hills Ferry Cemetery District .....</b>	<b>12</b>
<b>Sphere of Influence Determinations .....</b>	<b>12</b>
Present and Planned Land Uses .....	12
Present and Probable Need for Public Facilities and Services.....	13
Present Capacity of Public Facilities and Adequacy of Public Services .....	13
Communities of Interest in the Area.....	13
Need for Public Facilities in Disadvantaged Unincorporated Communities .....	13
<b>Knights Ferry Cemetery District .....</b>	<b>13</b>
<b>Sphere of Influence Determinations .....</b>	<b>13</b>
Present and Planned Land Uses .....	13
Present and Probable Need for Public Facilities and Services.....	14
Present Capacity of Public Facilities and Adequacy of Public Services .....	14
Communities of Interest in the Area.....	14
Need for Public Facilities in Disadvantaged Unincorporated Communities .....	14
<b>Patterson Cemetery District .....</b>	<b>14</b>
<b>Sphere of Influence Determinations .....</b>	<b>14</b>
Present and Planned Land Uses .....	14
Present and Probable Need for Public Facilities and Services.....	15
Present Capacity of Public Facilities and Adequacy of Public Services .....	15
Communities of Interest in the Area.....	15
Need for Public Facilities in Disadvantaged Unincorporated Communities .....	15

---

## TABLE OF CONTENTS (Cont.)

---

### APPENDICES

Appendix A: Hills Ferry Cemetery District Summary Profile.....	16
<b>Map 1: Hills Ferry Cemetery District Boundary.....</b>	<b>17</b>
Appendix B: Knights Ferry Cemetery District Summary Profile .....	18
<b>Map 2: Knights Ferry Cemetery District Boundary .....</b>	<b>19</b>
Appendix C: Patterson Cemetery District Summary Profile .....	20
<b>Map 3: Patterson Cemetery District Boundary.....</b>	<b>21</b>
Appendix D: References .....	22

*This page intentionally left blank.*

# **Municipal Service Review and Sphere of Influence Updates for the Hills Ferry, Knights Ferry, and Patterson Cemetery 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

State Guidelines and Commission policies encourage cooperation among a variety of stakeholders involved in the preparation of a municipal service review. This MSR will analyze the Hills Ferry, Knights Ferry, and Patterson Cemetery Districts, with regards to existing and future services. The MSR will also provide a basis for each of the Districts and LAFCO to evaluate, and if appropriate, make changes to 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 Hills Ferry, Knights Ferry, and Patterson Cemetery Districts were originally adopted by the Commission in 1984. The most recent update, adopted in 2008, 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.

## **Authority**

The three cemetery districts in Stanislaus County are public entities that were organized under the California Health and Safety Code Section 9000 et. seq. (formerly Sections 8890-9225). Under this code, cemetery districts are legally authorized to provide standard cemetery functions, including land acquisition, cemetery maintenance, and grounds keeping.

The Code also prescribes those who may be interred in district cemeteries. The deceased must have been a resident or taxpayer of the district, or former resident or taxpayer of the district who purchased lots prior to leaving the area or selling his/her land. Family members are eligible for interment, but are limited to spouses, parents, grandparents, children, and siblings.

In addition, a descendent not otherwise eligible may be interred in a district cemetery if private facilities are not available within a radius of 15 miles of the descendents residence. Plots acquired by veterans associations may be used for the burial of any of their members, whether or not such member is a district resident. Also, the County may have buried in a district any indigent, if the district's trustees determine there is more space available than necessary to meet foreseeable needs of the district. However, most of the residents in Stanislaus County do not reside within the boundaries of the public cemeteries in the County and must be served by private, fraternal or religious cemeteries.

## **Classification of Services**

As part of the original MSR completed for the Districts, each District provided a listing of services provided within their boundaries. The Cemetery Districts are authorized to provide the functions or classes of services as identified in this report. State Law requires that the Districts seek LAFCO approval in order to exercise any other latent powers not currently provided.

## **Municipal Service Review – Hills Ferry Cemetery District**

### **Formation**

The Hills Ferry Cemetery District was formed on January 24, 1938.

### **Location and Size**

The District's boundary encompasses approximately 364,000 acres, located in Stanislaus and Merced Counties. The portion in Stanislaus County includes the City of Newman, the unincorporated community of Crows Landing and surrounding County areas. The portion in Merced County includes the City of Gustine, the unincorporated community of Santa Nella, and surrounding areas. The cemetery grounds are open to the public seven days a week.

The District's office is located at 1334 Stuhr Road, Newman, in western Stanislaus County. In addition, within the District boundaries is the Cottonwood Cemetery, located in Merced County. Although this cemetery has been closed for many years, the District continues to provide grounds keeping and maintenance services.

### **Sphere of Influence**

The District's Sphere of Influence is coterminous with its current boundaries.

### **Governance**

A three member "Board of Trustees", appointed by the Board of Supervisors, governs the District. Meetings are held on a quarterly basis at the District offices, located at 1334 Stuhr Road, Newman, CA.

### **Personnel**

There are currently 3 full-time persons employed by the District.

### **Support Agencies**

The District maintains a positive collaborative relationship with other agencies, such as the: Patterson and Los Banos Cemetery Districts. The District is also a member of the California Association of Public Cemeteries and the Northern California Public Cemetery Association.

### **Funding Sources**

The District's funding sources consist of a portion of the property taxes from land and homes in the area and fees for services that are provided by the District. The service fees are generated by sale of burial sites, burial expenses, and setting headstones. Service fees for non-residents are higher, as authorized by State law.

The District has an established fee schedule and endowment fund. The purpose of the endowment fund is to provide for future maintenance and care of the cemetery. The interest earned on the principal of the fund may be used for the general operation of the District. The fund principal may never be spent.

## Services

The District provides the following services, which are regulated by the California Health and Safety Code:

- Burials, setting of markers and sales of burial plots, vaults and liners.
- Grounds keeping and maintenance.
- An average of 100-120 internments per year.

## Capacity

Growth within the District boundaries has increased steadily over the years, with the majority of growth occurring in the City of Newman. In order to keep up with future demand, the District began a planned expansion project, which will include 3,000 new sites in Phase 1 and approximately 20 acres of vacant and undeveloped land in Phase 2. In 2014 the District completed an expansion of 390 fill casket plots.

## Determinations – Hills Ferry Cemetery District

The following provides an analysis of the seven categories or components required by Section 56430 for a Service Review for the Hills Ferry Cemetery District:

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

The District is prepared to manage the growth that will occur in the coming years. Population growth is projected to occur in the cities of Newman and Gustine, corresponding with their respective General Plans.

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

A review of available Census data indicates that the unincorporated community of Santa Nella, located in Merced County at the southerly end of the District, can be considered a disadvantaged unincorporated community.

### **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 both the ability and the capacity to serve its service area. An expansion area of approximately 20 acres is available at the Hills Ferry Cemetery site. The District has completed the drilling a new well and installed a new submersible pump that meets the District's current and future needs.

As the District is not a provider of water, sewer, or fire protection services, it is not responsible for assuring that these services are adequately provided to disadvantaged unincorporated communities within or contiguous to the District.

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

The District has seen a decline in its property tax revenues that has impacted its overall budget and necessitated use of reserve funds. In response to this, the District has since delayed filling one of its staffing positions to make up for the shortfall. The District attempts to maintain its rate schedule to charge the minimum fees possible. The District regularly monitors its fee/rate schedule in comparison to other nearby public cemetery districts (i.e. Los Banos, Patterson).

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

In the spirit of cooperation, the District has loaned its equipment to neighboring cemeteries when assistance has been requested. In return, the neighboring cemeteries have also assisted the District when help was needed. This type of cooperation assists the cemeteries in meeting the needs of its residents in a cost-effective manner.

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

It is reasonable to conclude that the District can adequately serve the area under its jurisdiction. A three (3) member Board of Trustees, appointed by the Stanislaus County Board of Supervisors, governs the District. The District conforms to the provisions of the Brown Act requiring open meetings. No other relevant issues concerning this factor have been identified.

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

None.

## **Municipal Service Review – Knights Ferry Cemetery District**

### **Formation**

The Knights Ferry Cemetery District was formed on February 10, 1936.

### **Location and Size**

The District's boundary encompasses approximately 18,500 acres, including the historic unincorporated community of Knights Ferry, in northeast Stanislaus County. The District's cemetery, known as the Oak Grove Cemetery, is located at the end of Cemetery Road in Knights Ferry. The general public has access to the cemetery grounds seven days a week (8 am to dusk).

### **Sphere of Influence**

The District's Sphere of Influence extends beyond its current boundaries, encompassing approximately 24,000 additional acres.

### **Governance**

A five-member Board of Trustees, appointed by the Board of Supervisors, governs the District. Meetings are held on an as-needed basis at various locations.

### **Personnel**

The District does not employ any personnel, nor does it maintain an office on-site. The District relies on its volunteer Board members to run the day-to-day operations. One of the District's Trustees provides office space at their home, where the District has a designated phone line and answering machine. This same Trustee and/or Secretary also receives District phone calls and correspondence, thus mitigating the need for an office and paid personnel.

### **Support Agencies**

The District maintains a positive collaborative relationship with other agencies, as necessary. These agencies include the Sheriff's Department and the Oakdale Rural Fire Protection District.

### **Funding Sources**

The District's funding sources consist of a portion of the property taxes from land and homes in the area and fees for services that are provided by the District. The services fees are generated by the sale of burial sites. The District has an established fee schedule for collecting revenues for services performed. In addition, the District receives a small amount of funding from private donations; these funds are used to assist in the upkeep of the cemetery grounds.

The District has, over the years, made a concerted effort to cut costs to build up a reserve in order to make improvements to the cemetery grounds. Past improvements include installation of a new well and water system. The District continues to make improvements to the exterior and interior roadway access to the cemetery.

## **Services**

The District is a “non-maintenance” district and provides for the sale of burial plots only, which are recorded as deeded property. Families of the interned are responsible for the upkeep of the burial sites. The District does, however, contract out for grounds keeping services on an as-needed basis. On the average, the District performs an estimated 8 to 12 internments per year.

## **Capacity**

The District currently has undeveloped gravesite space available within its immediate boundaries. In addition, there is approximately 5 acres of vacant and undeveloped land to meet the burial needs of the district for many years to come.

## **Determinations – Knights Ferry Cemetery District**

The following provides an analysis of the seven categories or components required by Section 56430 for a municipal service review for the Knights Ferry Cemetery District:

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

The District serves an area that is unincorporated and agricultural, with the majority of population occurring in and around the unincorporated community of Knights Ferry. According to the County’s General Plan, it is not anticipated that Knights Ferry will experience significant growth in the coming years.

### **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 are no known disadvantaged unincorporated communities within or contiguous to the District’s Sphere of Influence.

### **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 both the ability and the capacity to serve its service area. As the District does not provide water, sewer, or fire protection services, it is not responsible for assuring that these services are adequately provided to communities within the District’s boundaries.

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

The District has had some recent expenditures, including squirrel abatement and a new pump for a well. The District is currently planning to remove dead cedar trees from the cemetery site.

The District has a limited budget and relies on volunteers for much of its operations. At present time, the District appears to have the necessary financial resources to fund a limited level of service within the District’s boundaries.

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

The District does not share resources with other agencies at this time, as their assets are limited.

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

It is reasonable to conclude that the District can adequately serve the areas under its jurisdiction. A three (3) member Board of Trustees, appointed by the Stanislaus County Board of Supervisors governs the District. The Board conforms to the provisions of the Brown Act requiring open meetings. No other relevant issues concerning this factor have been identified.

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

None.

## **Municipal Service Review – Patterson Cemetery District**

### **Formation**

The Patterson Cemetery District was formed on November 27, 1944.

### **Location and Size**

The District's boundary encompasses approximately 143,000 acres on the west side of Stanislaus County, including the City of Patterson, the unincorporated communities of Westley and Grayson and surrounding unincorporated county areas.

The Patterson Cemetery is located at 10800 Highway 33, north of Patterson, and is also the site of the District office. The Grayson Cemetery, located at the corner of Grayson and River Roads, in the unincorporated community of Grayson is also located within the boundaries of the District. Although it has been closed for many years, the District continues to provide grounds keeping and maintenance services on the site.

### **Sphere of Influence**

In 1984, the Sphere of Influence established for the District included a potential expansion area of approximately 7,000 acres, located east of Patterson, just east of the San Joaquin River.

### **Governance**

A five-member Board of Trustees appointed by the Stanislaus County Board of Supervisors governs the District. Meetings are held on the second Wednesday of each month at 8:00 a.m., at the Patterson Cemetery Board Room at 10800 Highway 33. The District complies with the Brown Act at their meetings and posts their monthly agenda at the above address.

### **Personnel**

The District employs three full-time personnel. The District also utilizes volunteer labor on an as-needed basis.

### **Support Agencies**

The District maintains a positive collaborative relationship with other agencies, as necessary. The District is also a member of the California Association of Public Cemeteries and the Public Cemetery Alliance.

### **Funding Sources**

The District's funding sources consist of a portion of the property taxes from land and homes in the area and fees for services that are provided by the District. The service fees are generated by selling burial sites, burial expenses, and setting headstones. Service fees for non-residents are higher, as per state law.

The District has an established fee schedule and endowment fund. The purpose of the endowment fund is to provide for future maintenance and care of the cemetery. The interest earned on the principal of the fund may be used for the general operation of the District. The fund principal may never be spent.

### **Services**

The District provides the following services within its service area:

- Burials
- Setting Markers and Marker Foundations
- Performs on the average 90 internments per year.

### **Capacity**

The District has adequate space to meet the burial needs of its district for several decades. The cemetery currently has several hundred undeveloped gravesites, as well as approximately 11 acres of vacant and undeveloped land, which can be considered for future development.

### **Determinations – Patterson Cemetery District**

The following provides an analysis of the seven categories or components required by Section 56430 for a municipal service review for the Patterson Cemetery District:

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

The majority of growth in the District is projected to occur in the City of Patterson, consistent with the City's General Plan. Based on limited availability of public services, little growth is projected to occur in the unincorporated areas that the District covers. The District has approximately 11 acres of expansion area in preparation for future growth.

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

Grayson and Westley, both located within the boundaries and Sphere of Influence of the District, are considered disadvantaged unincorporated communities according to available Census data for the area.

#### **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 both the ability and the capacity to serve its service area. As the District does not provide water, sewer, or fire protection services, it is not responsible for assuring that these services are adequately provided to disadvantaged unincorporated communities within the District's boundaries.

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

Currently, the District appears to have adequate financial resources to fund sufficient levels of service within the District's boundaries. The District attempts to maintain its rate schedule to charge the minimum fees possible and regularly monitors its fee/rate schedule in comparison to other nearby public cemetery districts.

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

The District has loaned its equipment to neighboring cemeteries, such as the Hills Ferry Cemetery District, when assistance has been requested. In return, the neighboring cemeteries have also assisted the District when help was needed. This type of cooperation assists the cemeteries in meeting the needs of its residents in a cost-effective manner.

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

It is reasonable to conclude that the District can adequately serve the areas under its jurisdiction. A five-member Board of Trustees, appointed by the Board of Supervisors, governs the District. The Board conforms to the provisions of the Brown Act requiring open meetings. No other relevant issues concerning this factor have been identified.

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

None.

## **Sphere of Influence Updates for the Hills Ferry, Knights Ferry and Patterson Cemetery Districts**

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 and 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.

This document proposes no changes to the Districts' existing spheres of influence. Rather, it serves to reaffirm the existing SOI boundaries.

### **SOI Update – Hills Ferry Cemetery District**

The following determinations for the Hills Ferry Cemetery 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 Hills Ferry Cemetery District's Sphere of Influence (SOI) includes approximately 364,00 acres, located in Stanislaus and Merced counties. The portion in Stanislaus County includes the City of Newman, the unincorporated communities of Crows Landing, Diablo Grande and surrounding County areas. The portion in Merced County includes the City of Gustine and unincorporated community of Santa Nella, along with surrounding unincorporated areas. Territory within and outside the District boundaries consists of rural and urbanized areas including agricultural, residential, commercial, industrial, and open space uses. While some areas are projected to experience more development and growth than other areas, the need for cemetery services will not diminish. 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 two counties and the cities of Newman and Gustine.

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

The Hills Ferry Cemetery District is presently meeting the needs of the residents and has also procured facilities to prepare for future increased demands of its services for the next several years.

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

The District currently has ample capacity within the cemetery and operates and maintains the cemetery in an efficient manner.

**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 cities of Newman and Gustine, as well as the unincorporated communities of Crows Landing, Diablo Grande, and Santa Nella are encompassed within the District's boundaries and Sphere of Influence.

**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 the District does not provide services related to sewers, municipal and industrial water or structural fire protection, this factor is not applicable.

**SOI Update – Knights Ferry Cemetery District**

The following determinations for the Knights Ferry Cemetery 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 Knights Ferry Cemetery District's Sphere of Influence (SOI), including the District's boundary, encompasses approximately 42,500 acres. This includes the historic unincorporated community of Knights Ferry and surrounding County areas. Territory within and outside the District boundaries consists mostly of agricultural and rural residential areas. The County's General Plan expects very little growth or development in this portion of the County. 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.

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

The Knights Ferry Cemetery District is presently meeting the needs of the residents and has five acres of additional vacant and undeveloped gravesite space to prepare for future needs of its residents for the coming years.

**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 within the cemetery and operates and maintains the cemetery in an efficient manner relying on volunteer board members and families of the interred for upkeep of burial sites.

**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 Knights Ferry is encompassed by the district's boundaries and Sphere of Influence.

**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 the District does not provide services related to sewers, municipal and industrial water or structural fire protection, this factor is not applicable.

**SOI Update – Patterson Cemetery District**

The following determinations for the Patterson Cemetery 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 Patterson Cemetery District's Sphere of Influence (SOI) includes approximately 150,000 acres, including the City of Patterson, the unincorporated communities of Grayson and Westley, as well as surrounding county areas. The current SOI includes an approximately 7,000-acre expansion area outside the current District boundary, east of Patterson, just west of the San Joaquin River. Territory within and outside the District boundaries consists of rural and urban areas including, residential, commercial, industrial, agricultural, and open space uses. 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 and the City of Patterson.

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

The District is presently meeting the needs of the residents and has additional vacant and undeveloped gravesite space to prepare for future needs of its residents for many years.

**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 within the cemetery and operates and maintains the cemetery in an efficient manner.

**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 City of Patterson and the unincorporated communities of Westley and Grayson can be considered communities of interest within the District's boundaries.

**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 the District does not provide services related to sewers, municipal and industrial water or structural fire protection, this factor is not applicable.

## APPENDIX “A” DISTRICT SUMMARY PROFILE

**District:** HILLS FERRY CEMETERY DISTRICT

**Location:** 1334 W. Stuhr Road, Newman

**Current Boundary:** Approximately 364,000 acres, located in Stanislaus and Merced Counties

**Population:** 20,300\*

**Land Use:** Varied land uses from residential, commercial, industrial, agricultural lands and open space.

**Date of Formation:** January 24, 1938

**Enabling Act:** California Health and Safety Code Section 9000 et. seq. (formerly Sections 8890-9225)

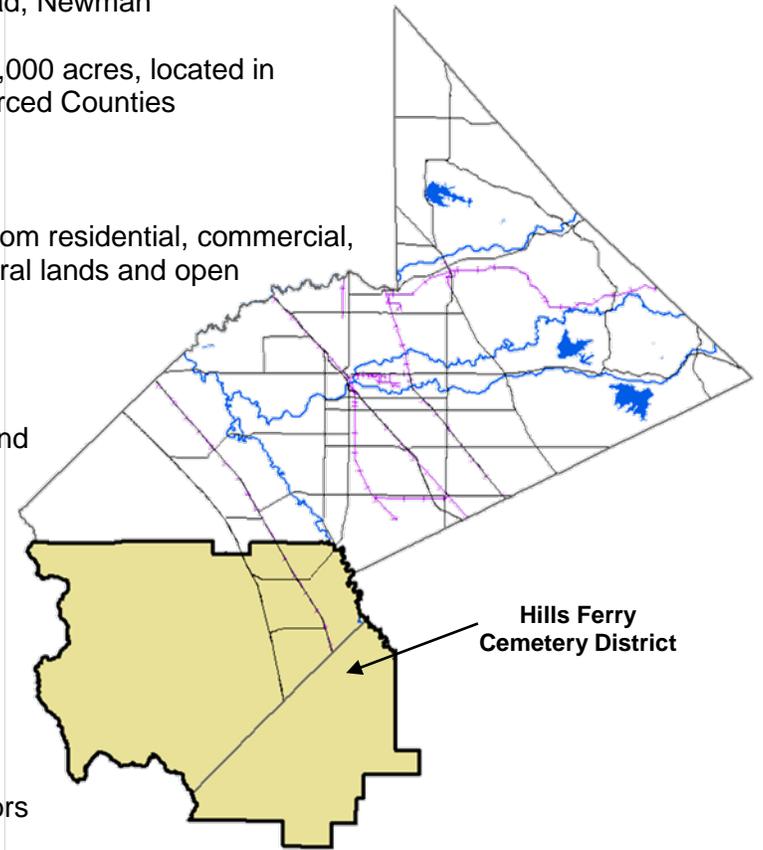
**Governing Body:** Three member Board of Trustees, appointed by the Stanislaus County Board of Supervisors

**Administration:** 3 full-time employees.

**District Services:** Burial services

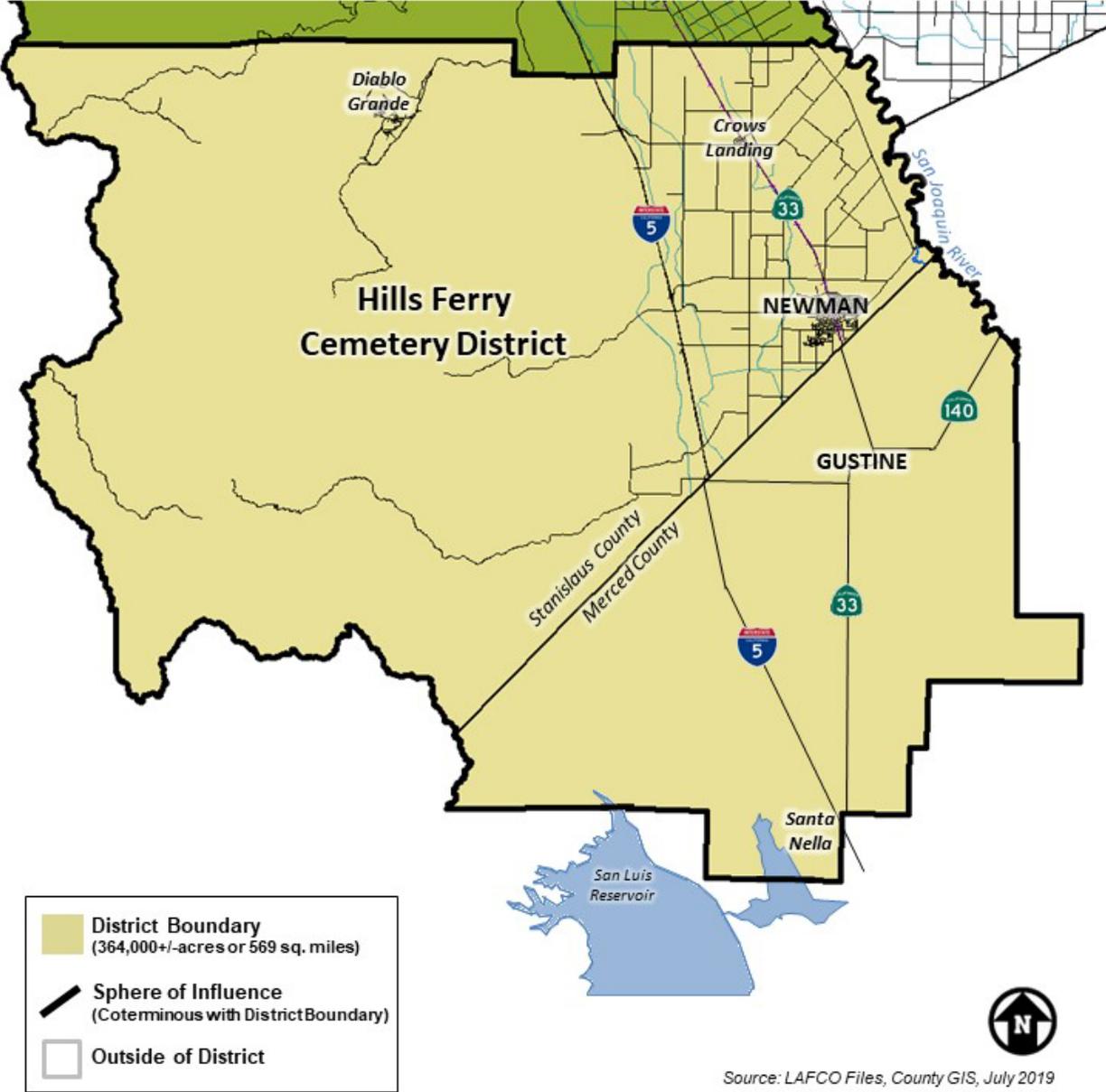
**Total Operating Budget:** FY 2018-2019 – \$508,000

**Revenue Sources:** Property Tax, Sale of Burial Plots, and Service Fees



\*Source: Estimated using 2010 Census Data

# MAP 1: HILLS FERRY CEMETERY DISTRICT BOUNDARY AND SPHERE OF INFLUENCE



## APPENDIX “B” DISTRICT SUMMARY PROFILE

**District:** **KNIGHTS FERRY CEMETERY DISTRICT**

**Location:** 17201 Cemetery Road, Knights Ferry

**Current Boundary:** Approximately 18,500 acres (with an additional 24,000+/- acres outside the District’s current boundaries but within its Sphere of Influence)

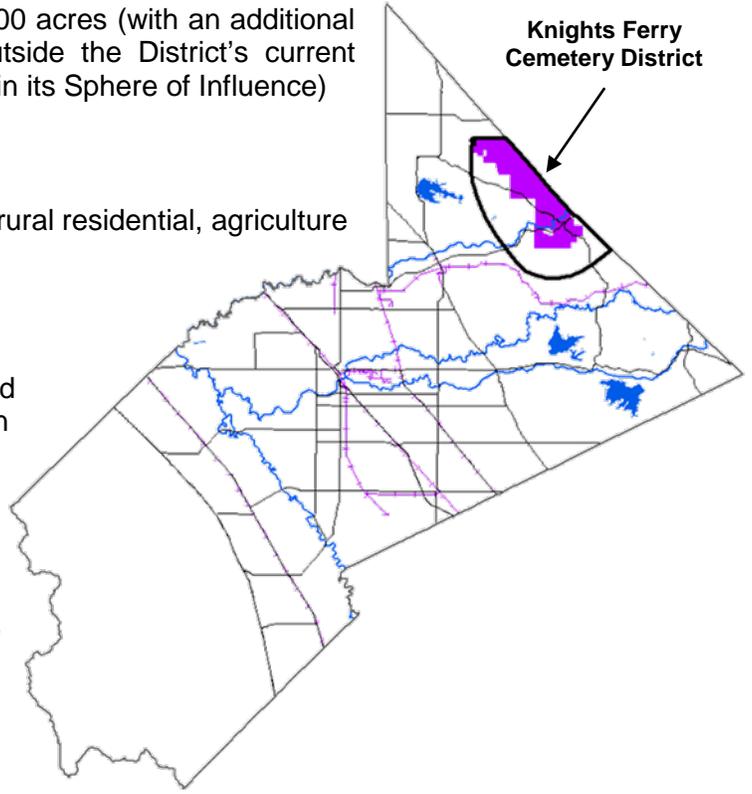
**Population:** 665\*

**Land Use:** Primarily historical, rural residential, agriculture and open space

**Date of Formation:** February 10, 1936

**Enabling Act:** California Health and Safety Code Section 9000 et. seq. (formerly Sections 8890-9225)

**Governing Body:** A five member “Board of Trustees”, appointed by the Stanislaus County Board of Supervisors.



**Administration:** There are no paid staff members.

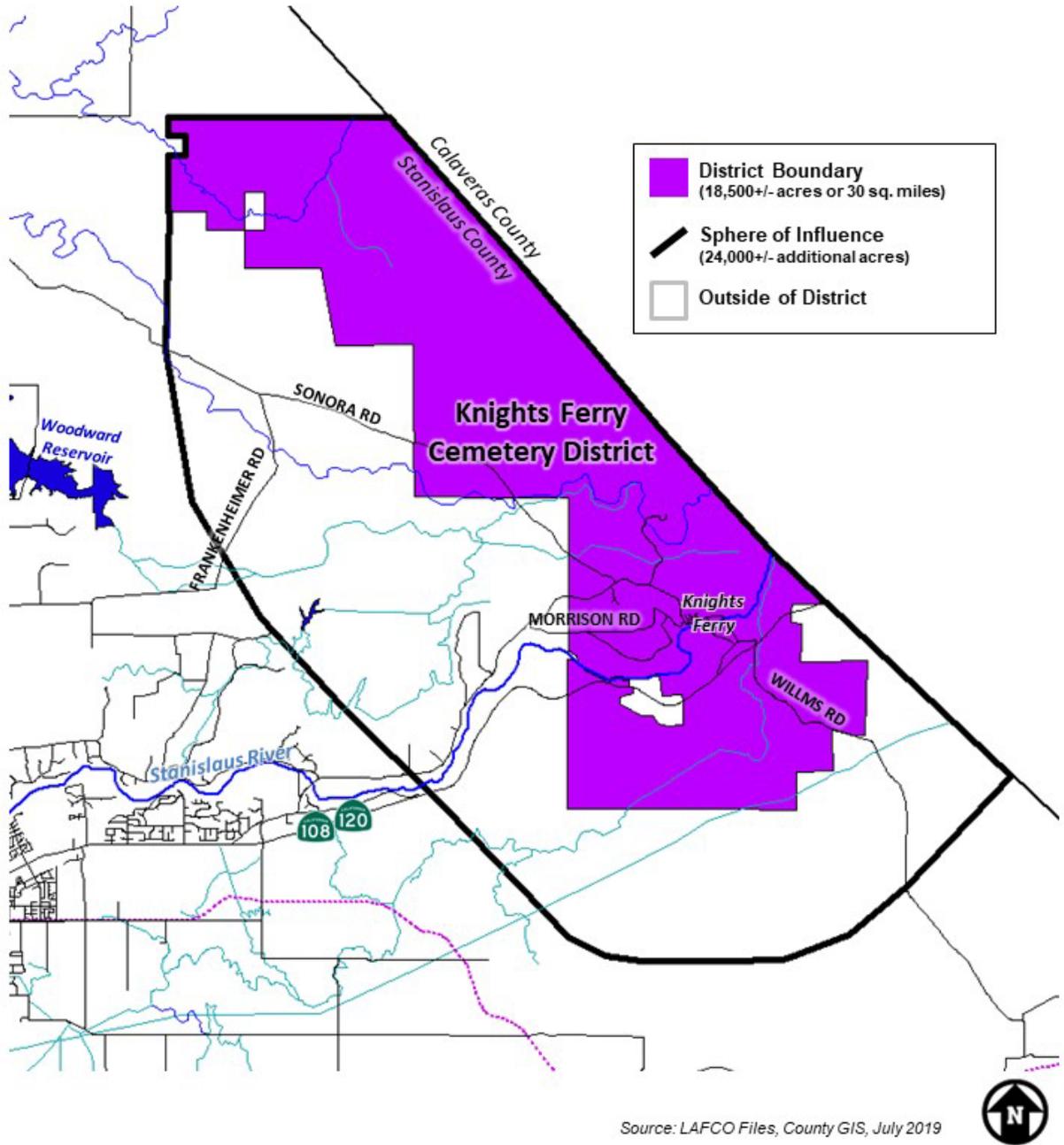
**District Services:** Sale of burial plots

**Total Operating Budget:** FY 2018-2019 – \$44,300

**Revenue Sources:** Property Tax, Sale of Burial Plots

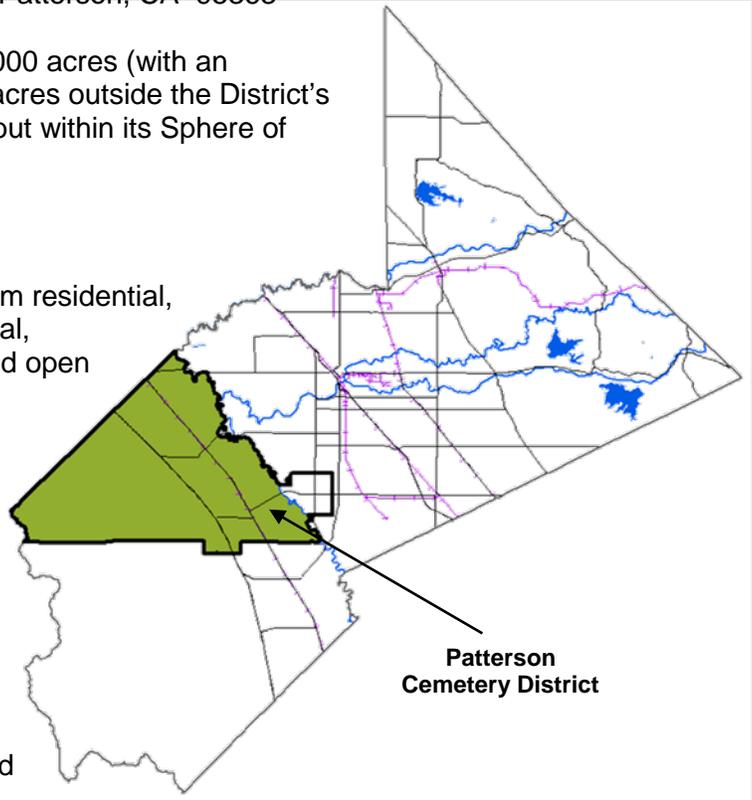
\*Source: Estimated using 2010 Census Data

## MAP 2: KNIGHTS FERRY CEMETERY DISTRICT BOUNDARY AND SPHERE OF INFLUENCE



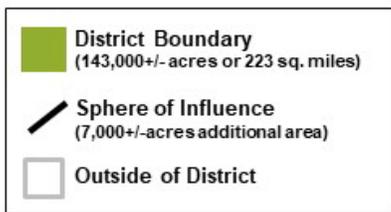
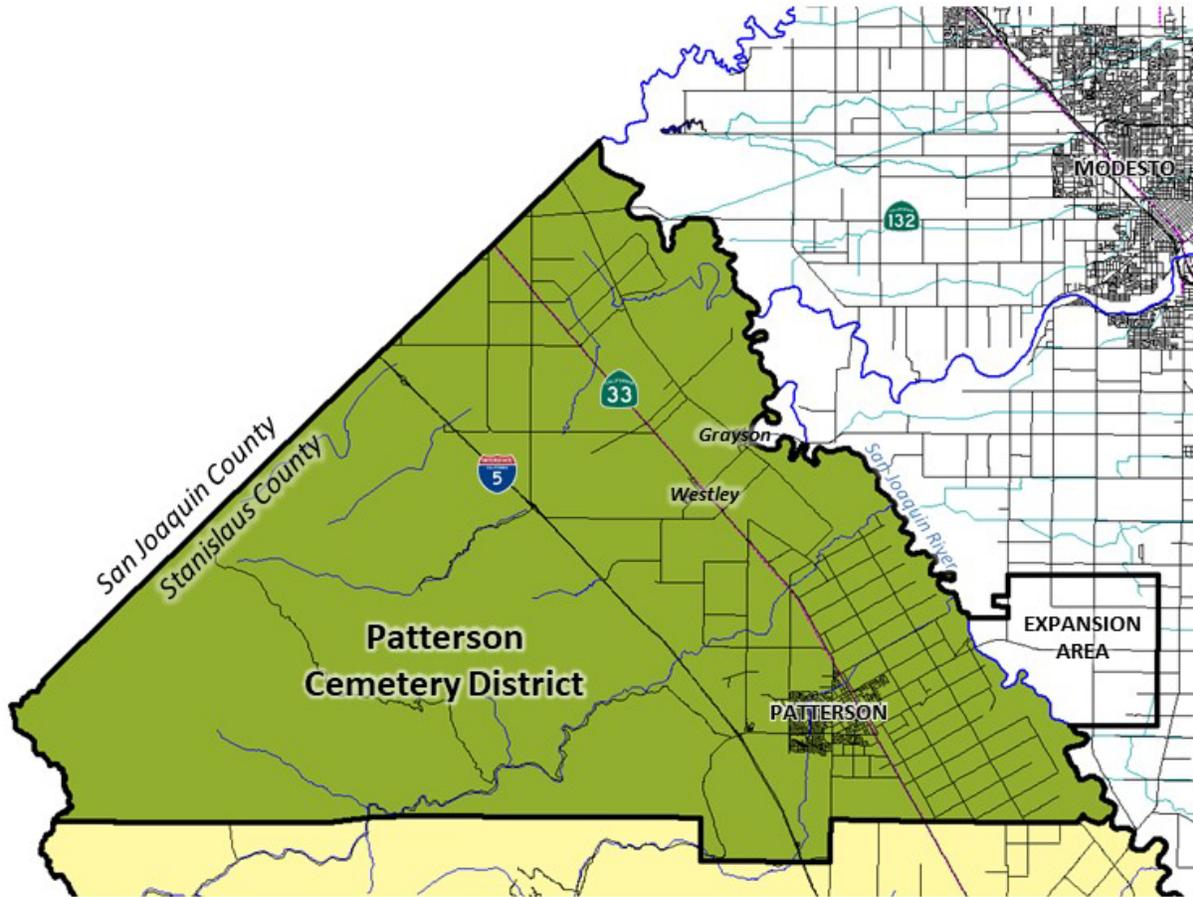
## APPENDIX “C” DISTRICT SUMMARY PROFILE

District:	<b>PATTERSON CEMETERY DISTRICT</b>
Location:	10800 Highway 33, Patterson, CA 95363
Current Boundary:	Approximately 143,000 acres (with an additional 7,000+/- acres outside the District's current boundaries but within its Sphere of Influence)
Population:	26,500*
Land Use:	Varied land uses from residential, commercial, industrial, agricultural lands and open space.
Date of Formation:	November 27, 1944
Enabling Act:	California Health and Safety Code Sections 9000 et. seq. (formerly Sections 8890-9225)
Governing Body:	5 Trustees appointed by the Stanislaus County Board of Supervisors.
Administration:	There are 3 paid staff members.
District Services:	Burial services
Total Operating Budget:	FY 2018-2019 – \$404,150
Revenue Sources:	Property Tax, Sale of Burial Plots, and Service Fees



\*Source: Estimated using 2010 Census Data

### MAP 3: PATTERSON CEMETERY DISTRICT BOUNDARY AND SPHERE OF INFLUENCE



Source: LAFCO Files, County GIS, July 2019

## APPENDIX “D”

---

### REFERENCES

---

1. California Associate of Public Cemeteries. Website (<http://www.capc.info/index.html>). Accessed July 11, 2019.
2. California Health and Safety Code Sections 9000 et. seq. (formerly Sections 8890-9225).
3. Hills Ferry Cemetery District. *Budget for 2018-2019*.
4. Knights Ferry Cemetery District. *Budget 2018-2019*.
5. Patterson Cemetery District. *Budget 2018-2019*.
6. Stanislaus LAFCO. *Municipal Service Review and Sphere of Influence Update for the Hills Ferry, Knights Ferry, and Patterson Cemetery Districts*. September 24, 2014.
7. United States Census Bureau. 2010.

**STANISLAUS COUNTY LOCAL AGENCY  
FORMATION COMMISSION**

**RESOLUTION**

**DATE:** August 28, 2019

**NO.** 2019-16

**SUBJECT:** Municipal Service Review No. 2019-02 and Sphere of influence Update No 2019-02: Hills Ferry, Knights Ferry, and Patterson Cemetery Districts

On the motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and approved by the following vote:

Ayes: Commissioners:  
Noes: Commissioners:  
Absent: Commissioners:  
Ineligible: Commissioners:

**THE FOLLOWING RESOLUTION WAS ADOPTED:**

**WHEREAS**, a Service Review mandated by California Government Code Section 56430 and a Sphere of Influence Update mandated by California Government Code Section 56425, has been conducted for the Hills Ferry, Knights Ferry, and Patterson Cemetery Districts, in accordance with the Cortese-Knox-Hertzberg Reorganization Act of 2000;

**WHEREAS**, at the time and in the form and manner provided by law, the Executive Officer has given notice of the August 28, 2019 public hearing by this Commission on this matter;

**WHEREAS**, the subject document is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Sections 15306 and 15061(b)(3) of the State CEQA Guidelines;

**WHEREAS**, Staff has reviewed all existing and available information from the District and has prepared a report including recommendations therein, and related information as presented to and considered by this Commission;

**WHEREAS**, the Commission has duly considered the draft Municipal Service Review and Sphere of Influence Update on the Hills Ferry, Knights Ferry, and Patterson Cemetery Districts and the determinations contained therein;

**WHEREAS**, the Hills Ferry, Knights Ferry, and Patterson Cemetery Districts were established to provide cemetery services within their boundaries;

**WHEREAS**, pursuant to Government Code Section 56425(i), the range of services provided by the Hills Ferry, Knights Ferry, and Patterson Cemetery Districts are limited to those as identified above, and such range of services shall not be changed unless approved by this Commission; and

**WHEREAS**, no changes to the Districts' Spheres of Influence are proposed or contemplated through this review.

**NOW, THEREFORE, BE IT RESOLVED** by the Commission:

1. Certifies that the project is statutorily exempt under the California Environmental Quality Act (CEQA) pursuant to Sections 15306 and 15061(b)(3) of the State CEQA Guidelines.
2. Approves the Service Review prepared in compliance with State law and update of the Hills Ferry, Knights Ferry, and Patterson Cemetery Districts' Spheres of Influence, and written determinations prepared by the Staff and contained herein.
3. Determines that except as otherwise stated, no new or different function or class of services shall be provided by the Districts, unless approved by the Commission.
4. Determines, based on presently existing evidence, facts, and circumstances filed and considered by the Commission, that the Spheres of Influence for the Hills Ferry, Knights Ferry, and Patterson Cemetery Districts should be affirmed as they currently exist, as more specifically described on the maps contained within the Service Review document.
5. Directs the Executive Officer to circulate this resolution depicting the adopted Sphere of Influence Update to all affected agencies, including the Hills Ferry, Knights Ferry, and Patterson Cemetery Districts.

**ATTEST:** \_\_\_\_\_  
Sara Lytle-Pinhey, Executive Officer

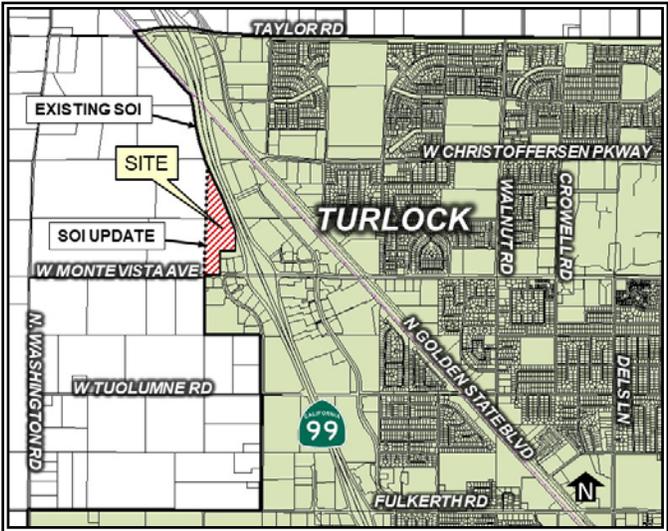
EXECUTIVE OFFICER’S AGENDA REPORT  
AUGUST 28, 2019

LAFCO APPLICATION NO. 2019-09, MUNICIPAL SERVICE REVIEW NO. 2019-05 &  
SPHERE OF INFLUENCE UPDATE NO. 2019-06  
NORTHWEST TRIANGLE NO. 2 REORGANIZATION TO THE CITY OF TURLOCK

**PROPOSAL**

The proposed project is a request to modify the City of Turlock’s Sphere of Influence and annex approximately 22 acres. As part of the request, the project area will detach from the Keyes Fire Protection District. The reorganization is part of the Northwest Triangle Specific Plan. An updated Municipal Service Review has been prepared as part of this application.

- 1. Applicant: City of Turlock
- 2. Location: 3525 W. Monte Vista Avenue on the north side of W. Monte Vista Avenue and west of Highway 99, adjacent to City and its current Sphere of Influence. (See Exhibit A – Map & Legal Description.)
- 3. Parcels Involved and Acreage: The project includes one parcel (APN: 087-003-018).
- 4. Reason for Request: The project site is part of the Northwest Triangle Specific Plan, originally adopted by the City of Turlock in 1995. The parcel involved was excluded from the sphere of influence and annexation proposal during the Specific Plan’s annexation in 1996. The City is now requesting to annex this remaining parcel to complete the Northwest Triangle Specific Plan and create a more logical boundary in the area.



**BACKGROUND**

In 1995, the City of Turlock adopted the Northwest Triangle Specific Plan. The plan included approximately 800 acres largely within a triangle created by Golden State Boulevard, Highway 99, and Fulkerth Road. The City’s original application to LAFCO included the subject parcel; however, just prior to the Commission hearing, the property owner requested that the parcel be removed. The City then requested that its LAFCO application be amended to exclude the one parcel. The Commission approved the City’s proposal with the amendment as requested. The current proposed annexation and sphere of influence modification reintroduces this parcel for the Commission’s consideration, as the property owner has now consented to the proposal.

**MUNICIPAL SERVICE REVIEW**

Section 56430 of the California Government Code requires a Municipal Service Review (MSR) be prepared either prior to or concurrently with a request to modify a Sphere of Influence. In accordance with State law, the City of Turlock has prepared a Draft MSR as a means of identifying and evaluating public services currently provided by the City as well as those

services to be provided within its proposed Sphere of Influence.

The City's Draft Municipal Service Review is attached as Exhibit B. The document is organized into sections addressing the several factors for the City of Turlock, pursuant to State law, including growth projections, present and planned capacity of public services, financial ability to provide services, and opportunity for shared facilities. There are also written determinations for each factor that the Commission makes, which are referenced in the draft resolution should the Commission approve the proposal.

### **SPHERE OF INFLUENCE MODIFICATION**

Government Code Section 56076 defines a sphere of influence (SOI) as "a plan for the probable physical boundaries and service area of a local agency, as determined by the commission." LAFCO creates, amends, and updates spheres of influence to indicate to local agencies and property owners that, at some future date, a particular area is anticipated to require the level of municipal services offered by the subject agency. It is a key component of the planning process, as it indicates to land use authorities and interested parties whether LAFCO expects a need for jurisdictional change. It also indicates to other potential service providers which agency LAFCO believes to be best situated to offer the services in question. Stanislaus LAFCO also designates a Primary Area of Influence, indicating areas that may be annexed within an anticipated 10-year period.

The proposed Sphere of Influence modification, as shown in Exhibit A, is intended to accommodate the remaining portion of the Northwest Triangle Specific Plan. The proposed modification is relatively minor and would add approximately 22 acres to the SOI and Primary Area.

### **SPHERE OF INFLUENCE DETERMINATIONS**

Government Code Section 56425 gives purpose to the determination of a sphere of influence by charging the Commission with the responsibility of "planning and shaping the logical and orderly development of local governmental agencies." In approving a sphere of influence amendment, the Commission is required to make determinations regarding the following factors:

#### **1. The present and planned land uses in the area, including agricultural and open space lands.**

Present land use of the project site is a single-family home with the remainder undeveloped. Currently the site is zoned A-2-40 (General Agriculture) in the Stanislaus County zoning ordinance and is designated Agriculture in the County General Plan. The City of Turlock has pre-zoned the site Commercial Thoroughfare and is designated as Highway Commercial in Turlock's General Plan.

The site is identified as prime farmland by the Department of Conservation. According the project's initial study, the City of Turlock has incorporated mitigation measures consistent with its General Plan Environmental Impact Report (EIR) addressing impacts to agriculture including right-to-farm notices and agricultural buffers on the urban/rural edge.

**2. The present and probable need for public facilities and services in the area.**

Water

The City of Turlock will provide water supply services to new development within the Sphere of Influence, including the property at 3523 W Monte Vista Avenue. The City analyzed the water demand of the development of the additional parcel consistent with the City of Turlock's Water Master Plan Update, Urban Water Management Plan, Northwest Triangle Specific Plan and its Mitigated Negative Declaration. There are three existing City wells in or near the Specific Plan area, including two on Tegner Road. The property will connect to the existing 12" water line on Monte Vista Avenue which currently runs along the front of the subject parcel. There is also a one-million-gallon water storage tank on Fulkerth and Washington Roads that serves this general area and provides additional supply during peak demand periods.

Wastewater

There is an existing 12" sewer line along in Monte Vista Avenue along the frontage of the adjacent parcel to the east. This line will need to be extended approximately 250 feet to get to the middle of the property at 3525 W. Monte Vista Avenue. The City of Turlock has placed a condition of approval requiring any future development to extend the sewer line to the site.

Storm Drainage

Turlock has adopted a Storm Drain Master Plan that provides for collection of all of the City's storm water to a storage basin on the west side of the City's Wastewater Treatment Facility. Existing sewer pipelines will be used to discharge the water into the San Joaquin River via the Harding Drain. During periods of high river flow, the storm water flows to Gomes Lake, from which it is later pumped into the San Joaquin River.

Storm water will be directed to the Regional Water Quality Facility through three major systems identified by the streets in which the major trunk lines are located. Each system has sub-areas; many have planned or operating detention basins. Most detention basins will be designed so that they may also be used as parks.

Police Protection

The City of Turlock has indicated that existing police facilities are adequate to serve development of the proposed property. Developers within the project site will be required to pay the City's Capital Facilities Fee, a portion of which is used to fund the project's share of police service capital improvements.

Fire Protection

The project site is within the service radius of Fire Station No. 4. Developers within the project site will be required to pay the City's Capital Facilities Fee, a portion of which is used to fund the project's share of fire service capital improvements and equipment. The City of Turlock has reached an agreement with the Keyes Fire Protection District (Exhibit D) to ensure that the District is not adversely impacted by the detachment of this area from the

District. The agreement includes property tax sharing as well as an offset for the District's lost special assessment revenue (\$170 per year for five years).

3. **The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide; including the present and probable need for sewer, municipal and industrial water or structural fire protection services for any disadvantaged unincorporated communities within the existing sphere of influence.**

Present needs for public municipal facilities and services within the City of Turlock are currently being met. An updated Municipal Service Review is included with the City's application (Exhibit B), which provides further information about services provided by the City and their present capacities. Additionally, there are no disadvantaged unincorporated communities within or adjacent to the project site.

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.**

There are no social or economic communities of interest in the proposed SOI update area. Nearby communities of interest include the unincorporated area of Keyes.

5. **The present and probable need for sewer, municipal and industrial water, or structural fire protection of any disadvantaged unincorporated communities within the existing sphere of influence.**

Under Government Code Section 56033.5, "disadvantaged unincorporated community" is defined as an inhabited community with an annual median household income that is less than 80% of the statewide annual median household income. Upon review of available Census data and the identified communities, no disadvantaged unincorporated communities were identified within or contiguous to the proposed SOI modification.

## **ANNEXATION PROPOSAL**

The proposed project is a request to annex the site located at 3525 West Monte Vista Avenue (APN: 087-003-018) to the City of Turlock. The proposed annexation is approximately 22 acres and is adjacent to the current City limits. Approval of the City's annexation proposal is dependent upon the Commission's approval of both the Municipal Service Review and proposed Sphere of Influence expansion.

## **FACTORS**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires several factors to be considered by a LAFCO when evaluating a proposal. The following discussion pertains to the factors, as set forth in Government Code Section 56668:

- a. ***Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.***

The project area is considered uninhabited territory as there are less than 12 registered voters. The area currently consists of a single-family home with undeveloped remaining acreage. It has been pre-zoned by the City for commercial uses. The specific plan does not contain any residential uses for the project site.

Upon annexation, the property taxes will be shared in accordance with the City/County Master Property Tax Agreement. The subject territory is located in Tax Rate Area 101-002. The current total assessed land value of the territory is \$940,192.

**b. *The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.***

Essential governmental services that are currently provided to the subject area and those services that will be provided after the reorganization is finalized are summarized in the following chart:

Type	Current Service Provider	Future Service Provider (Following Reorganization)
Law Enforcement	Stanislaus County Sheriff	City of Turlock
Fire Protection	Keyes Fire Protection District	City of Turlock
Planning & Building Inspection	Stanislaus County	City of Turlock
School District	Turlock Unified	Same
Water (Potable)	Well	City of Turlock
Sewer	Septic	City of Turlock
Roads	Stanislaus County	City of Turlock
Mosquito Abatement	Turlock Mosquito Abatement	Same

Commission polices state that it will consider the ability of the City to deliver adequate, reliable and sustainable services and will not approve a proposal that has the potential to significantly diminish the level of service(s) within the City's current boundaries. According to the Municipal Service Review (MSR), the City can provide the necessary services to the subject territory without impacting existing service levels. Additional information regarding the proposed services to the area is discussed further in factors "j" and "k."

**c. *The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.***

As indicated in the previous chart, many of the services currently provided will transfer to the City of Turlock and property taxes will be shared in accordance with the Master Property Tax Agreement. There are no known negative impacts to existing County governmental structures, adjacent areas or social and economic interests as a result of the reorganization.

- d. ***The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377.***

Section 56377 requires the Commission to consider LAFCO policies and priorities that would guide development away from existing prime agricultural lands and consider development of existing vacant or nonprime agricultural land for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency before any expansion of boundaries.

The project site is located within the proposed and amended Turlock Sphere of Influence and is adjacent to the City's boundary on its eastern boundary. Development of the project site will result in the loss of Prime Farmland. However, as described in the next section, the City of Turlock has implemented mitigation measures to reduce impacts to agricultural lands. Given the proximity of the proposal to the existing City limits and because the site is within an approved Specific Plan Area, as well as the location of existing infrastructure, the annexation can be considered to be an orderly and efficient extension of urban development.

- e. ***The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.***

The proposed project will result in a loss of approximately 22 acres of prime farmland. The City's initial study, determined that the loss of this acreage is less than significant, citing previous review during the General Plan EIR, as well as mitigation measures. Mitigation measures and City General Plan policies related to agricultural preservation are included in the City's Plan for Agricultural Preservation within the Municipal Service Review (attached as Exhibit B). Within the Specific Plan area, agricultural buffers are required along the urban/rural edge, in conjunction with right-to-farm policies.

- f. ***The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting proposed boundaries.***

The proposed boundary would include one Assessor's Parcel Number shown on the legal description and map (Exhibit A). The majority of right-of-way along West Monte Vista Avenue is already within City of Turlock jurisdiction.

- g. ***A regional transportation plan adopted pursuant to Section 65080***

The Regional Transportation Plan (RTP) is prepared and adopted by the Stanislaus Association of Governments (StanCOG) and is intended to determine the transportation needs of the region as well as the strategies for investing in the region's transportation system. The RTP was considered as part of the City's environmental review and it was concluded that the project does not appear to conflict with StanCOG's currently adopted Regional Transportation Plan or any specific plans.

**h. *The proposal's consistency with city or county general and specific plans***

The proposed annexation area has been pre-zoned for Commercial Thoroughfare, as part of the Northwest Triangle Specific Plan and is consistent with the City General Plan designation of Highway Commercial.

**i. *The sphere of influence of any local agency, which may be applicable to the proposal being reviewed.***

The territory is within the proposed City's Sphere of Influence. The project area is also within the boundaries of the following agencies: Keyes Fire Protection District, Turlock Mosquito Abatement District, and the Turlock Irrigation District. Upon annexation, the area will detach from the Keyes Fire Protection District. It will remain in the other districts identified.

**j. *The comments of any affected local agency or other public agency.***

All affected agencies and jurisdictions have been notified pursuant to State law requirements and the Commission adopted policies. Affected agencies were also notified during the City's process of adopting environmental documentation and pre-zoning for the project.

The Stanislaus County Sheriff's Department and Environmental Review Committee both provided a "no comment" letter on the proposed annexation. No additional comments have been received from any other local or public agencies.

**k. *The ability of the receiving entity to provide services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.***

The City of Turlock is a full-service provider of municipal services and will provide these services to the project site, such as: domestic water, sanitary sewer, storm drainage, street construction/maintenance, fire and police protection, and street lighting.

According to the City's Northwest Triangle Specific Plan, funding of infrastructure to provide services needed would be financed through assessment districts, benefit fee districts, and development fees which include but are not limited to capital facilities fees related to storm drainage, water, wastewater, parks and transportation. School Districts may collect school fees and additional financing from Mello-Roos districts within the Specific Plan area.

**l. *Timely availability of water supplies adequate for projected needs as specified in Government Code Section 65352.5.***

Turlock's water system is based on a network of on-demand deep-water wells that pump directly into the water grid. Domestic water supply is currently derived from 18 deep groundwater wells that have a capacity to supply 27,350 gallons per minute. The system supplies nearly 19,000 connections and encompasses approximately 20 square acres.

The City of Turlock has indicated that it has more than adequate capacity to meet normal demands and enough capacity to meet maximum daily demand. The property will connect to

the existing 12" water line in Monte Vista Avenue which currently runs along the front of the subject parcel. There is also a one-million-gallon water storage tank on Fulkerth and Washington Roads that serves this general area and provides additional supply during peak demand periods.

- m. The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.***

The proposed annexation will provide approximately 22 acres of highway commercial uses. There are no residential uses proposed as part of this project.

- n. Any information or comments from the landowner or owners, voters, or residents of the affected territory.***

For the current proposal, there are no registered voters within the affected territory and one property owner. The property owner has consented to the annexation. No other written comments have been received at the time of this staff report.

- o. Any information relating to existing land use designations.***

The property is currently zoned A-2-40 (General Agriculture) in the Stanislaus County Zoning Ordinance and has a designation of Agriculture in the County's General Plan. The City of Turlock has rezoned the area as Commercial Thoroughfare with a General Plan designation of Highway Commercial.

- p. The extent to which the proposal will promote environmental justice.***

As defined by Government Code §56668, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. There is no documentation or evidence suggesting the proposal will have a measurable effect for or against promoting environmental justice.

- q. Information contained in a local mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.***

According to the Initial Study, the project site has not been identified as being within a very high fire hazard severity zone.

#### **STAFF ANALYSIS – CONSISTENCY WITH ADOPTED COMMISSION POLICIES**

LAFCO Staff has completed the following analysis to further evaluate issues and address factors unique to LAFCO's role in decision making authority pursuant to State law and the Commission's adopted Policies and Procedures. The following is a discussion of each of these additional considerations.

## Plan for Agricultural Preservation

The Commission has adopted local policies consistent with State law, including an Agricultural Preservation Policy. The Policy requires applicants to prepare a Plan for Agricultural Preservation that details the impacts to agricultural lands, identifies a method to minimize impacts, and provides additional information to assist the Commission in making its findings for approval of a project. The City incorporated its Plan for Agricultural Preservation within its Municipal Service Review update (Exhibit B), discussing relevant policies for the entire Sphere of Influence area, as well as the project site.

The Commission's Policy encourages applicants to identify a strategy or method to minimize the loss of agricultural methods. The Policy includes a menu of common strategies including mitigation at a ratio of at least 1:1 (through direct easements or in-lieu fees), a voter-approved urban growth boundary, or removal of lands from an existing Sphere of Influence. The Policy also recognizes that some cities have selected to use a strategy similar to the County's policy, which limits the use of 1:1 mitigation on conversions to residential uses only.

The proposed annexation is part of a Specific Plan which designates the project site as "Commercial Thoroughfare." According to the City, there are limited other sites within the existing boundaries of the City with this type of commercial designation.

According to LAFCO's Agricultural Preservation Policy, the Commission may consider approval of a proposal that contains agricultural land when it determines there is sufficient evidence demonstrating the following:

- a. *Insufficient alternative land is available within the existing sphere of influence or boundaries of the agency and, where possible, growth has been directed away from prime agricultural lands towards soils of lesser quality.*
- b. *For annexation proposals, that the development is imminent for all or a substantial portion of the proposal area.*
- c. *The loss of agricultural lands has been minimized based on the selected agricultural preservation strategy. For the purposes of making the determination in this section, the term "minimize" shall mean to allocate no more agricultural land to non-agricultural uses than what is reasonably needed to accommodate the amount and types of development anticipated to occur.*
- d. *The proposal will result in planned, orderly, and efficient use of land and services. This can be demonstrated through mechanisms such as:*
  - i. *Use of compact urban growth patterns and the efficient use of land that result in a reduced impact to agricultural lands measured by an increase over the current average density within the agency's boundaries (e.g. persons per acre) by the proposed average density of the proposal area.*
  - ii. *Use of adopted general plan policies, specific or master plans and project phasing that promote planned, orderly, and efficient development.*

According to the City's Initial Study, development of the project site would result in a loss of Prime Farmland. The loss of farmland within the entire Turlock Planning Area has been analyzed in the City's General Plan Environmental Impact Report (EIR), and was considered a significant impact that cannot be mitigated. The Turlock City Council adopted a Statement of Overriding Considerations for the General Plan, stating that the social and economic benefits of converting the farmland outweighed the adverse environmental effect.

The City of Turlock has incorporated mitigation measures identified in the Turlock General Plan EIR to reduce impacts to agriculture. These mitigation measures include the requirement for an agricultural buffer to be created at the urban/rural edge where properties are adjacent to agricultural land. This, coupled with a right-to-farm ordinance, is meant to prevent further impacts on neighboring agricultural lands, while providing a logical boundary for the Specific Plan area. The City emphasizes in its Plan for Agricultural Preservation that the property is not for residential development and is meant to complete the Specific Plan boundary originally studied in 1995.

Based on the information provided by the City, Staff believes that the Commission can make the findings contained in the Agricultural Preservation Policy.

### **City-County Agreement**

Whenever a city proposes an amendment to its sphere of influence, it is required pursuant to Government Code Section 56425 to meet with County representatives to discuss the proposed sphere and explore methods to reach agreement on development standards, planning and zoning requirements to ensure that growth occurs in a manner that is considered logical and orderly. If an agreement is reached between the city and County, the Commission shall give "great weight" to the agreement in the final determination of the city's sphere.

City of Turlock Staff and County staff met and discussed the proposal in 2017. No concerns were identified. On February 13, 2018, the Stanislaus County Board of Supervisors adopted Resolution 2018-0089 (Exhibit C) finding the City's proposed Sphere of Influence expansion to be logical and orderly.

### **Waiver of Protest Proceedings**

Pursuant to Government Code Section 56662(d), the Commission may waive protest proceedings for the proposal when the following conditions apply:

1. The territory is uninhabited.
2. All of the owners of land within the affected territory have given their written consent to the change of organization.
3. No subject agency has submitted written opposition to a waiver of protest proceedings.

As all of the above conditions have been met, the Commission may waive the protest proceedings in their entirety.

### **ENVIRONMENTAL REVIEW**

The City of Turlock, as Lead Agency, prepared an initial study for the project and adopted a Mitigated Negative Declaration (SCH# 2017042019) which determined that the project is within the scope of the City's General Plan Environmental Impact Report (EIR) and will have no additional significant environmental effect, as defined in the California Environmental Quality Act (CEQA) Section 21158, that was not identified in the EIR. LAFCO, as a responsible agency, must certify that it has considered the environmental documentation prepared by the City of Turlock (attached as Exhibit E).

Upon conclusion of the Public Hearing on this matter, if the Commission decides to approve the City's request, it should consider establishing the same findings adopted by the City of Turlock, as Lead Agency.

### **ALTERNATIVES FOR COMMISSION ACTION**

Following consideration of this report and any testimony or additional materials that are submitted at the public hearing for this proposal, the Commission may take one of the following actions:

- Option 1**      APPROVE the proposal, as submitted by the applicant.
- Option 2**      DENY the proposal.
- Option 3**      CONTINUE this proposal to a future meeting for additional information.

### **STAFF RECOMMENDATION**

State law declares that the purpose of LAFCO includes discouraging urban sprawl, preserving open-space and prime agricultural lands, efficiently providing government services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances (Government Code Section 56301). The Commission is also empowered to review and approve or disapprove proposals with or without amendment, wholly, partially, or conditionally, consistent with its own written policies and procedures (Section 56375a).

Based on the discussion in this staff report, including the factors set forth in Government Code Section 56668, and following any testimony or evidence presented at the meeting, Staff recommends that the Commission approve the proposal and adopt Resolution 2019-15 (attached as Exhibit F) which:

- a. Certifies, as a Responsible Agency under CEQA, that the Commission has considered the environmental documentation prepared by the City of Turlock as Lead Agency;
- b. Determines the Municipal Service Review for the City of Turlock is statutorily exempt from environmental review pursuant to CEQA Article 19, Section 15306 (Information Collection);
- c. Adopts the Municipal Service Review for the City of Turlock, including written determinations, as required by Government Code Section 56430;

**EXECUTIVE OFFICER'S AGENDA REPORT  
AUGUST 28, 2019  
PAGE 12**

- d. Adopts the Sphere of Influence for the City of Turlock, as proposed, and makes written determinations pursuant to Government Code Section 56425;
- e. Waives protest proceedings pursuant to Government Code Section 56662(d);
- f. Approves the reorganization consisting of annexation to the City of Turlock and detachment from the Keyes Fire Protection District subject to standard terms and conditions.

Respectfully submitted,

*Javier Camarena*

Javier Camarena  
Assistant Executive Officer

Attachments - Exhibit A: Map and Legal Description (pg. 13)  
Exhibit B: Draft Municipal Service Review & Plan for Agricultural Preservation (pg. 18)  
Exhibit C: Board of Supervisors Resolution No. 2018-0089 (pg. 57)  
Exhibit D: City of Turlock & Keyes Fire District Agreement, Jan. 9, 2018 (pg. 65)  
Exhibit E: City's Environmental Documentation & Notice of Determination (pg. 69)  
Exhibit F: Draft LAFCO Resolution No. 2019-15 (pg. 113)

Additional support documentation is available on [www.stanislauslafco.org](http://www.stanislauslafco.org), including:

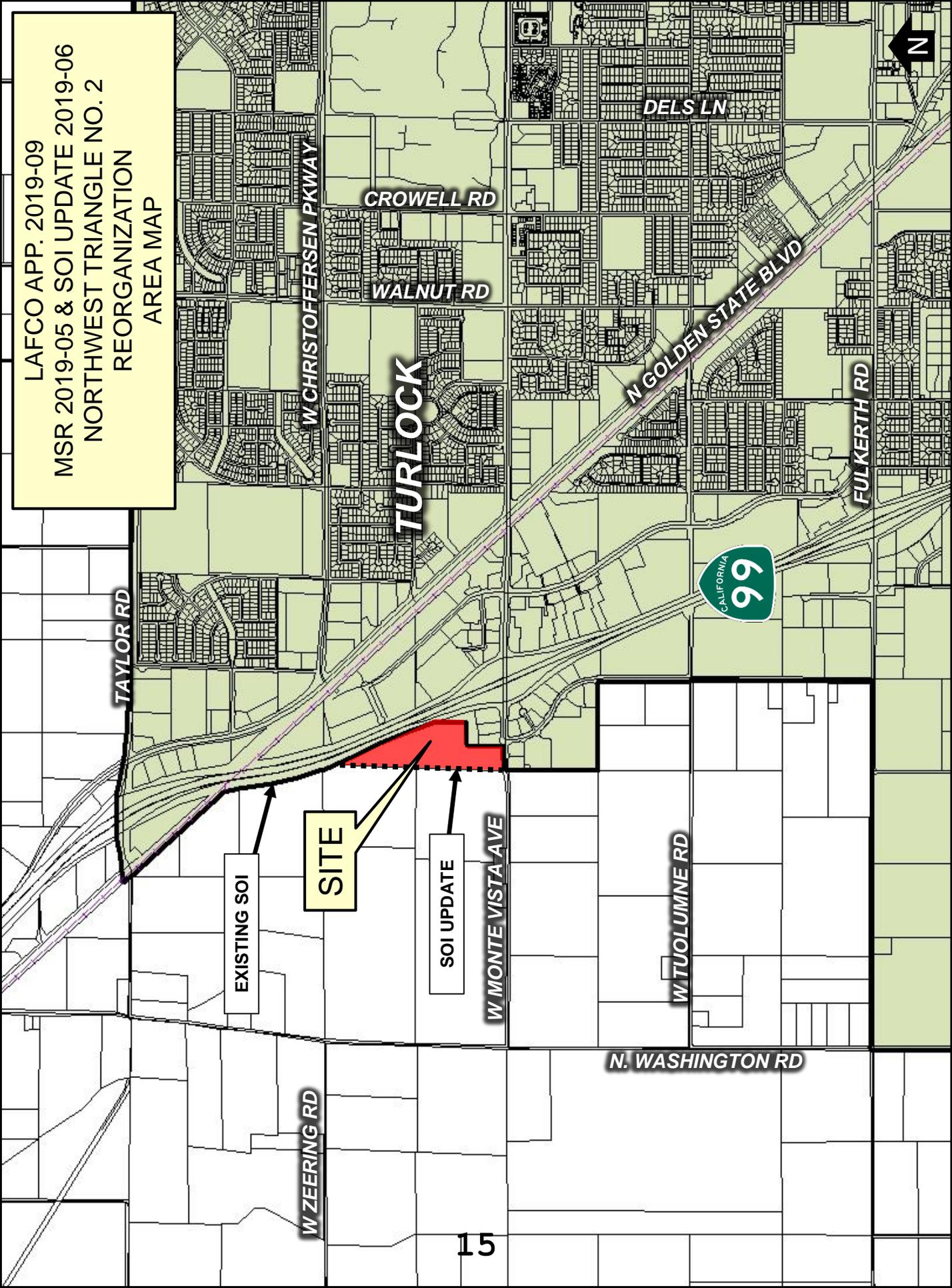
- [Northwest Triangle Specific Plan](#)

**EXHIBIT A**

**Map and Legal Description**

*This page intentionally left blank.*

LAFCO APP. 2019-09  
MSR 2019-05 & SOI UPDATE 2019-06  
NORTHWEST TRIANGLE NO. 2  
REORGANIZATION  
AREA MAP



EXISTING SOI

SITE

SOI UPDATE

## NORTHWEST TRIANGLE NO. 2 REORGANIZATION TO THE CITY OF TURLOCK

### EXHIBIT A – LEGAL DESCRIPTION

A portion of the southeast quarter of Section 5, Township 5 South, Range 10 East, Mount Diablo Meridian, in the County of Stanislaus, State of California, being more particularly described as follows:

**BEGINNING** at a point on the Existing City Limits as described in City of Turlock Resolution No. 96-048, Northwest Triangle Reorganization to the City of Turlock, said point being the north end of Course Number 32 as shown on the plat of said Resolution, said point also being the southwest corner of the lands granted to Dilbag Dhaliwal, et. al. as described in that certain Grant Deed filed as Document No. 2012-0002161-00, Stanislaus County Records; thence, the following nine (9) courses:

- 1) North 1°50'54" East 2482.55 feet, along the west line of the east half of the southeast quarter of said Section 5, to a point on the southwesterly boundary of State Route Highway 99, also being a point on the Existing City Limits, as shown on said Resolution; thence
- 2) South 24°00'31" East 491.04 feet, along the southwesterly boundary of said State Route Highway 99 and Existing City Limits; thence
- 3) South 26°35'17" East 300.67 feet, continuing along the Existing City Limits and said southwesterly boundary; thence
- 4) South 20°46'24" East 594.41 feet, continuing along the Existing City Limits and said southwesterly boundary; thence
- 5) South 16°47'29" East 228.60 feet, continuing along the Existing City Limits and said southwesterly boundary, to a point on the east line of the west half of the east half of the southeast quarter of said Section 5, also being on the east line of said lands of Dilbag Dhaliwal, et. al.; thence
- 6) South 1°50'16" West 437.01 feet, continuing along the Existing City Limits and being along the east line of said lands, to a point on the north boundary of Parcel 2 as shown on the map filed in Book 52 of Parcel Maps, at Page 79, Stanislaus County Records; thence
- 7) North 89°52'41" West 330.15 feet, continuing along the Existing City Limits and being along the north line of said Parcel 2, to the northwest corner of said Parcel 2; thence
- 8) South 1°50'16" West 526.32 feet, continuing along the Existing City Limits and being along the west line of said Parcel 2 and the west line of Parcel 4 as shown on said map, to the southwest corner of said Parcel 4, also being a point on the north line of West Monte Vista Avenue, said point being the beginning of a non-tangent curve, concave to the south, from which a radial line bears South 1°33'10" East, having a radius of 3030.00 feet and a central angle of 6°16'09"; thence
- 9) Westerly 331.53 feet along the arc of said curve, continuing along the Existing City Limits also being along the north line of said West Monte Vista Avenue, to the point of beginning.

Containing a total of 22.7 acres, more or less.

*Michael Halterman*  
23 July 2019



STANISLAUS COUNTY

EXISTING CITY LIMITS

CITY OF TURLOCK

W CHRISTOFFERSEN PKWY

N GOLDEN STATE BLVD

COUNTRYSIDE DR

W MONTE VISTA AVE

STATE ROUTE 99

N TEGNER RD

SCALE 1" = 500'



1

N1°50'54"E 2482.55'

ANNEXATION 22.7 ACRES±

2

S24°00'31"E 491.04'

3

S26°35'17"E 300.67'

4

S20°49'24"E 594.41'

5

S16°47'29"E 228.60'

6

S1°50'16"W 437.01'

7

N89°52'41"W 330.15'

S1°50'16"W 526.32'

S1°33'10"E(R)

9

L=331.53'  
R=3030.00'  
Δ=6°16'09"

POINT OF BEGINNING

W MONTE VISTA AVE

EXISTING CITY LIMITS

**NORTHWEST TRIANGLE REORGANIZATION TO THE CITY OF TURLOCK RESOLUTION NO 96-048**



PREPARED BY:  
MICHAEL HALTERMAN  
LAND SURVEYOR

DATE:  
2017-11-15

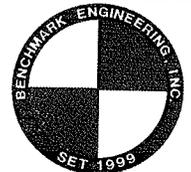
SCALE:  
1" = 500'

SHEET:  
1 OF 1

### EXHIBIT B

## NORTHWEST TRIANGLE NO. 2 REORGANIZATION TO THE CITY OF TURLOCK

LANDS OF DHALIWAL AND KHAKH



PROJECT NUMBER  
232300

*This page intentionally left blank.*

**EXHIBIT B**

**Draft Municipal Service Review &  
Plan for Agricultural Preservation**

*This page intentionally left blank.*

---

---

**Municipal Service Review  
for the  
City of Turlock**



**Sphere of Influence Amendment for the  
Northwest Triangle Specific Plan**

**Draft  
August 2019**

This page intentionally left blank.

<b>I.</b>	<b>Introduction.....</b>	<b>1</b>
<b>II.</b>	<b>Infrastructure Needs and Deficiencies.....</b>	<b>5</b>
	Water Supply and Treatment.....	5
	Wastewater Collection and Treatment .....	10
	Stormwater Drainage.....	11
	Street and Circulation System .....	12
	Police Services.....	14
	Fire Services .....	15
<b>III.</b>	<b>Growth and Population Projections for the Affected Areas.....</b>	<b>17</b>
	Sphere of Influence.....	17
	Plan for Agriculture Preservation.....	19
<b>IV.</b>	<b>Disadvantaged Unincorporated Communities .....</b>	<b>23</b>
<b>V.</b>	<b>Financing Constraints and Opportunities.....</b>	<b>24</b>
<b>VI.</b>	<b>Cost Avoidance Opportunities .....</b>	<b>26</b>
<b>VII.</b>	<b>Rate Restructuring .....</b>	<b>27</b>
<b>VIII.</b>	<b>Opportunities for Shared Facilities .....</b>	<b>28</b>
<b>IX.</b>	<b>Government Structure Options .....</b>	<b>29</b>
<b>X.</b>	<b>Evaluation of Management Efficiencies .....</b>	<b>29</b>
<b>XI.</b>	<b>Local Accountability and Governance .....</b>	<b>30</b>

This page intentionally left blank.

## **I. Introduction**

This service review has been prepared in accordance with Section 56430 of the California Government Code that requires a review of municipal services prior to establishing or updating spheres of influence. A service review is intended to better understand the public service structure and evaluate options for the provisions of efficient and effective public services.

In conducting the service review, Section 56430 requires that LAFCO adopt a written statement of determination with respect to each of the following factors:

- Infrastructure needs and deficiencies
- Growth and population projections for the affected areas
- Location and characteristics of any disadvantaged unincorporated communities
- Financing constraints and opportunities
- Cost avoidance opportunities
- Rate restructuring
- Opportunities for shared facilities
- Government structure options
- Evaluation of management efficiencies
- Local accountability and governance

The Turlock Sphere of Influence, consistent with the 1992 Turlock General Plan, was adopted by Stanislaus LAFCO in August of 1993. The Sphere of Influence was expanded in 2004 by the Northeast Turlock Master Plan. The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) established the requirement that service review be prepared in order to update spheres of influence. A Municipal Service Review was prepared in accordance with the 2000 Act in January 2004.

The Westside Industrial Specific Plan necessitated the second update to the Turlock Sphere of Influence since the approval of the CKH Act. The City of Turlock prepared a third amendment to its Sphere of Influence and Primary Area in July of 2007 to include an additional approximately 627 acres for the second phase of the Westside Industrial Specific Plan. In 2012 the City of Turlock adopted an updated General Plan with no change to the Sphere of Influence.

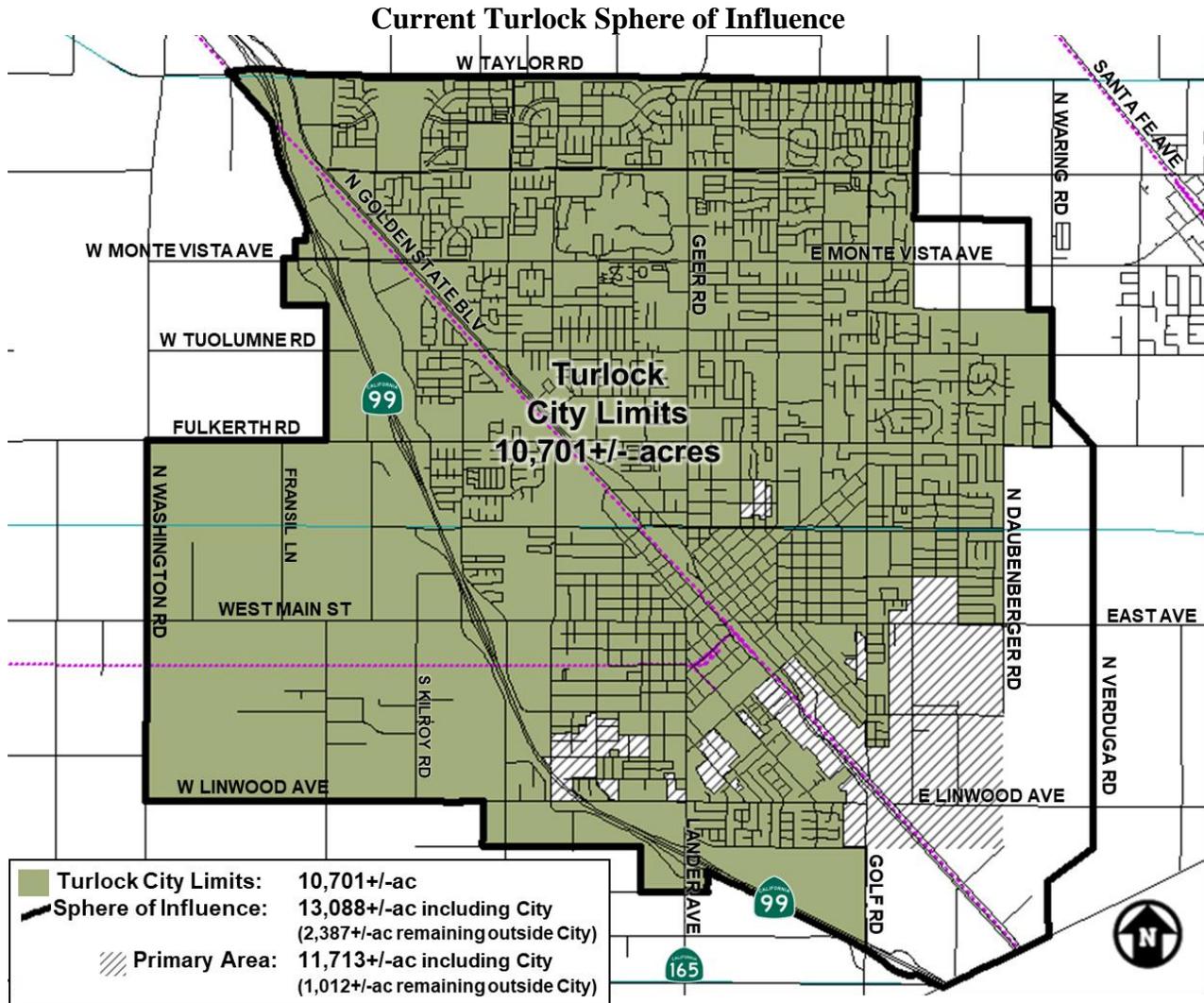
In 2017 the City of Turlock adopted an update to the Northwest Triangle Specific Plan and the General Plan and rezoned the property at 3525 W. Monte Vista Avenue. This update necessitates the fourth amendment to the Sphere of Influence and Primary Area boundary to include one 22.25-acre property.

### **CITY OF TURLOCK SPHERE OF INFLUENCE**

The City of Turlock 2012 General Plan provides a 20-year vision for the community. The General Plan is a guide to the City's physical development. The subject property was included in the Northwest Triangle Specific Plan and has been designated for Commercial Development in the General Plan since 1995 but was not annexed into the

City limit and was left out of the Sphere of Influence, at the request of the property owner, at the time the Master Plan area was annexed into the City limits. The property is designated as Highway Commercial in the 2012 General Plan. Figure 1 shows the current Sphere of Influence Boundary.

Figure 1



In January 2004, a small change in the Sphere of Influence was approved by LAFCO for the Northeast Turlock Master Plan, adding approximately 75 acres to the City of Turlock Sphere of Influence.

In February 2007, as part of the first annexation request by the City of Turlock for the Westside Industrial Specific Plan, the City requested LAFCO amend its Primary Area contiguous with the Sphere of Influence boundary on the west side of Highway 99.

Expansion of the Primary Area did not require an amendment to the Sphere of Influence. The annexation was completed on May 21, 2007.

A third amendment was adopted in July of 2007 to expand the Sphere of Influence and the Primary Area to include approximately 627 additional acres to complete the annexation of the properties within the Westside Industrial Specific Plan.

The City's proposed amendment will bring one 22.45-acre parcel into the Primary Area of the City of Turlock and will complete the annexations of the properties in the Northwest Triangle Specific Plan, as originally intended in 1995.

**Growth and Municipal Services Management** - In 1998, the City of Turlock adopted a Residential Annexation Policy that focused annexations and growth to one quadrant of the city at one time (City Council Resolution No 98-036). Four quadrants were designated and new residential development was designated to occur first in the Northwest Quadrant (Figure 2). The next quadrant designated for residential development was in the Northeast Quadrant and then followed by the Southeast Quadrant. New development in the Southwest Quadrant will be mostly industrial uses. The majority of the Northwest and Northeast Quadrants of the City have built out with only a few projects remaining to be developed. The Southwest Quadrant, is currently developing. Focusing development in one area at a time allows for timely and efficient use of infrastructure and resources. Furthermore, in 1999, the City adopted a policy that requires area-wide planning in conjunction with future annexations (City Council Resolution No 99-021). Area-wide plans must address land use, circulation, housing, open space, infrastructure, public facilities and public services consistent with the General Plan. Both of these policies serve to ensure that growth is orderly. Furthermore, policy 3.1-p in the 2012 General Plan established the timing for the development of new master plan areas stating, "A new master plan area may not proceed with planning, annexation and development until 70 percent of the building permits associated with the previous area have been issued."

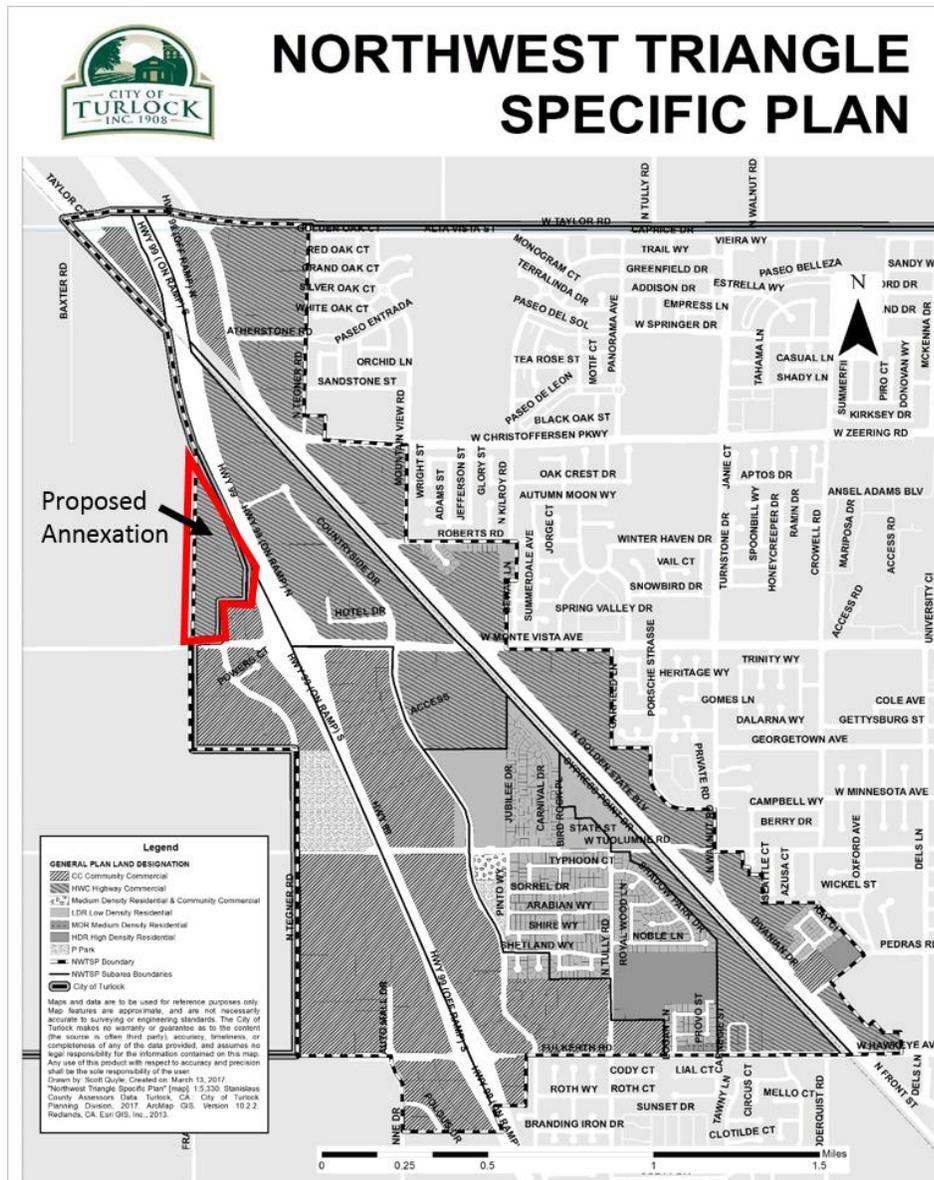
**Area-Wide Planning Effort** - The Northwest Triangle Specific Plan was adopted in August of 1995 and was updated in 2004. In 2012 an update to the General Plan was adopted. General Plan policy 3.1-o called for the evaluation of existing master and specific plans that were not fully built out, identifying the Northwest Triangle Specific Plan as a priority for evaluation and updating. An update to the plan was adopted in June of 2017 to ensure the plan was consistent with the 2012 General Plan and to prezone the property located at 3525 W. Monte Vista Avenue prior to moving forward with the annexation of the property.

### **3525 WEST MONTE VISTA AVENUE AND PROPOSED SPHERE OF INFLUENCE UPDATE**

The City of Turlock requires "area-wide" planning to accompany all applications for rezoning and annexation. This requirement may be fulfilled by the preparation of a Specific Plan (as defined by the State Government Code) or Specific Plan (as defined by the City of Turlock). A copy of the Northwest Triangle Specific Plan has been included in the application materials provided to LAFCO as part of the application.

In 1995, the City of Turlock adopted the Northwest Triangle Specific Plan (NWTSP) encompassing 800 acres in the northwestern part of the city, largely within a triangle created by Golden State Boulevard, Highway 99, and Fulkerth Road. The area was annexed into the City limits in 1996 with the exception of the property located at 3525 W. Monte Vista Avenue. This property although within the NWTSP is not within the City's current sphere of influence and is proposed for annexation into the City. The City of Turlock is requesting LAFCO expand the Sphere of Influence to include this one approximately 23-acre parcel (see Figure 2). In anticipation of annexation, the City has rezoned this property area consistent with the NWTSP. This Municipal Service Review has been prepared for LAFCO to support this request.

Figure 2  
Proposed Amendment to Sphere of Influence



## **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

This Municipal Service Review (MSR) for the City of Turlock is a planning study for future actions by the City of Turlock and Stanislaus LAFCO and is exempt from environmental review in accordance to Section 15262 of the CEQA Guidelines. This MSR is an informational document that supports future annexations and development but does not involve any discretionary action. This MSR is being prepared because the annexation of 3523 W. Monte Vista Avenue, part of the Northwest Triangle Specific Plan, includes an adjustment to the Turlock Sphere of Influence to create a more logical development pattern consistent with existing development and the Turlock General Plan. The Northwest Triangle Specific Plan, and the adopted update to the plan requires discretionary action and is subject to environmental review.

An Environmental Impact Report was prepared and certified by the City of Turlock (SCH#201022096) for the 2012 General Plan on September 11, 2012. A Mitigated Negative Declaration and associated Mitigation Monitoring Program was adopted on June 13, 2017 for the update to the Northwest Triangle Specific Plan determining the project would not have a significant impact on the environment thus, satisfying California Environmental Quality Act (CEQA) requirements for the proposed annexation. The initial study identified potentially significant impacts in the areas of: Aesthetics and Visual Resources, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emission, Ground Water Resources, Public Facilities and Services, Traffic and Circulation, and Utilities/Service Systems. The initial study identified mitigation measures to lessen and/or fully mitigate the impacts to a less than significant level.

A copy of the adopted Mitigated Negative Declaration has been provided to LAFCO as part of the application materials.

## **II. Infrastructure Needs and Deficiencies**

**Purpose: To evaluate infrastructure needs and deficiencies in terms of capacity, condition of facility, service quality and levels of services and its relationship to existing and planned services users.**

Any area planned for development must have the infrastructure necessary to support the new uses. One of the main purposes of a master plan is to ensure that all the urban services and the necessary infrastructure can be adequately provided. In 2009, the Turlock City Council adopted a Water Master Plan Update. In 2016, the City of Turlock adopted an update to the Turlock Urban Water Management Plan. A copy of the 2016 Turlock Urban Water Management Plan has been provided to LAFCO as part of the application materials. The Plan analyzed future water demands in Turlock as the city grows, evaluated the adequacy of the groundwater basin to meet those water needs, determined the type and costs of improvements that would have to be made to meet the demand for water, and considered the impact on water rates and fees of funding those infrastructure improvements. As the information contained in this Municipal Service

Review only summarizes some of the information in the Urban Water Management Plan 2016, the reader is encouraged to refer to the Plan for more detailed information.

## **A. WATER SUPPLY AND TREATMENT**

### **Sphere of Influence**

The City provided water supplies to 18,686 water connections in 2015. The City supplied 5,675 million gallons (MG) of water for municipal purposes in 2015. Of that, 5,563 MG was potable water and 112 MG was raw water.

The City and water service area encompass an area of approximately 20 square miles. With the exception of three small residential areas served by groundwater from the City of Modesto, the City serves all areas within the City's limits, as well as several small unincorporated areas surrounded by the City. The City's water service includes residential, commercial, industrial, and fire service connections. Municipal water supply for the City is currently based on groundwater, with supplemental supplies from recycled and non-potable water. The City water system serves its population of about 71,043 through 18 active wells and one standby well. The distribution system consists of approximately 250 miles of pipe ranging in diameter from 6 to 16 inches, with plans to expand for future surface water distribution.

The Turlock water system is based on a network of on-demand deep-water wells that pump directly into the water grid. Domestic water supply is currently derived from 18 deep groundwater wells that have a capacity to supply 27,350 gallons per minute (gpm). The City does not chemically treat or chlorinate any water it supplies at this time.

The City has more than adequate capacity to meet normal demands. Further, the City's current well system has enough capacity to meet maximum daily demand (usually in July). The system is currently operating at near-capacity levels during the hot summer months when peak hour demand increases.

Currently the City does not purchase or import water from any other water supply or entity. However, as a member of the Stanislaus Regional Water Authority (SRWA), the City has entered into a water sales agreement for delivery of 5,475 MGY (15 million gallons per day (MGD)) of Turlock Irrigation District (TID) surface water. TID has indicated the volume of water requested is available, and this volume has been used for planning and environmental review purposes. For the purposes of this document, it is assumed that the SRWA Regional Surface Water Supply Project (RSWSP) will be operational in 2022.

Currently, groundwater supplies are used to meet all water needs in the area. The local groundwater source is the Turlock Sub-basin, which is a subunit of the San Joaquin Valley Groundwater Basin. The City currently possesses 23 wells. The number of wells considered active, standby, or non-potable are as follows:

18 active,  
1 standby,

19 inactive/abandoned, and  
4 non-potable (irrigation only).

Since 2010, six wells have been removed from active status due to water quality concerns. In addition to evaluating opportunities to reduce contamination in these wells, diversification of supplies away from groundwater (surface water from TID through SRWA – as described above) will help mitigate any future groundwater quality degradation.

### **Water Conservation and Water Demand**

The City is able to track actual water use by customers and sector type through the metering program, which was fully implemented in 2011. Per capita demand declined after the meters were installed throughout the City. Per capita demand also declined heavily in 2014 and 2015, likely due to the drought and conservation efforts related to the drought. Therefore, the City has assumed that 2012 represents a reasonable approximation as to what future per capita water use will be. Per capita water use in 2012 was approximately 277 gallons per capita per day (GPCD). The City projected annual water demand, assuming an annual water production growth of 2.15 percent, consistent with the population growth rate projected in the September 2012 General Plan.

### **Water Quality**

Groundwater quality varies due to chemical reactions as water moves through geologic materials. Groundwater contamination is a result of naturally occurring compounds or anthropogenic sources. Naturally occurring contaminants of concern within the City include TDS, arsenic, and hexavalent chromium (Cr6+). Anthropogenic contamination within the City include nitrate, fuel, solvents, and synthetic organic compounds.

Public water systems are regulated by the State Division of Drinking Water (DDW) which enforces drinking water quality standards. DDW drinking water standards are more stringent than those enacted and enforced by the United States Environmental Protection Agency (EPA). Public Water Systems are required to report City of Turlock water quality data to the DDW, which maintains a comprehensive water quality database. In addition to the DDW water quality dataset, the City maintains its own water quality dataset. The DDW database and the City's water quality data were combined to evaluate for historic trends, to identify current or previous exceedances above current maximum contaminant levels (MCLs), and to provide a tool to help guide future groundwater resource protection and development programs. The combined dataset contains data from 1989 through January of 2015.

Within the City's well field, the primary constituents of concern for public health are arsenic and nitrate. Arsenic and nitrate (as NO<sub>3</sub>) are above their respective MCLs in multiple wells. In addition, the City has noted increasing TDS in produced water; however, concentrations of such are below the DDW secondary MCL (Recommended) of 500 milligrams per liter (mg/L), with the exception of Well 32 which was reported to have a maximum TDS of 510 mg/L.

Concentrations of hexavalent chromium (Cr<sup>6+</sup>) were also evaluated due to the recent revised MCL issued by DDW in July of 2015; however, no City well is in exceedance of this new MCL. Point source contamination has caused the City to destroy wells in the past. Several wells have had synthetic organic compounds, fuels, or solvents above their respective MCL, including for carbon tetrachloride (TCE) in Well 4, ethylene dibromide (EDB) in Well 8, and tetrachloroethylene (PCE) in Wells 4, 8, 19, 29 and 35.

The City's 18 active groundwater wells produce water that meets all DDW drinking water quality standards. Groundwater quality varies throughout the City, with both location and depth; however, the City has a Compliance Order for Wells 4, 29 and 35 requiring treatment for TCP by June 2021. The City is in the planning stage of wellhead treatment at these locations and expects to comply with the State's Compliance Order.

### **Basin Description**

The Turlock Sub-basin lies on the eastern side of California's San Joaquin Valley, and encompasses portions of both Stanislaus and Merced counties. The groundwater system is bounded by the Tuolumne River on the north, the Merced River on the south, and the San Joaquin River on the west. The eastern boundary of the system is the western extent of the outcrop of crystalline basement rock in the foothills of the Sierra Nevada. Land uses in the Turlock Sub-basin are diverse and include agriculture, urban, and commercial or industrial uses distributed in a mosaic throughout the region.

The Turlock Sub-basin underlies an area of approximately 347,000 acres, with irrigated crops (245,000 acres), native vegetation (69,000 acres), and urban development (20,000 acres) as the predominant land uses. The general trend in land use throughout the sub-basin has been an increase in urbanization from less than 4,000 acres in 1952 to approximately 20,000 acres in 2006. The majority of this urbanization has occurred within unincorporated urban areas and cities within the Turlock Irrigation District boundary. Land in the Eastside Water District, Ballico-Cortez Water District, and Merced Irrigation District has not seen the substantial increase in urbanization that has occurred in other portions of the sub-basin. However, in the Eastside Water District, there has been a shift from non-irrigated lands to irrigated agriculture as the principal land use. The majority of this agricultural development occurred between 1952 and 1984; land use patterns in the Eastside Water District have generally stabilized since the mid-1980s. The shift to irrigated agriculture has occurred to a lesser extent in the Ballico-Cortez Water District. Land use patterns in the foothill areas in the eastern portion of the sub-basin have also shifted from non-irrigated to irrigated agriculture, but most of this shift has occurred in recent years. Between 1952 and 1992, irrigated agriculture in the foothills non-district area increased gradually from 8,600 acres to 10,800 acres. Following 1992, irrigated area grew rapidly, reaching 19,500 acres in 2006, and 35,100 in 2014.

Although expansion of irrigation has, and will continue to increase overall water demand, a portion of water used for irrigation is passively recaptured by the groundwater basin. Unlike water for Municipal & Industrial (M&I) use, irrigation water does not ultimately flow to the City's wastewater treatment plant. Due to its application outdoors, a percentage of irrigation water will percolate downwards through soil and contribute to groundwater aquifer recharge. The benefits of this recharge will become further apparent

when the City’s groundwater is supplemented by Tuolumne River surface water (through SRWA), as a portion of the (in lieu) recharge will be derived from the conjunctive use of surface water and groundwater.

### **Basin Overdraft Conditions**

Overdraft of an aquifer occurs when groundwater extraction is faster than aquifer recharge. It is unsustainable to overdraft an aquifer over long periods of time. Overdraft can eventually lead to subsidence and water quality problems. The Turlock Sub-basin is neither listed as adjudicated, nor critically overdrafted.

Groundwater conditions within the Turlock Sub-basin vary. Groundwater levels in the eastern areas have declined significantly since the 1960s while levels in the western areas of the sub-basin are high to the point of requiring pumping in certain areas to keep the groundwater from encroaching into the root zone of agricultural crops. Local agencies continue their efforts to ensure a sustainably managed groundwater basin and prevent activities that could lead to overdraft pursuant to the Sustainable Groundwater Management Act (SGMA).

### **3525 West Monte Vista Avenue**

The City of Turlock will provide water supply services to new development within the Sphere of Influence, including the property at 3523 W Monte Vista Avenue. Pursuant to established city policy, each developer will be required to construct and/or pay for new “in tract” water infrastructure to serve the development area. Developers are responsible for paying for Water Grid Fee, Water Connection Fee, and Water Main Frontage Fee. There is also the Specific Plan Area Fee that will fund needed infrastructure facilities in the area not covered by the other fees, including the remaining water improvements identified in the updated Northwest Triangle Specific Plan.

Consistent with the Water Master Plan Update, Urban Water Management Plan, and Northwest Triangle Specific Plan and its Mitigated Negative Declaration, the water demand of the development of the additional parcel has been analyzed. Existing City wells in or near the Plan Area include:

- Well #35 (3,000 gpm) located Tegner Road
- Well # 31 (1700 gpm) located on Tegner Road
- Well #34 (1,100 gpm) located on Dianne Drive

The property will connect to the existing 12” water line in Monte Vista Avenue which currently runs along the front of the subject parcel.

There is also a one-million gallon water storage tank on Fulkerth and Washington Roads that serves this general area and provides additional supply during peak demand periods.

## **B. WASTEWATER COLLECTION AND TREATMENT**

### **Sphere of Influence**

The City provides wastewater treatment and disposal service to residential, commercial and industrial users in Turlock, and to about 2,800 residents in Keyes and another 3,000 in Denair Community Service districts. The City also treats a portion of the primary treated wastewater from the City of Ceres (up to 1 MGD with an Agreement to accept an additional 1 MGD in 2008/09). The treated effluent is discharged into the San Joaquin River via Turlock Irrigation District's Harding Drain, a man-made agricultural drainage facility (Lateral Drain #5).

The Wastewater Treatment Facility at 901 South Walnut Road is currently designed for a hydraulic flow of 20.0 Million Gallons per Day (MGD). Average daily flow into the wastewater treatment facility during 2018 was 10.5 MGD. Industrial users had in use or reserve approximately 7.3 MGD of the current design hydraulic capacity. There is sufficient capacity at the treatment facility to handle increased flows within the Turlock Sphere of Influence including the property located at 3525 W. Monte Vista Avenue. Upon development the applicant will be required to extend the existing 12" sewer line in Monte Vista Avenue from the adjacent property's frontage to the subject property. Developers will also have to pay applicable fees to cover the new development's share to use the Wastewater Facility and sewer trunk lines.

In March 2007, a Capacity Assessment was undertaken for the Turlock Regional Water Quality Control Facility (RWQCF). The report assessed the existing treatment capacity at the RWQCF in order to determine the limitations of the current processes and to assess the need for additional process requirements for a 20 MGD facility. The report also included conceptual cost estimates of the requirements as well as an implementation schedule to accommodate anticipated growth.

In 2008, the City Council approved a series of five annual sewer rate increases. Revenue received by the fee increases is used to fund debt service on a \$30 million dollar bond issuance. This bond issuance is being used to fund an upgrade of the treatment facility as noted in the Capacity Assessment in order to construct a new outfall pipeline, increase capacity to treat organics, changes to the treatment system to improve wastewater quality, and various other treatment system infrastructure improvements.

As a 20 MGD facility, the RWQCF could accommodate residential and industrial growth through the year 2020 with a buildout population of 112,000 (at current growth rates), including Denair and Keyes.

### **3525 West Monte Vista Avenue**

Developers within the Northwest Triangle Specific Plan have been responsible for installing the required "in tract" wastewater infrastructures needed to serve the master plan area, with the majority of the needed infrastructure for the plan area completed. A

condition for each development is payment of the Wastewater Plant Capacity Fee, Sewer Trunk Capacity Fee), Sewer Frontage Fee and a Sewer Connection Fee. There is an existing 12” sewer line along in Monte Vista Avenue along the frontage of the adjacent parcel to the east. This line will need to be extended approximately 250 feet to get to the middle of the property at 3525 W. Monte Vista Avenue. Extension of the sewer line will be a condition of approval for any future development of the parcel.

## **C. STORMWATER DRAINAGE**

### **Sphere of Influence**

Consistent with its Storm Drain Master Plan, the City of Turlock will provide stormwater services including collection, transmission, and disposal of stormwater for the City’s Sphere of Influence. The Storm Drain Master Plan provides for the collection of all of the City's storm water to a storage basin on the west side of the Wastewater Treatment Facility. A planned pumping facility will allow the use of an existing pipeline connecting the Wastewater Treatment facility to Turlock Irrigation District Lateral Number 5 to discharge the storm water into the San Joaquin River. The storm water is diverted to Gomes Lake temporarily when the water level in the river is high.

Stormwater can be directed to the storage basin at the Wastewater Treatment Facility through three major systems, identified by the streets in which the major trunk lines are located. Each system has sub-areas, many of which have planned or operating detention basins. Most detention basins will also be used as parks. The stormwater system is designed to handle the amount of stormwater that will be created from development within the entire Sphere of Influence. Developers are responsible to install the storm drain facilities to serve their project and pay a storm drainage fee and any applicable Plan Area Fee. The fees are intended to pay their share of the city wide and area wide storm drainage system beyond each project site.

Recent Federal Clean Water Act amendments have provided for tighter controls by cities on the quality of storm water discharged into the nation's waterways. In essence, the regulations require some degree of treatment for all storm water discharges, and because of this the Turlock Storm Water Master Plan, which provides for centralization and consolidation of all storm water flows at the wastewater facility, will better position the City to deal with the issue of treatment than cities with multiple, widely scattered discharge points.

### **3525 West Monte Vista Avenue**

Developers within the Northwest Triangle Specific Plan area have been responsible for installing the required “in tract” stormwater improvements needed to serve the Specific Plan Area. A condition for each development is payment of the Storm Drainage Fee.

Historically, storm drainage in Turlock was handled by a system of storm sewers and pump stations that discharged primarily into Turlock Irrigation District (TID) Lateral No. 4. Existing drainage agreements allow the City to discharge storm water in Laterals #3,

#4 and #5 when capacity is available. However, the canals represent an unreliable outlet for the City's needs.

To decrease dependence on the irrigation canals and unify Turlock's different storm drainage systems, the City adopted a comprehensive plan for storm drainage. The Storm Drain Master Plan provides for collection of all of the City's storm water to a storage basin on the west side of the Wastewater Treatment Facility. Existing sewer pipelines will be used to discharge the water into the San Joaquin River via the Harding Drain. During periods of high river flow, the storm water flows to Gomes Lake, from which it is later pumped into the San Joaquin River.

Storm water will be directed to the Regional Water Quality Facility through three major systems identified by the streets in which the major trunk lines are located. Each system has sub-areas; many have planned or operating detention basins. Most detention basins will be designed so that they may also be used as parks.

Federal Clean Water Act amendments have provided for tighter controls by cities on the quality of storm water discharged into the nation's waterways. The City of Turlock complies with these regulations. In essence, the regulations require some degree of treatment for all storm water discharges, and because of this, the Turlock Stormwater Master Plan provides for centralization and consolidation of all storm water flows at the wastewater facility. This requirement better positions the City to deal with future storm water treatment.

### **Storm Water Management Plan**

The property can tie into the existing 24" storm line which runs along the front of the parcel. Any development of the property will have to comply with the City's MS4 stormwater requirements and therefore will have to maintain a minimum of the 85<sup>th</sup> percentile stormwater on-site. Additional stormwater above this threshold could then go into the City's Stormwater system.

## **D. STREET AND CIRCULATION SYSTEM**

### **Sphere of Influence**

A hierarchy of adequately sized streets will be required to provide access to future development and maintain acceptable levels of service serving the City and its Sphere of Influence. A route's design, including the number of lanes needed, is determined both by its classification as well as the projected traffic level on the street. The classifications, and their required development and access standards, are summarized as follows:

- *Freeways:* Freeways provide for intra- and inter-regional mobility and access is restricted to primary arterials via interchanges. Freeways generally have three lanes in each direction and their right-of-way width varies. State Route 99 is the only freeway in the area.
- *Expressways:* Expressways provide for movement of through-traffic both within the city and to other nearby regional locations and generally have limited access to

abutting properties. Expressways typically have two lanes in each direction with a right-of-way width varying from 132 to 108 feet.

- *Arterials:* Arterials collect and distribute traffic from freeways and expressways to collector streets, and vice versa. The optimum distance between intersections is approximately ½ to ¼ mile. In developing areas of the City, arterials will be constructed within 90-124-foot rights-of-ways and will carry two-three lanes of traffic in each direction, and provide for limited direct access to adjacent land uses.
- *Collectors:* Collectors provide a link between residential neighborhoods and arterials. Collectors typically provide two travel lanes, on-street parking, and bike lanes. Collectors also provide access to adjacent properties, so driveway access is not restricted but is discouraged. Direct access to adjacent land use is permitted but driveways are spaced at roughly 300-foot intervals in commercial and industrial areas.
- *Local Streets:* Local streets provide access to parcels and access is not restricted. Local streets have two lanes with 56-foot rights-of-ways.

The City has a fixed route service known as the Bus Line Service of Turlock, or the “BLAST”. The service has six routes that serve about 85 percent of the city. The City also operates its demand responsive service, which it calls Dial-A-Ride-Turlock, or “DART”, for short.

The City has policies that encourages the use of walking and bicycling and provides for three classes of bikeways. The Public Greenway System (Bike Path/Greenway – including Class I Bikeway) provides a completely separated right-of-way designated for the exclusive use of bicycles and pedestrians with cross flows by motorists minimized. A greenway is a bike path that is landscaped and/or travels through a park or open space greenbelt. A Bike Lane (Class II Bikeway) provides a restricted right-of-way designated with a striped lane for the exclusive or semi-exclusive use of bicycles with through-travel by motor vehicles or pedestrians prohibited. A Bike Route (Class III Bikeway) provides right-of-way designated by signs or permanent markings and shared with pedestrians on sidewalks and motorists on streets.

Development approvals within the Turlock Sphere of Influence will be required to maintain a Level of Service (LOS) as provided in the General Plan. The LOS is a qualitative measure of traffic service along a roadway or at an intersection. It ranges from A to F, with LOS A being best and LOS F being worst. LOS A, B and C indicate conditions where traffic can move relatively freely. LOS D describes conditions where delay is more noticeable and average travel speeds are as low as 40 percent of the free flow speed. LOS E indicates significant delays and average travel speeds of one-third the free flow speed or lower; traffic volumes are generally at or close to capacity. Finally, LOS F characterizes arterial flow at very slow speeds and large delays. A traffic analysis prepared for the General Plan area as part of the 2012 General Plan forecasts that some streets may operate at LOS E or F at peak hours. In support of the Complete Streets legislation in SB 375 roads will be constructed in accordance with the designs specified in the Circulation Diagram in the General Plan instead of being driven by level of service

standards which can promote urban sprawl. LOS will be used as a trigger for preparing a traffic analysis to determine if new improvements are required but other mitigation measures such as traffic calming, alternative modes, trip reduction strategies and others will be used to mitigate congestion.

New development will be required to pay all applicable transportation impact fees such as Capital Facilities Fee and Plan Area Fees (a portion of each fee is for transportation improvements). The transportation portion of Capital Facilities Fee covers the project's share of citywide roadway improvements. Project developers will also be responsible to install applicable project specific street improvements that are not covered by the Capital Facilities Fee and Plan Area Fee.

### **3525 West Monte Vista Avenue**

A traffic study was prepared for the 2012 General Plan by Omni Means to analyze city wide traffic impacts. This study included the land uses within the Northwest Triangle Specific Plan, including the proposed commercial use of the subject property located at 3525 W. Monte Vista Avenue. Any development of the subject property after annexation will be required to pay into the CFF transportation fees which will mitigate any potential traffic impacts.

## **E. POLICE SERVICES**

### **Sphere of Influence**

Turlock Police Department operates from the Public Safety Facility located at 244 N. Broadway Avenue. This facility was completed in 2013. Turlock Police Department is structured into two divisions, Field Operations and Special Operations.

The Field Operations Division includes Police Patrol, Traffic safety Unit, Crime Prevention Unit (School Resource Officers, Neighborhood Resource Officers, Crime Prevention Specialist, and Volunteer in Police Services), Bicycle Patrol, Police Chaplains, Property and Evidence, and Communications Unit, K9 Unit, Major Accident Investigations Unit as well as the Critical Response Team.

The Special Operations Division contains Investigations (detectives) Unit, Special Investigations Unit (proactive street crime, gangs, drugs, human trafficking, and parolee repeat offenders), Records Unit, Office of Professional Standards and Training (internal affairs, and special investigations, public affairs and business services, Public Information Officer, department training, CA POST liaison, ABC liaison, permitting processes), Crime and Information Analyst (Crime Statistics, department informational publications, social media platforms), Business Unit (all contracts, building maintenance oversight, budgeting oversight, council staff reports, PO processing).

In addition to the two divisions, the Office of the Chief of Police handles all administrative functions including budgeting, personnel, background investigations, recruitment, promotional assessments, community outreach and collaboration and

provides the direction of the organization as it strives to achieve and maintain a level of service and commitment to our community that is second to none.

Providing high level police protection to the citizens of Turlock has historically been a primary objective of City officials. During the economic struggles of 2008, the Police Department reduced staffing from 86 to 78 police officers and went from three divisions to the two currently identified. However, in March of 2018 the City Council approved a Recruitment and Retention plan that focused on hiring 2 police officers and 1 support staff each fiscal year in order to reach a level of 96 police officer in 9 years. While the currently authorized sworn strength of the Turlock Police Department is now at 81 police officers, or 1.08 full time police officers per 1,000 population, the Recruitment and Retention plan calls for the expansion of the force to 96 police officers in 9 years, or 1.28 full time police officers per 1,000 population.

This level of service represents the average of other San Joaquin Valley communities. However, it is significant to note the 1.08 ratio remains short of the General Plan goal of 1.5 police officers per 1,000 population and significantly falls behind a national average of more than 2 police officers per 1,000 population.

**Services Mitigation Fee** - On January 13, 2004, the City Council adopted a Services Mitigation Fee requiring all new development within the Sphere of Influence to pay for operational costs at existing levels of city services provided by the General Fund, and General Plan levels for police, fire and park maintenance services. CFD #2 was evaluated in 2017 and was determined to be adequate. The Services Mitigation fee uses the targeted City service level of 1.5 police officers per 1,000 residents for future development. The fee will be imposed through a Mello-Roos Community Facilities District on new residential development; commercial and industrial development is exempt from the fee as the City determined that General Fund revenues generated by these development categories adequately cover the cost of providing service.

### **3525 West Monte Vista Avenue**

Existing police facilities are adequate to serve development of the proposed property. Developers within the project site will be required to pay the City's Capital Facilities Fee, a portion of which is used to fund the project's share of police service capital improvements.

## **F. FIRE SERVICES**

### **Sphere of Influence**

The Turlock City Emergency Services operates from four facilities. These facilities include: Station No. 1 located at Minaret near Hamilton; Station No. 2 located on Walnut Avenue near Highway 99; Station No. 3 located on Monte Vista Avenue near Radcliffe; and, Station No. 4 located on North Walnut near Monte Vista. The Turlock Fire Department has a total of six fire engines, and one multi-rescue vehicle.

The fire department in recent years has successfully streamlined the organization, thus reducing management staff. The department is led by a fire chief, and one division chief

who oversees prevention and investigation. Three battalion chiefs, one per shift, oversee daily operations of the department. All fire stations also house suppression equipment and 24-hour fire personnel. Station staffing includes one captain, one engineer, and one firefighter for a possible 13 personnel per shift. Support staff include a full time administrative assistant, full time secretary, and a budget analyst located at the public safety building.

Response time “level of service” standards relating to fire protection services are generally compared to national trends as reported by the National Fire Protection Agency. Turlock’s Fire Department has historically met or exceeded these standards, generally on an equivalent level with other cities in the western States. Turlock City Fire and Emergency Services has worked diligently in meeting with the national standards while being prudent stewards of precious funds. For example, the department successfully maintains an average response time of 5 minutes. The Insurance Services Organization (ISO) rating is 2 for the Turlock Fire Department.

New development within the Sphere of Influence will be required to pay the Capital Facilities Fee to fund the project’s share of fire services capital improvements and equipment. As discussed above under Police Services, new residential development will have to pay the Services Mitigation Fee to pay for the project’s share of fire services operational costs.

### **Rural Fire Districts**

There are two rural fire districts that serve within the current Turlock Sphere of Influence.

**Denair Fire District** – The Denair Fire District serves an area of approximately 44 square-miles to the north and east of the City of Turlock, including portions of the east side of the Turlock Sphere of Influence. The fire station is located in the community of Denair at 3918 Gratton Road. The Denair Fire District has 25 volunteer fire fighters and is equipped with four engines, one fast attack vehicle, one water tanker, and two rescue vehicles. The Denair Fire District responds to fires, medical emergencies, emergency rescues, and hazardous material emergencies. The Denair Fire District has an ISO rating of 9.5.

**Turlock Rural Fire District** – The Turlock Rural Fire Districts serves an area of about 45 square-miles to the west and south of the City of Turlock. The fire station is located at 690 West Canal Drive and is equipped with three engines, two fast attack vehicles, one water tender, one light rescue vehicle and one heavy rescue vehicle. There are 30 volunteer firefighters, including one chief and one assistant chief. The Turlock Rural Fire District responds to fires, medical emergencies, emergency rescues, and hazardous material emergencies. The Turlock Rural Fire District has an ISO rating of 9 in the rural areas.

**Northwest Triangle Specific Plan**

The project site is within the service radius of Fire Station No. 4. Developers within the project site will be required to pay the City’s Capital Facilities Fee, a portion of which is used to fund the project’s share of fire service capital improvements and equipment. The City of Turlock has reached a property tax sharing agreement with the Keyes Fire District that currently provides fire services to the expanded Sphere of Influence area to ensure that the Keyes District is not adversely impacted by the detachment of this area from the District.

**III. Growth and Population Projections for the Affected Areas**

**Purpose: To evaluate service needs based upon existing and anticipated growth patterns and population projections.**

**Sphere of Influence**

The 2012 General Plan provides a population projection to the year 2030. This population projection is benchmarked on the population 70,412 persons in 2007. Based on development of residential land located within the current Sphere of Influence, the estimated buildout population for the City of Turlock is 104,500 persons. The projected date for population buildout, based on a 1.9% growth rate, is 2030.

TABLE 2-3: GENERAL PLAN BUILDOUT BY LAND USE DESIGNATION: RESIDENTIAL				
LAND USE	ACRES	AVERAGE GROSS DENSITY (DU/AC)	HOUSING UNITS	POPULATION
Very Low Density Residential	289	1.6	460	1,300
Low Density Residential	2,916	5.0	14,580	41,050
Low/Medium Density Residential	408	7.5	2,930	8,230
Medium Density Residential	875	11.0	8,890	25,030
High Density Residential	345	22.5	7,130	20,070
Office and/or High Density Residential <sup>1</sup>	15	22.5	170	470
Office and/or Medium Density Residential <sup>2</sup>	6	11.0	30	100
Community Commercial and/or Office and/or High Density Residential <sup>3</sup>	9	22.5	60	180
Downtown Mixed Use <sup>4</sup>	164	22.5	2,780	7,810
Neighborhood Center <sup>5</sup>	22	22.5	80	230
<b>Total</b>	<b>5,049</b>		<b>37,120</b>	<b>104,480</b>

Note: Items may not sum to totals due to rounding.

1. Assumes 50% buildout as residential. Assumption supported by Housing Element analysis. Actual buildout may vary.
2. Assumes 50% buildout as residential. Assumption supported by Housing Element analysis. Actual buildout may vary.
3. Assumes 33% buildout as residential. Assumption supported by Housing Element analysis. Actual buildout may vary.
4. Assumes 75% buildout as residential. Assumption supported by Housing Element analysis. Actual buildout may vary.
5. Neighborhood Center classification applies only to master plan areas and is defined in Chapter 3. Assumes 25% buildout as residential. Actual buildout may vary.

The non-residential development within the Turlock Sphere of Influence is summarized in the 2012 General Plan as follows:

TABLE 2-4: GENERAL PLAN BUILDOUT BY LAND USE DESIGNATION: NON-RESIDENTIAL				
LAND USE	ACRES	TYPICAL FAR	SQUARE FEET	JOBS
Downtown Mixed Use <sup>1</sup>	164	1.0	1,791,120	4,160
Office	255	0.35	2,541,250	7,820
Office and/or High Density Residential <sup>2</sup>	15	0.35	112,770	350
Community Commercial	510	0.25	5,550,210	10,320
Community Commercial and/or Office	15	0.30	198,380	460
Community Commercial and/or Office and/or High Density Residential <sup>3</sup>	9	0.30	75,580	180
Office and/or Medium Density Residential <sup>4</sup>	6	0.35	47,620	150
Heavy Commercial	367	0.35	5,593,930	8,670
Highway Commercial	172	0.35	2,618,140	4,870
Industrial <sup>5</sup>	1,857	0.60	12,555,430	11,680
Business Park <sup>6</sup>	272	0.35	621,110	1,925
Neighborhood Center <sup>7</sup>	22	0.30	215,260	400
<b>Total</b>	<b>3,664</b>		<b>31,920,900</b>	<b>51,040</b>

Note: Items may not sum to totals due to rounding.

1. Assumes 25% buildout as non-residential. Actual buildout may vary.
2. Assumes 50% buildout as office. Actual buildout may vary.
3. Assumes 50% buildout as non-residential. Actual buildout may vary
4. Assumes 50% buildout as non-residential. Actual buildout may vary.
5. Assumes 15% buildout of available land inventory, per employment projections.
6. Assumes 15% buildout of available land inventory, per employment projections.
7. Neighborhood Center classification applies only to master plan areas and is defined in Chapter 3. Assumes 75% buildout as non-residential. Actual buildout may vary.

The evaluation of service needs for existing and future growth within the Turlock Sphere of Influence is discussed in the preceding Section I, Infrastructure Needs and Deficiencies. In summary, the City of Turlock does not have any problems serving the existing and future growth. Details of providing services to future growth are addressed through the Master Plan review process where new development will be required to fully pay its share of services.

**Regional Housing Needs** – the State Department of Housing and Community Development (HCD) certified The City of Turlock Housing Element 2016 on April 26, 2016. At the direction of HCD, the document demonstrates that the City of Turlock would attain its Regional Housing Needs Assessment (RHNA) through the development of residential units within the existing city limits. Due to the uncertainty of the annexation process, HCD required the city to demonstrate that attainment of the city’s share of the regional housing needs is not contingent upon future annexations.

For the period 2015 to 2023, the City of Turlock has been given a construction need of 3,618 new housing units (see Table 4.2-3). The specific need by income group is depicted in the following table.

**Table 4.2-3: Sites' Capacity and RHNA Requirements**

<i>Income Level (Zoning)</i>	<i>Available Acres</i>	<i>Realistic Dwelling Unit Capacity</i>	<i>Units in RHNA Requirement</i>	<i>Surplus<sup>1</sup></i>
Extremely Low, Very Low, Low (RH, CORH, CCRH, DC, TC, IR)	113	2,814	1,439	1,375
Moderate (RM, OR)	162	1,245	627	618
Above Moderate <sup>2</sup> (RE, RL, CORL)	180	697	1,552	NA
<b>Total</b>	<b>455</b>	<b>4,756</b>	<b>3,618</b>	<b>1,138</b>

Note:

1. The total surplus represents the amount that the total realistic dwelling unit capacity exceeds the total RHNA requirement.
2. While Above Moderate housing is most likely to occur at these lower densities, it can be developed in any residential zoning district. Some higher density developments, such as new units Downtown and in Morgan Ranch, will likely also provide housing for Above Moderate income households.

Source: Dyett & Bhatia

Table 4.2-3 also shows a listing of vacant land by zone classification along with the conservative unit capacity for this classification. A total of 455 acres of vacant land are currently zoned residential in the City of Turlock that will accommodate up to 4,756 new housing units – 1,138 more units than that needed to meet the City’s remaining Regional Housing Needs Assessment of 3,618 new units to be built by 2023. Therefore, the implementation of the City’s RHNA is not necessarily contingent upon the annexation of new areas for residential development; housing needs would be met through an aggressive infill development program.

Within the City of Turlock, high density residential districts and the medium density residential district have the lowest cost of construction per unit and would therefore be most suitable for very low- and low-income construction. In addition, fee costs are traditionally smaller per unit in the higher density zones. Single-family zones are most suitable to moderate and above moderate-income housing construction. Low density residential can support both moderate and above moderate housing, while small-lot, low density residential zoning district (R-L 4.5) is most suitable to moderate income housing due to the higher density allowed per acre of zoned land. The higher density allows for more housing built at a lower cost. The Residential Estate district is most suitable for above income housing due to the minimum lot size per dwelling unit. Table 4.2-3 also shows a possible distribution of suitable vacant land by income type.

While adequate vacant land is available within the City of Turlock to meet the 2015-2023 RHNA, future annexations to the City will be critical in meeting the State’s longer-term projected housing needs.

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

### **Plan for Agriculture Preservation**

LAFCO’s mission is to “discourage sprawl, preserve open space and prime agricultural lands, promote the efficient provision of government services and encourage the orderly formation of local agencies.” Consistent with this legislative intent, in 2012, Stanislaus LAFCO adopted an Agricultural Preservation Policy requiring preparation of a Plan for Agricultural Preservation to be provided with a LAFCO application involving agricultural lands. The Plan is meant to provide an analysis of agricultural resources, discussion of relevant General Plan policies and strategies for agricultural preservation.

The majority of land encircling the urbanized area of Turlock is categorized as Prime Farmland. The exception is to the south, where most of the land is Farmland of Statewide Importance, with significant patches of Unique Farmland, especially in the southeast quadrant of the General Plan study area. While the General Plan emphasizes infill development, projected growth in the Study Area will also cause some conversion of agriculture land. If the General Plan was to develop to its full capacity, just over 1,000 acres of agricultural land would be replaced by urban development. Land classified as “Prime Farmland” and “Farmland of Statewide Importance” account for almost 90 percent of this land, or 570 and 332 acres, respectively. Much of the farmland that is expected to be urbanized over the next 20 years is inside the existing City limits, mainly in the Turlock Regional Industrial Park, and is already designated for development. More than 6,400 acres within the Study Area would remain in agricultural use at the end of the planning period.

One of the City’s eight General Plan themes is, “Establish limits to urban growth that will maintain Turlock as a freestanding city surrounded by productive agricultural land.” To balance the needs of new neighborhoods to expand the City’s growing population and the need to preserve farmland the General Plan limits the development footprint of the city, promotes infill development and plans for compact, mixed use neighborhoods.

The General Plan includes policies and implementation programs that aim to preserve agricultural lands. The following polices all further the City’s Goal of maintaining productive agricultural land:

**Policy 2.5-f Master Planning required.** Require comprehensive master planning of new residential neighborhoods in expansion areas consistent with the requirements in the General Plan. Also require that 70 percent of one master plan area is completed (building permits issued) before another starts.

**Policy 2.9-a Agriculture belongs in unincorporated areas.** Support Stanislaus and Merced County policies that promote continued agricultural activity on lands surrounding the urban areas designated on the General Plan Diagram.

**Policy 2.9-b Urban land uses belong in incorporated areas.** Work with Stanislaus County to direct growth to incorporated areas and established unincorporated communities.

**Policy 2.9-c Encourage infill and more compact development to protect farmland.** Relieve pressures to convert valuable agricultural lands to urban uses by encouraging infill development.

**Policy 2.9-d Incorporate existing urbanized areas.** Seek to include in the City all urbanized areas contiguous with City territory. The City's first priority for annexation shall be the numerous unincorporated County islands located wholly within Turlock (see policies in Section 3.1). A second area of priority, should property owners desire it, is the area of commercial uses north of Taylor Road on both sides of State Route 99 to Barnhart Road. While the City shall not initiate the annexation of these properties, it will work with owners on developing financing and infrastructure improvement strategies to facilitate annexation should they express interest.

**Policy 3.1-a Proactively manage growth.** Proactively manage and plan for growth in an orderly, sequential, and contiguous fashion.

**Policy 3.1-e Continue rezoning.** Continue to promote orderly expansion of the City's boundaries through rezoning territory prior to annexation.

**Policy 6.1-c Promote compact growth.** Maintain a compact growth pattern to avoid sprawl and preserve agricultural land and open space.

**Policy 6.1-d Minimize Conflict.** Minimize conflict between urban and agricultural uses.

**Policy 6.1-j Minimize urban-agricultural conflicts.** Continue urban expansion in a form that minimizes the potential for urban-agricultural conflicts.

**Policy 6.1-k Agricultural Buffer Design.** Implement an "agricultural-urban buffer design" to minimize the impact of urban development near active agricultural operations. Typically, roadways and irrigation canals are used to demarcate boundaries between urban and agricultural uses. Some general characteristics for the "agricultural-urban buffer design" are outlined below. These design characteristics of the urban edge are guidelines. The establishment of an urban edge that creates permanent buffers between residential and long-term agricultural uses shall be established in the master plan.

- Require significantly deeper lots and enhanced rear-yard setbacks to help ensure adequate separation between habitable structures and active farm land.
- Utilize linear parks with multiuse paths and drainage basins to separate urban development from agricultural uses while simultaneously providing a recreation corridor and storm drain capacity.
- On the eastern and southern sides of the study area boundary, ultimately establish an arterial or expressway that creates a new bypass loop around the city with agricultural buffers on the outside. Set aside the land for the right of way as part of the master planning process.

- Do not allow housing to front onto agricultural properties.

**Policy 7.2-a Preserve Farmland.** Promote the preservation and economic viability of agricultural land adjacent to the City of Turlock.

**Policy 7.2-b Limit Urban Expansion.** Retain Turlock’s agricultural setting by limiting urban expansion to designated areas and minimizing conflicts between agriculture and urban activities.

**Policy 7.2-c Protect Soil and Water.** Work to protect and restore natural resources essential for agricultural production.

**Policy 7.2-d Support Air Quality Improvements.** Support efforts to reduce air quality impacts created in part by agricultural operations

**Policy 7.2-e Require Compact Development.** Require development at densities higher than typical in recent years in order to limit conversion of agricultural land and minimize urban/agricultural interface.

**Policy 7.2-f Annex Land as Needed.** Annex land to the City only as it is needed for development of designated growth areas, consistent with policies in Chapter 3 and with the City’s Annexation Policy. Do not annex agricultural land unless urban development consistent with the General Plan has been approved.

**Policy 7.2-g Participation in county-wide agricultural mitigation program.** Continue to work collaboratively with Stanislaus County and jurisdictions within the county on the development of a countywide agricultural mitigation program, which would mitigate the loss of Important Farmland to urban development through the required purchase of agricultural easements or other similar measures.

**Policy 7.2-h Allow Agricultural Uses to Continue.** Where agriculture exists within City limits, allow uses to continue until urban development occurs on these properties, including the establishment of community gardens serving the immediate neighborhood.

**Policy 7.2-i Support Participation in Williamson Act Program.** Support participation in the Williamson Act program by Study Area landowners.

**Policy 7.2-j Support Right to Farm.** Support the implementation of Stanislaus County’s Agricultural Element and Right-to-Farm ordinance.

**Policy 7.2-k Create Buffer.** Require a permanent buffer to be established between residential and agricultural activities along the long-term urban edge of Turlock.

**Policy 7.2-l Support Agricultural Industry.** Support agricultural industry within the city, while discouraging industrial uses in the unincorporated portions of the Planning Area.

**Policy 7.2-m Reduce Pollution.** Participate in inter-jurisdictional efforts to improve agricultural practices in order to reduce pollution and health problems associated with particulate matter production and use of agricultural chemicals.

**Policy 7.2-n Minimize Soil Erosion.** Require new development to implement measures to minimize soil erosion related to construction. Identify erosion-minimizing site preparation and grading techniques in the zoning code.

**3525 West Monte Vista Avenue**

The proposed land use for the property being annexed and being incorporated with the proposed boundary change is designated for commercial development. This annexation does not add residential land into the City of Turlock, but does provide for additional job opportunities for residents as well as future increased shopping options. The annexation and sphere of influence change is intended to accommodate future commercial development by incorporating the remaining area of the Northwest Triangle Specific Plan.

The subject site is identified by the Department of Conservation as prime farmland. The site is not enrolled in the Williamson Act. The area was previously analyzed as part of the environmental review completed for the entire Northwest Triangle Specific Plan in 1996. An initial study completed during a 2017 update of the plan concluded that annexation of the 3525 West Monte Vista Avenue site would have a less than significant impact to agricultural lands with the mitigations included as part of the Specific Plan. This includes use of buffers along the urban-rural edge of the Specific Plan area and use of right-to-farm notices.

## **IV. Disadvantaged Unincorporated Communities**

**Purpose: To evaluate the location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.**

**Sphere of Influence**

With the passage of Senate Bill 244 (SB 244), LAFCOs are now required to consider the location and characteristics of any disadvantaged unincorporated communities within or contiguous to the SOI. The definition of a disadvantaged unincorporated community is an inhabited territory (12 or more registered voters) that is composed of no less than 10 dwelling units adjacent or in close proximity to one another with a median household income of 80 percent or less than the statewide median household income \$64,366.40 for 2018).

In 2016 Turlock adopted an amendment to the General Plan to add an analysis of disadvantaged unincorporated communities to the Housing Element. The analysis found an unincorporated disadvantaged community adjacent to the future Southeast 3 Master Plan area identified in the General Plan. The County Island Strategy in the General Plan

was amended to include this area labeled the Southern Peninsula Fringe Community (F/G/H and I Streets) as part of the future Southeast 3 Master Plan area.

Water is provided to these areas through the City of Turlock water system, the Del Este Water system owned by the City of Modesto, or by private wells. To extend water services to the areas currently on private wells, new water lines would have to be connected to existing water lines and installed in the streets. Individual properties would then have to hook up to the new water lines to provide water services to their parcels. There are currently no deficiencies in water services in any of these areas. The only potential deficiency would be if a private well failed. If a well fails, the well would have to be repaired or, if there are existing City of Turlock water lines in the area, the property could apply to connect to the City of Turlock water system. If there is no City of Turlock water infrastructure in the area, the extension of the lines would have to be approved by LAFCO and would be done at the applicant's expense. The USDA has a Section 504 Home Repair Loan program which provides loans to very-low-income homeowners to repair, improve, modernize or remove health and safety hazards from their homes.

Sewer Services are provided to these areas by the City of Turlock sewer system or by individual septic systems. To extend City of Turlock sewer services to areas, where it is not currently available, new sewer lines would have to be installed in all of the streets and connected into the existing sewer services. Sewer lift stations may have to be installed in areas to ensure the proper flow of the sewer lines. There are currently no sewer service deficiencies in these areas.

Fire Services for all of the areas are provided by Turlock Rural Fire Department. In accordance with the mutual aid agreement in place with Turlock Rural Fire Department, the City of Turlock Fire Department will respond to calls within these areas as well. Some of the areas do not meet the City of Turlock standard for spacing of fire hydrants. City standards would require fire hydrants at all street corners and a minimum spacing distance of 500 feet apart from each other or 300 feet apart from each other at dead end areas. In areas where fire hydrants are not available, a water tender truck would be used to get water to the area in the event of a fire. There are no deficiencies in the Fire Services currently being provided in these areas.

### **3525 West Monte Vista Avenue**

The parcel being annexed with this application and the area the SOI is being amended does not include an unincorporated disadvantaged community.

## **V. Financing Constraints and Opportunities**

**Purpose: To evaluate factors that affect the financing of needed improvements.**

### **Sphere of Influence**

New development is responsible for installing and/or paying for needed public service improvements. The City of Turlock currently charges a variety of fees to new development in the City to fund a new project's share of citywide capital improvements.

The summary of the fees is listed in Table 8 below. These fees are reviewed quarterly based on the Engineering News Record and are revised accordingly.

The purposes of the fees are described as follows:

- Capital Facilities Fees – Funds citywide improvements for roadways, general government capital facilities, police service facilities and equipment, and fire service facilities and equipment.
- Storm Drainage Fees – Funds the improvement of citywide drainage facilities including master storm drains and master detention basins.
- Water Facilities Fees – Funds the improvement of major water supply, transmission, and storage facilities.
- Water Connection Fees – Funds the connection of water lines from the street to the property. Developers may install the water connection and avoid the fee.
- Wastewater Plant Capacity Fees – Funds improvements to the wastewater treatment facility to allow for increases in capacity due to new development.
- Sewer Trunk Fees – Funds the construction of citywide sewer trunk lines and pumping stations.
- Sewer Main Fees – Funds the construction of sewer lines in the street serving the property.
- Sewer Connection Fees – Funds the connection of sewer lines from the street to the property. Developers may install the sewer connection and avoid the fee.
- Park Improvement Fees – Funds the development of citywide parks.
- Park Land Fees – Funds for the acquisition of citywide parkland.
- Street Lighting Fees – Funds the installation of new streetlights.

The City of Turlock Capital Facilities Fee Nexus Study shows the amount of the Capital Facilities Fee provided for the four facilities category of transportation, general government, police service, and fire service.

**Services Mitigation Fee** – On January 13, 2004, the City Council adopted a Services Mitigation Fee requiring new development to pay for operational costs at existing levels of city services provided by the General Fund, and General Plan levels for police, fire and park maintenance services. This fee also covers the loss of the “backfill” portion of the Motor Vehicle In Lieu (VLF) revenue source of the General Fund. The fee will be imposed through a Mello-Roos Community Facilities District on new development. The current annual Mello-Roos special tax is \$662 per single family dwelling unit and \$519 per multi-family dwelling unit. This tax increases 2% annually.

**City-County Master Property Tax Agreement (1996)** – The City of Turlock and the County of Stanislaus have a property tax agreement that limits the fiscal impact of annexations upon county revenues. This has been a successful agreement to ensure that there is a degree of revenue neutrality associated with all annexations.

**Constraints and Opportunities** – The constraint of the citywide fees discussed above is that the fees are generally based on broad citywide improvement needs. The Master Plan process provides opportunity to establish a Plan Area Fee to fund infrastructure not included in the citywide impact fee program, but essential to area development. The Master Plan process also allows the requirement of a Service Mitigation Fee to cover the project’s share of operational costs at an acceptable level.

**3525 West Monte Vista Avenue**

In addition to the citywide fees as described above, the Northwest Triangle Specific Plan Area Fee (see NWTSP Fee Nexus Study) has been paying for area wide storm drainage, sewer, water, and transportation costs that are not covered by the citywide fees. Upon development this property will pay into the applicable plan area fees.

**VI. Cost Avoidance Opportunities**

**Purpose: To identify practices or opportunities that may help eliminate unnecessary costs.**

**Sphere of Influence**

Upon annexation of properties within the City’s Sphere of Influence, properties will be concurrently detached from the jurisdiction of agencies that provide duplicate services, such as fire protection. Through an existing mutual aid agreement; however, other fire service agencies may respond to certain larger incidents where cooperation is needed. The City of Turlock will exclusively provide a full range of urban municipal services (see Table 7). The City contracts some services with a private provider such as solid waste service. The Mosquito abatement service remains unchanged. The City of Modesto provides water service to about 450 parcels within the City of Turlock Sphere of Influence. The City of Modesto will continue to provide water service until there is an agreement to allow the City of Turlock to acquire the Modesto water system within the Turlock sphere. The end result is no duplication of services and therefore no unnecessary costs.

<b>TABLE 7 - SUMMARY OF EXISTING AND PROPOSED SERVICES AND AGENCY PROVIDERS WITHIN THE TURLOCK SPHERE OF INFLUENCE</b>		
<b>Services</b>	<b>Agency Providers</b>	
	<b>Existing</b>	<b>Proposed</b>
Water	None for most of the Sphere of Influence	City of Turlock
	City of Modesto for about 450 parcels	City of Modesto for parcels within the city limits. City of Turlock may serve new development on the parcels located outside of the city limits.
Wastewater	None	City of Turlock
Stormwater Drainage	None	City of Turlock
Streets and Circulation	Stanislaus County	City of Turlock
Police	Stanislaus County	City of Turlock
Fire	Denair Fire District Turlock Rural Fire District Keyes Fire District	City of Turlock
General Government	Stanislaus County	City of Turlock
Parks and Recreation	Stanislaus County	City of Turlock
Solid Waste	Turlock Scavenger	Turlock Scavenger
Mosquito Abatement	Turlock Mosquito Abatement District	Turlock Mosquito Abatement District

As discussed earlier in this report, the City of Turlock has adopted a Residential Annexation Policy that focuses annexations and growth to one quadrant of the city at one time. New residential development was approved for the Northwest Quadrant by the adoption of the North Turlock Master Plan in 2002. Focusing development in one area at a time allows for timely and efficient use of infrastructure and resources that help eliminate unnecessary costs.

### **3525 West Monte Vista Avenue**

The Northwest Triangle Specific Plan was a proposal for growth in the Northwest Quadrant of the City consistent with the Residential Annexation Policy. Annexation of the 3525 West Monte Vista Avenue, the remaining parcel in the Specific Plan area includes the concurrent detachment of the area from the Keyes Fire District. The City of Turlock and Keyes Fire District have reached a property tax sharing agreement to ensure the Fire District is not adversely impacted by the detachment of this additional area from the District.

## **VII. Rate Restructuring**

**Purpose: To identify opportunities to positively impact rates without decreasing service levels.**

### **Sphere of Influence**

The City of Turlock has a long-established policy that new urban growth must pay its own way. New growth is required to fully mitigate its impact upon city facilities and services. Existing customers are not required to subsidize the costs of new growth. As discussed in Section IV, Financing Constraints and Opportunities, new growth will be fully responsible for capital costs through payment of existing citywide fees and Plan Area Fees and/or installation of facilities. All fees for capital facilities are established to pay for the project's share of the facilities.

Table 8 shows the monthly water, sewer, and garbage rates within the Turlock Sphere of Influence that cover operational costs. The only impact of annexation upon a property owner is that the City of Turlock mandates refuse collection, which may affect existing garbage collection rates. Monthly garbage rates within the Stanislaus County jurisdiction and the City of Turlock are comparable. A single-family home within the City of Turlock pays about five dollars more a month but gets three containers (one for trash, one for recyclables, and one for greenery) compared to one container in the County.

<b>TABLE 8 – WATER, SEWER, AND GARBAGE RATES, 2019</b>						
<b>Service</b>	<b>Stanislaus County</b>			<b>City of Turlock</b>		
	<b>Residential <sup>1</sup></b>	<b>Commercial</b>	<b>Industrial</b>	<b>Residential <sup>1</sup></b>	<b>Commercial</b>	<b>Industrial</b>
Water - Monthly Rate	None <sup>2</sup> <b>\$ 64.54</b> (Flat rate from City of Modesto)	None <sup>2</sup>	None <sup>2</sup>	<b>\$37.80</b> (average)	\$0.75 (per 1,000 gallons) \$21.50 (minimum in addition to meter rental rate) \$1.90 (meter rental) <sup>3</sup>	
Sewer - Monthly Rate	None <sup>2</sup>	None <sup>2</sup>	None <sup>2</sup>	<b>\$35.90</b> (average)	\$2.27 (0-150 mg/l of BOD and/or SS per 1,000 gallons flow) \$0.10 (each additional 100 mg/l BOD over 150 mg/l per 1,000 gallons flow) \$0.14 (each additional 100 mg/l SS over 150 mg/l per 1,000 gallons flow) \$8.17 (administrative charge) <sup>4</sup>	
Garbage - Monthly Rate	<b>\$22.38</b> <sup>(96 gallon container)</sup>	<b>\$92.64</b> <sup>(two yard bin one time per week) <sup>5</sup></sup>	<b>\$97.40</b> <sup>(three yard bin one time per week) <sup>5</sup></sup>	<b>\$27.40</b> <sup>(three containers)</sup>	<b>\$81.05</b> <sup>(two yard bin one time per week) <sup>5</sup></sup>	<b>\$100.90</b> <sup>(three yard bin one time per week) <sup>5</sup></sup>
<sup>1</sup> Single Family Residential <sup>2</sup> There is the cost to maintain a private well and septic system as needed in most of the unincorporated sphere area. About 450 customers are served by City of Modesto water. <sup>3</sup> The water rates are based on a one inch metered service using less than 50,000 gallons. Rates vary for service size and gallons used. Rates also differ for non-metered service. <sup>4</sup> The sewer rates are based on metered commercial and light industrial users. Rates vary for different metered users and for non-metered users. <sup>5</sup> Monthly commercial and industrial garbage rates can vary depending on size of bin and number of pick up per week.						BOD - Biochemical Oxygen Demand SS - Suspended Solids

The City of Turlock does not require property owners to connect to municipal sewer and water services upon annexation. Connection is mandatory only when a well or septic system becomes dysfunctional or to serve new development. The City sewer and water rates are established by the City Council to cover the costs of providing the service. Any rate decreases would reduce the level of service. Rate increases are authorized to fund improvements that benefit all users within the system. The City of Turlock has no citywide special assessments, such as a utility user’s tax, for fire, police, or park maintenance services at this time.

**3525 West Monte Vista Avenue**

Upon development the property at 3525 W. Monte Vista Avenue will be required to pay adopted city fees to pay their share of capital infrastructures as discussed in Section IV, Financing Constraints and Opportunities. A Northwest Triangle Specific Plan Area Fee is also required of new development to ensure that all required capital costs are fully funded.

**VIII. Opportunities for Shared Facilities**

**Purpose: To evaluate the opportunities for an agency to share facilities and resources to develop more efficient service deliveries.**

**Sphere of Influence**

The City of Turlock and the Turlock School District have a joint use agreement to use each other’s facilities and play areas for recreational purposes. The City of Turlock also has an established policy to design storm drain basins to create dual use storm drain basin/park facilities whenever practical. Both examples of sharing facilities result in

efficient service deliveries as well as tremendous cost savings in capital and operating costs.

### **3525 West Monte Vista Avenue**

The school facilities identified in the Northwest Triangle Specific Plan area have already been constructed. Development of the parcel at 3525 W. Monte Vista Avenue will be required to pay school fees.

## **IX. Government Structure Options**

**Purpose: To consider the advantages and disadvantages of various government structures to provide public services.**

### **Sphere of Influence**

As discussed earlier, the City of Turlock will provide a full range of public services to annexed areas that will allow new development consistent with the City General Plan. City sewer and water services are an environmentally superior alternative to wells and septic facilities that are permitted within the unincorporated areas of Stanislaus County. There are several advantages if the City of Turlock took over the City of Modesto's water system serving about 450 parcels within the Turlock Sphere of Influence. There would be less confusion for the residents and quicker service by the City of Turlock. The City of Turlock will likely upgrade the system since the water system is old. The disadvantage is that upgrading the water system will increase the monthly rates for the users.

The City's full-time professional fire and police departments will serve newly annexed areas; this change should limit confusion and result in a more efficient provision of local public safety services. Future detachment from the Keyes, Denair and Turlock Rural Fire Districts reduces property tax revenues but also reduces their service areas.

### **3525 West Monte Vista Avenue**

The City of Turlock will provide a full range of urban services to the property. See Section II, Infrastructure Needs and Deficiencies and Section V, Cost Avoidance Opportunities for more discussion on the urban services provided by the City of Turlock.

## **X. Evaluation of Management Efficiencies**

**Purpose: To evaluate the quality of public services in comparison to cost.**

### **Sphere of Influence**

The City of Turlock is a full-service city with a full-time professional staff of approximately 341 employees. Non-contractual services provided include, but are not limited to: police, fire, parks, recreation, public buildings and facilities, public works (including street maintenance), water, sewer, storm drainage, building inspection, and

planning. Contractual services include solid waste disposal, and street sweeping. Stanislaus County provides library services, although the City of Turlock partially funds the operation and maintenance of the actual library building. The City of Turlock provides an Insurance Services Office (ISO) rating of Class II level fire protection to all areas within the Sphere of Influence.

Efficiently managed organizations maximize the quality of human and operational resources. The following table summarizes pertinent budget data for the City of Turlock.

<b>TABLE 9: CITY OF TURLOCK BUDGET DATA</b>		<b>2018-19 BUDGET</b>
<b>General Fund Revenue</b>		
Taxes		\$29,571,800
Licenses, Permits & Franchises		4,445,500
Fees & Charges for Service		1,983,810
Reimbursements for Service		2,960,451
Fines, Forfeitures & Penalties		755,600
Intergovernment		823,910
Use of Money & Property		365,201
<b>Total</b>		<b>\$40,906,272</b>
<b>General Fund Expenditure</b>		
		<b>\$40,904,671</b>
<b>Per Capita Expenditure</b>		\$565
<b>General Fund Reserve</b>		\$7,002,421

As development occurs within the sphere of influence, the demand for staffing, facilities, maintenance and equipment grows accordingly. The City’s expenditure on a per capita basis has kept pace with new development.

**3525 West Monte Vista Avenue**

As mentioned earlier, the Services Mitigation Fee will ensure that the level of service for police, fire, and park maintenance within the master plan area will keep up with the rest of the City.

**XI. Local Accountability and Governance**

**Purpose: To evaluate the accessibility and levels of public participation associated with the agency’s decision-making and management processes.**

**Sphere of Influence**

The City of Turlock was incorporated on January 21, 1908. Turlock is a general law city that operates under a City Manager/Mayor form of government. The Turlock City Council is composed of four council members and a mayor; Council members are elected by District, the Mayor is elected at large and all serve four-year terms. The City Council meets twice monthly on the second and fourth Tuesdays of the month at 6:00 p.m. All council meetings are televised on the local cable network.

The Turlock Planning Commission meets on the first Thursday of the month at 6:00 p.m. Both the Planning Commission and City Council agendas and minutes are posted on the City of Turlock’s web site. All business and meetings are operated in compliance with the provisions of the Brown Act. The following table compiles and summarizes information pertinent to the City of Turlock’s accountability and governance:

<b>TABLE 10 - LOCAL ACCOUNTABILITY AND GOVERNANCE</b>	
Official Agency Name	City of Turlock
Governing Body	City Council (City Manager Form of Government) Four council members and a mayor
Method of Selection	District Election for Council, Mayor elected at large
Representation	Citywide/at large
Meeting Frequency	2 <sup>nd</sup> and 4 <sup>th</sup> Tuesdays of the month at 6:00 p.m.
Customer Feedback System	Yes
Days/Hours of Operation	City Hall: Monday-Friday 8:00 am – 5:00 p.m.
Brown Act Compliance?	Yes: City Council and all Commissions
Regular Newsletter, Bill Inserts, and Web Site	Inserts containing news and information of special importance are often placed in the Utility bills. The City of Turlock’s web site is <a href="http://www.turlock.ca.us">http://www.turlock.ca.us</a> . The site contains an abundance of information, including City Council and Planning Commission agendas.
Media Invited to Meetings, Regular Meeting Coverage	The Modesto Bee and Turlock Journal are provided with public notices and full staff reports for all City Council and Planning Commission meetings. The Bee and Journal attend City Council meetings depending upon the items up for discussion. Media reports of the Planning Commission actions are occasional.
Meetings Aired on Cable TV	All City Council meetings
Annual Progress Reports or Status Reports	General Plan Implementation, Housing Element Implementation, CIP/Public Works and General Plan Consistency Report, Capital Facilities Fee Report, Water Quality, and Utility Rates.
Published Budget	Yes
Budget Consistent with State Law?	Yes
Budget Understandable to Public?	Yes – Line item budget.
Public Budget Hearings?	Yes
Budget or CIPs Submitted to State as required?	Yes. The City of Turlock submits to the Governor’s Office of Planning and Research an annual report on Public Works Projects and Implementation of the General Plan, including the Housing Element.
Personnel Policies?	Yes
Paid Staff	341
Are Elections Publicized?	Yes, pursuant to the California Elections Code Sections 12109 and 12110
Agency Providing Information for which it was formed?	Yes. Police, fire, municipal services, building and planning
All Customers Receive Service Upon Request?	Yes

**3525 West Monte Vista Avenue**

The local accountability and governance will apply to the parcel at 3523 W. Monte Vista Avenue.

*This page intentionally left blank.*

**EXHIBIT C**

**Board of Supervisors Resolution No. 2018-0089**

*This page intentionally left blank.*

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
BOARD ACTION SUMMARY

DEPT: Planning and Community Development

BOARD AGENDA:6.1  
AGENDA DATE: February 13, 2018

**SUBJECT:**

Approval of the Findings that the City of Turlock's Sphere of Influence Expansion is Logical and Orderly

**BOARD ACTION AS FOLLOWS:**

**RESOLUTION NO. 2018-0089**

On motion of Supervisor Chiesa, Seconded by Supervisor Withrow  
and approved by the following vote,

Ayes: Supervisors: Olsen, Chiesa, Withrow, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1)  Approved as recommended

2)  Denied

3)  Approved as amended

4)  Other:

**MOTION:**

ATTEST:

  
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No. C-5-F-4

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
AGENDA ITEM**

DEPT: Planning and Community Development

BOARD AGENDA:6.1

AGENDA DATE: February 13, 2018

CONSENT

CEO CONCURRENCE:

4/5 Vote Required: No

---

**SUBJECT:**

Approval of the Findings that the City of Turlock's Sphere of Influence Expansion is Logical and Orderly

**STAFF RECOMMENDATION:**

1. Approve the findings that the City of Turlock's proposed Sphere of Influence expansion is logical and orderly.
  
2. Direct the Chief Executive Officer to notify the Local Agency Formation Commission of the County's agreement with the expansion request.

**DISCUSSION:**

The City of Turlock is proposing to annex one approximately 22 acre property located at 3525 W Monte Vista Avenue, north of West Monte Vista Avenue and west of Highway 99 (see Attachment 1 – Map of Proposed Annexation Area). The property is located within the boundary of the City of Turlock's Northwest Triangle Specific Plan (NTSP) and further identified as Assessor's Parcel No. 087-003-018. The property has been pre-zoned Commercial Thoroughfare (CT) by the City of Turlock. Annexation of the property will require the City of Turlock to obtain Local Agency Formation Commission (LAFCO) approval to expand its Sphere of Influence (SOI) and will require detachment of the area from the Keyes Fire District.

Attachment 2 is a LAFCO map reflecting the City of Turlock's current SOI boundary in relationship to the city limits. The City of Turlock currently has approximately 2,387 acres within its SOI that are outside the city limits.

On October 23, 2017, representatives from both the City of Turlock and Stanislaus County met to review the City of Turlock's proposed SOI expansion. Stanislaus County representatives included: the Chief Executive Office, the Planning and Community Development Department, and the Department of Public Works. The City of Turlock was represented by the City Manager and City Planning staff.

In this case, the City of Turlock is proposing the SOI expansion and annexation occur simultaneously and land use authority will transfer completely to the City of Turlock upon annexation. Thus, Stanislaus County's development standards for property within an SOI will not be triggered.

With a tax sharing agreement in place and the understanding that future development will need to be mitigated, and that Stanislaus County staff will have an opportunity to review the mitigation for adequacy, staff is in agreement that the proposed City of Turlock SOI expansion is both logical and orderly.

**POLICY ISSUE:**

California Government Code Section 56425 requires that prior to a city submitting an application to the LAFCO for an expansion of its SOI that representatives of the city meet with county representatives to discuss the proposed sphere boundaries. These discussions are intended to help the city and county reach agreement on proposed boundaries, development standards, and zoning requirements within the sphere. They are further intended to ensure that development within the sphere reflects the concerns of the city and is accomplished in a manner that promotes the logical and orderly development of areas within the sphere. If an agreement is reached, the agreement is to be forwarded to the LAFCO.

City of Turlock and Stanislaus County staff have met and staff is in agreement that the City of Turlock proposed SOI expansion is both logical and orderly.

**FISCAL IMPACT:**

The expansion of a city's SOI by itself does not trigger any changes in property tax distributions. The change in distribution of property taxes only occurs upon future annexations of properties within the sphere and is governed by the existing Master Property Tax Agreement. Upon a jurisdictional change, that agreement calls for Stanislaus County to retain 100% of the existing base valuation with future increment growth of Stanislaus County's share split, 30% to the City of Turlock and 70% to Stanislaus County.

**BOARD OF SUPERVISORS' PRIORITY:**

Approval of this action supports the Board's priorities of Delivering Efficient Public Services & Community Infrastructure through Stanislaus County agreement with the City of Turlock.

**STAFFING IMPACT:**

There are no staffing impacts associated with this item.

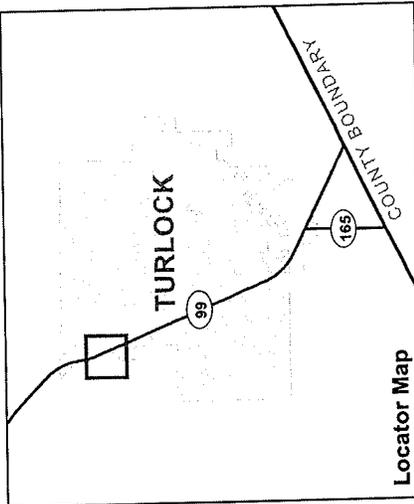
**CONTACT PERSON:**

Angela Freitas, Planning and Community Development Director  
Telephone: (209) 525-6330

**ATTACHMENT(S):**

1. Map of Proposed Annexation Area
2. LAFCO Map Reflecting the City of Turlock's Current SOI Boundary

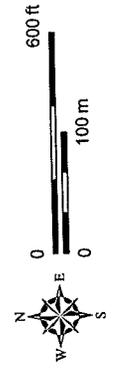
I:\GIS\DetailProject\_Maps\_2018\2018\_0126\_Turlock\_Annexation\2018\_0126\_Map\_of\_Proposed\_Annexation\_Area.mxd\Date:1/26/2018



Locator Map

**LEGEND**

-  Annexation Site
-  Parcel
-  Highway
-  Road



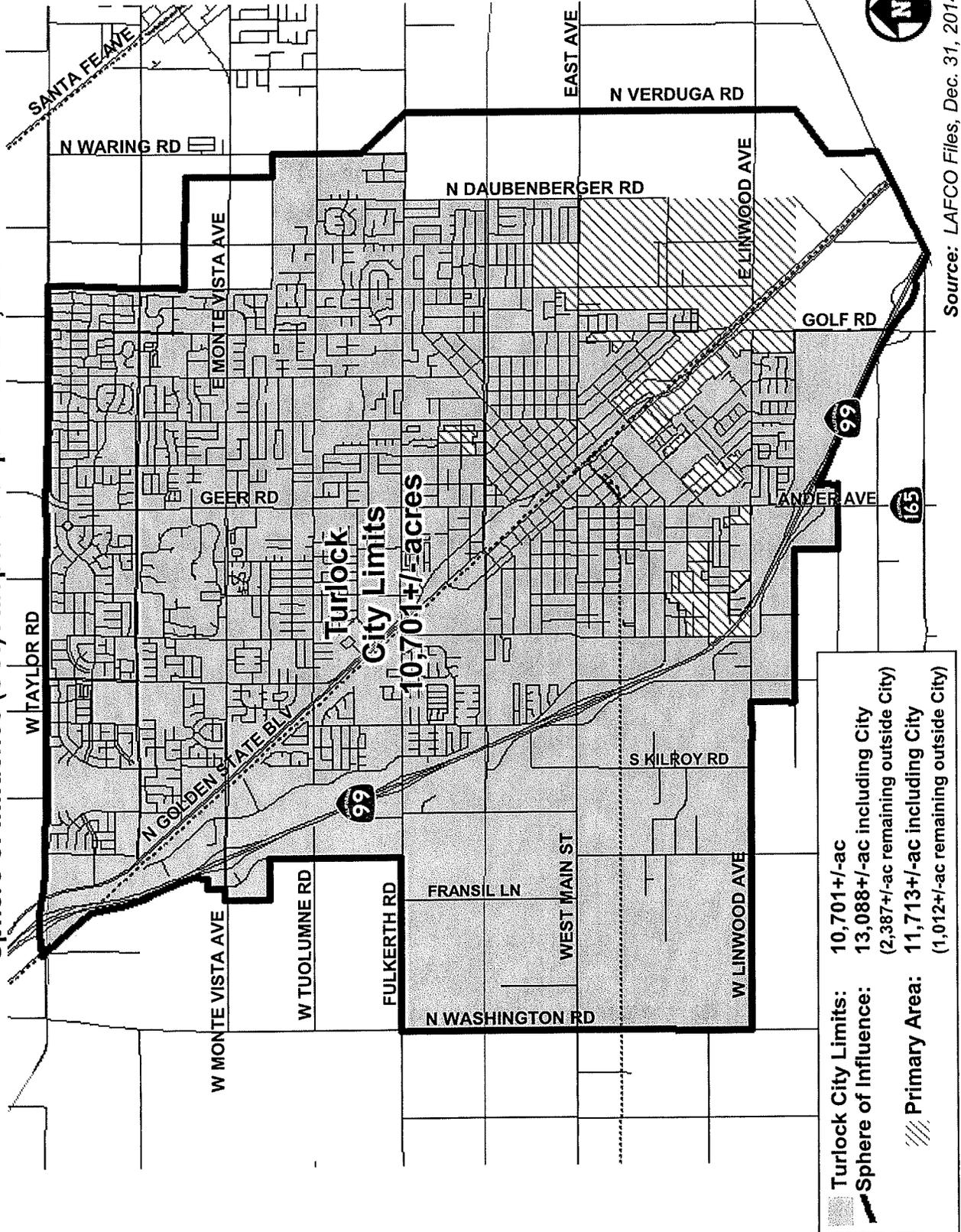
Scale: 1:6,000

**MAP OF PROPOSED ANNEXATION AREA**


  
 Stanislaus County Planning and
   
 Community Development Department
   
 1010 10th St. Suite 3400 Modesto, CA 95354

# Turlock

Sphere of Influence (SOI) Adopted: September 26, 2007



Source: LAFCO Files, Dec. 31, 2014

*This page intentionally left blank.*

**EXHIBIT D**

**City of Turlock & Keyes Fire Protection District  
Agreement (Jan. 9, 2018)**

*This page intentionally left blank.*

**AGREEMENT  
between the  
CITY OF TURLOCK  
and  
KEYES FIRE DISTRICT**

**THIS AGREEMENT** is made and entered into this 9<sup>th</sup> day of January, 2018 by and between the **CITY OF TURLOCK** (herein "City") and **KEYES FIRE DISTRICT** (herein "KFD").

**R E C I T A L S**

**WHEREAS**, City's General Plan reflects a planned expansion of land classified for commercial use to increase the inventory of land available for business development and job creation; and

**WHEREAS**, the Turlock City Council has adopted the Northwest Triangle Specific Plan in 1995 (herein "NWTSP") to facilitate the commercial and residential development and job creation; and

**WHEREAS**, the subject property 3525 West Monte Vista was not annexed into the City as part of the Master Plan annexation at the property owner's request; and

**WHEREAS**, in 2012, the City Council adopted an updated General Plan and Environmental Impact Report (EIR) which called for updating the Northwest Triangle Specific Plan;

**WHEREAS**, in 2017, the City Council approved the Mitigated Negative Declaration and the proposed updates to the Northwest Triangle Specific Plan and the rezoned the subject property Commercial Thoroughfare (CT); and

**WHEREAS**, June 12, 2017 the property owner submitted an application to the City of Turlock to annex the subject property into the City limits; and

**WHEREAS**, KFD currently provides fire protection services for the subject property; and

**WHEREAS**, KFD is supported by property tax revenues and special assessment revenues and will lose the revenues generated by this property when it is annexed to Turlock; and

**WHEREAS**, City's Fire Department will assume the responsibility for providing fire protection services after the property is annexed to City (i.e., reorganization); and

**WHEREAS**, KFD receives annual property tax revenue of \$228.20 from the property; and

**WHEREAS**, KFD receives annual special assessment revenue of \$170.00 from the property; and

**WHEREAS**, this agreement is proposed to offset impacts to KFD's operating budget this loss of this revenue could create.

**NOW, THEREFORE**, the parties agree as follows:

1. After the proposed annexations are complete, City will pay annually to KFD an amount equal to the current property taxes from the subject property being received by KFD. City will increase said amount two percent (2%) per year and City's obligation to pay said amount shall continue until KFD is dissolved or otherwise ceases to provide fire protection.

2. As compensation for loss of special assessment revenue, City will pay to KFD One hundred and seventy dollars (\$170) per year for five (5) years beginning on the day the proposed annexation is completed.

3. KFD shall provide a letter to the Stanislaus County Local Agency Formation Commission indicating KFD's active support for the annexation of 3525 West Monte Vista.

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be executed by and through their respective officers thereunto duly authorized on the date first hereinabove written.

**CITY OF TURLOCK**, a municipal corporation

**KEYES FIRE DISTRICT**

By: \_\_\_\_\_  
Amy Bublak, Mayor

By: \_\_\_\_\_  
Erik Klevmyr, Fire Chief

Or

By: \_\_\_\_\_  
Robert C. Lawton, City Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_

APPROVED AS TO FORM AND LEGALITY:

By: \_\_\_\_\_  
City Attorney

ATTEST:

By: \_\_\_\_\_  
Jennifer Land, City Clerk

**EXHIBIT E**

**City's Environmental Documentation &  
Notice of Determination**

*This page intentionally left blank.*

**Posting Requested By:**

City of Turlock  
Planning Division  
156 S. Broadway, Suite 120  
Turlock, CA 95380-5456  
Phone: (209) 668-5640

**When Posted Mail To:**  
*Same as above*

FILED

2017 JUN 15 AM 8:19

STANISLAUS CO. CLERK-RECORDER

Adam Lopez

June 14, 2017

SPACE ABOVE THIS LINE FOR CLERK'S USE ONLY

**CITY OF TURLOCK  
NOTICE OF DETERMINATION  
 Mitigated Negative Declaration**

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

**STATE CLEARINGHOUSE NUMBER (if applicable):** 2017042019

**PROJECT TITLE:** General Plan Amendment 2016-01, Rezone 2016-01 (Northwest Triangle Specific Plan Update)

**PROJECT APPLICANT:** City of Turlock

**PROJECT LOCATION:** 1598 & 1812 N Tegner, 2530, 2918 & 3000 W Tuolumne Road & 3525 W. Monte Vista Avenue as well as updating standards applying to all properties within the Specific Plan area.

**PROJECT DESCRIPTION:** The Northwest Triangle Specific Plan area consists of approximately 800 acres in the northwestern part of the city largely within a triangle area created by Golden State Boulevard, State Highway 99, and Fulkerth Road. See attached map for exact boundary. The Northwest Triangle Specific Plan was adopted in 1995 and was amended in 2004. This update to the specific plan will re-designate six properties within the Specific Plan area. The General Plan designation for 1812 N Tegner (APN: 088-010-027), 1598 N Tegner (APN: 088-010-028), 3000 W Tuolumne (APN 088-010-001) and 2918 Tuolumne Road (APN 088-010-023) will be amended from Highway Commercial (HWC) to Community Commercial (CC) and will be rezoned from Agriculture (A) to Community Commercial (CC). The General Plan designation for 2530 W. Tuolumne Road (APN: 088-010-053) will be changed from Community Commercial (CC) to Community Commercial/Medium Density Residential (CC/MDR) and rezoned from Park (P) to Community Commercial/Medium Density Residential (CC/RM). The General Plan designation for 3525 W Monte Vista Avenue (APN 087-003-018) will be designated Highway Commercial (HWC) and will be pre-zoned Commercial Thoroughfare, this property will have to be annexed into the City by the property owner before development could occur. Minor updates will also be made to the Specific Plan to ensure consistency with the updated 2012 General Plan policies and current regulations.

**FINDINGS:**

Pursuant to Public Resources Code Section 21080(c)(2) and CEQA Guidelines Section 15168(c)(1), the City of Turlock, as lead agency for the proposed project, has prepared an initial study to make the following findings:

1. Pursuant to CEQA Guidelines Section 15162, the proposed activity is adequately described and is within the scope of the General Plan EIR.
2. All feasible mitigation measures developed in the General Plan EIR have been incorporated into the project.
3. The analyses of cumulative impacts, growth inducing impacts, and irreversible significant effects on the environment contained in the General Plan EIR are adequate for this subsequent project.
4. Pursuant to CEQA Guidelines Section 15093, a Statement of Overriding Considerations was adopted for the General Plan EIR (City Council Resolution 2012-156). As identified in the Turlock General Plan EIR, development in the project area would result in significant, and unavoidable, impacts in the areas of noise, regional air quality, and the eventual loss of agricultural land. The magnitude of these impacts can be reduced, but not eliminated by the mitigation measures referenced in the initial study prepared for this project and General Plan EIR. Therefore, mitigation measures identified in the General Plan EIR, and its respective Statements of Overriding Considerations, are adequate to mitigate the impacts from the proposed project where feasible, and are hereby incorporated by reference.
5. Pursuant to Public Resources Code Section 21157.6(a), having reviewed the General Plan EIR, the City of Turlock finds and determines that:
  - a. no substantial changes have occurred with respect to the circumstances under which the General Plan EIR was certified, and
  - b. that there is no new available information which was not and could not have been known at the time the General Plan EIR was certified.
6. Pursuant to CEQA Guidelines Section 15162, having reviewed the General Plan EIR, the City of Turlock finds and determines that, based on substantial evidence in the light of the whole record, that new information of substantial importance shows that significant environmental effects have been identified, but that feasible mitigation measures have been incorporated to revise the proposed subsequent project to avoid or mitigate the identified effects to a point where clearly no significant effects would occur.
7. The City has further determined, pursuant to CEQA Guidelines Section 15070(b) that:
  - a. Revisions to the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review, would avoid the effects or mitigate the effect to a point where clearly no significant effects would occur; and
  - b. There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

**PROJECT APPROVAL DATE:** June 13, 2017

**APPROVAL:** General Plan Amendment 2016-01, Rezone 2016-01 (Northwest Triangle Specific Plan Update)

**DETERMINATION:** This is to advise that the City of Turlock has approved and has made the following determinations regarding the project as described above.

1. The project  **will not** have a significant effect on the environment.
2. An Environmental Impact Report  **was not** prepared for this project pursuant to the provisions of CEQA.
3. A Mitigated Negative Declaration  **was**, prepared for this project pursuant to the provisions of CEQA.
4. Mitigation measures  **were** made a condition of the approval of the project.

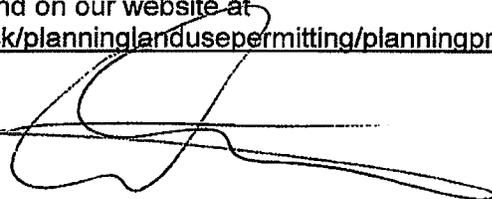
- 
5. A mitigation monitoring plan/program  was adopted for this project.
  6. A statement of Overriding Considerations  was not adopted for this project.
  7. Findings were made pursuant to the provisions of CEQA.

This is to certify that documentation for the  **Mitigated Negative Declaration**  Final Environmental Impact Report with comments and responses and record of project approval is available to the general public at:

City of Turlock - Planning Division  
City Hall, 156 S. Broadway, Suite 120  
Turlock, CA 95380-5456  
TELEPHONE: (209) 668-5640

This documentation can also be found on our website at  
<http://ci.turlock.ca.us/buildinginturlock/planninglandusepermitting/planningprojects/activeprojects.asp>

BY: \_\_\_\_\_

  
Debra A. Whitmore  
Deputy Director of Development Services/Planning Manager  
Environmental Review

Date Received for filing at OPR: \_\_\_\_\_

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: General Plan Amendment 2016--01. Rezone 2016-01 (Northwest Triangle Specific Plan Update)

Lead Agency: City of Turlock Contact Person: Katie Quintero
Mailing Address: 156 S Broadway Suite 120 Phone: 209-668-5640
City: Turlock Zip: 95380 County: Stanislaus

Project Location: County: Stanislaus City/Nearest Community: Turlock/Keyes/Denair
Cross Streets: Golden State Blvd, Highway 99, Fulkerth Road, and Taylor Road Zip Code: 95382
Longitude/Latitude (degrees, minutes and seconds): ... N / ... W Total Acres:
Assessor's Parcel No.: Various Section: Twp.: Range: Base:
Within 2 Miles: State Hwy #: 99 Waterways:
Airports: Railways: Union Pacific Schools: Turlock School District

Document Type:

- CEQA: [ ] NOP [ ] Draft EIR NEPA: [ ] NOI Other: [ ] Joint Document
[ ] Early Cons [ ] Supplement/Subsequent EIR [ ] EA [ ] Final Document
[ ] Neg Dec (Prior SCH No.) [ ] Draft EIS [ ] Other:
[ X ] Mit Neg Dec Other: [ ] FONSI

Local Action Type:

- [ ] General Plan Update [ X ] Specific Plan [ X ] Rezone [ ] Annexation
[ X ] General Plan Amendment [ ] Master Plan [ ] Prezone [ ] Redevelopment
[ ] General Plan Element [ ] Planned Unit Development [ ] Use Permit [ ] Coastal Permit
[ ] Community Plan [ ] Site Plan [ ] Land Division (Subdivision, etc.) [ X ] Other: Update

Development Type:

- [ ] Residential: Units Acres
[ ] Office: Sq.ft. Acres Employees
[ X ] Commercial: Sq.ft. 800 Acres Employees
[ ] Industrial: Sq.ft. Acres Employees
[ ] Educational:
[ ] Recreational:
[ ] Water Facilities: Type MGD
[ ] Transportation: Type
[ ] Mining: Mineral
[ ] Power: Type MW
[ ] Waste Treatment: Type MGD
[ ] Hazardous Waste: Type
[ ] Other:

Project Issues Discussed in Document:

- [ ] Aesthetic/Visual [ ] Fiscal [ ] Recreation/Parks [ ] Vegetation
[ ] Agricultural Land [ ] Flood Plain/Flooding [ ] Schools/Universities [ ] Water Quality
[ ] Air Quality [ ] Forest Land/Fire Hazard [ ] Septic Systems [ ] Water Supply/Groundwater
[ ] Archeological/Historical [ ] Geologic/Seismic [ ] Sewer Capacity [ ] Wetland/Riparian
[ ] Biological Resources [ ] Minerals [ ] Soil Erosion/Compaction/Grading [ ] Growth Inducement
[ ] Coastal Zone [ ] Noise [ ] Solid Waste [ ] Land Use
[ ] Drainage/Absorption [ ] Population/Housing Balance [ ] Toxic/Hazardous [ ] Cumulative Effects
[ ] Economic/Jobs [ ] Public Services/Facilities [ ] Traffic/Circulation [ ] Other:

Present Land Use/Zoning/General Plan Designation:

Various

Project Description: (please use a separate page if necessary)

See attached

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

**Reviewing Agencies Checklist**

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".  
If you have already sent your document to the agency please denote that with an "S".

- |   |  |
|---|--|
| <input type="checkbox"/> Air Resources Board                            | <input type="checkbox"/> Office of Historic Preservation                     |
| <input type="checkbox"/> Boating & Waterways, Department of             | <input type="checkbox"/> Office of Public School Construction                |
| <input type="checkbox"/> California Emergency Management Agency         | <input type="checkbox"/> Parks & Recreation, Department of                   |
| <input type="checkbox"/> California Highway Patrol                      | <input type="checkbox"/> Pesticide Regulation, Department of                 |
| <input checked="" type="checkbox"/> Caltrans District # 10              | <input type="checkbox"/> Public Utilities Commission                         |
| <input type="checkbox"/> Caltrans Division of Aeronautics               | <input checked="" type="checkbox"/> Regional WQCB # 5                        |
| <input type="checkbox"/> Caltrans Planning                              | <input type="checkbox"/> Resources Agency                                    |
| <input type="checkbox"/> Central Valley Flood Protection Board          | <input type="checkbox"/> Resources Recycling and Recovery, Department of     |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy             | <input type="checkbox"/> S.F. Bay Conservation & Development Comm.           |
| <input type="checkbox"/> Coastal Commission                             | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board                           | <input type="checkbox"/> San Joaquin River Conservancy                       |
| <input type="checkbox"/> Conservation, Department of                    | <input type="checkbox"/> Santa Monica Mtns. Conservancy                      |
| <input type="checkbox"/> Corrections, Department of                     | <input type="checkbox"/> State Lands Commission                              |
| <input type="checkbox"/> Delta Protection Commission                    | <input type="checkbox"/> SWRCB: Clean Water Grants                           |
| <input type="checkbox"/> Education, Department of                       | <input type="checkbox"/> SWRCB: Water Quality                                |
| <input type="checkbox"/> Energy Commission                              | <input type="checkbox"/> SWRCB: Water Rights                                 |
| <input checked="" type="checkbox"/> Fish & Game Region # _____          | <input type="checkbox"/> Tahoe Regional Planning Agency                      |
| <input type="checkbox"/> Food & Agriculture, Department of              | <input type="checkbox"/> Toxic Substances Control, Department of             |
| <input type="checkbox"/> Forestry and Fire Protection, Department of    | <input type="checkbox"/> Water Resources, Department of                      |
| <input type="checkbox"/> General Services, Department of                | Other: _____   |
| <input type="checkbox"/> Health Services, Department of                 | Other: _____   |
| <input type="checkbox"/> Housing & Community Development                |  |
| <input checked="" type="checkbox"/> Native American Heritage Commission |  |

-----  
**Local Public Review Period (to be filled in by lead agency)**

Starting Date 4/03/17 Ending Date 5/03/2017

-----  
**Lead Agency (Complete if applicable):**

Consulting Firm: _____	Applicant: <u>City of Turlock</u>
Address: _____	Address: <u>156 S Broadway Ste 120</u>
City/State/Zip: _____	City/State/Zip: <u>Turlock CA 95380</u>
Contact: _____	Phone: <u>209-668-5640</u>
Phone: _____	

-----  
Signature of Lead Agency Representative: Katie Lunter Date: 4/3/17

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Filing Requested By:  
City of Turlock  
Planning Division  
156 S. Broadway, Suite 120  
Turlock, CA 95380-5456

When Filed Mail To:  
*Same as above*

SPACE ABOVE THIS LINE RESERVED FOR CLERK'S USE ONLY

**CITY OF TURLOCK**  
**X Proposed Mitigated Negative Declaration**

April 3, 2017

City of Turlock  
156 S. Broadway, Suite 120  
Turlock, CA 95380-5456  
Telephone: (209) 668-5640  
Project located in Stanislaus County.  
Time period provided for review: 30 days.

**NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION**

- 1) **PROJECT TITLE:** General Plan Amendment 2016-01, Rezone 2016-01,  
(Northwest Triangle Specific Plan Update)

**PROJECT APPLICANT:** City of Turlock

**PROJECT DESCRIPTION:** The Northwest Triangle Specific Plan area consists of approximately 800 acres in the northwestern part of the city largely within a triangle area created by Golden State Boulevard, State Highway 99, and Fulkerth Road. See attached map for exact boundary. The Northwest Triangle Specific Plan was adopted in 1995 and was amended in 2004. This update to the specific plan will re-designate six properties within the Specific Plan area. The General Plan designation for 1812 N Tegner (APN: 088-010-027), 1598 N Tegner (APN: 088-010-028), 3000 W Tuolumne (APN 088-010-001) and 2918 Tuolumne Road (APN 088-010-023) will be amended from Highway Commercial (HWC) to Community Commercial (CC) and will be rezoned from Agriculture (A) to Community Commercial (CC). The General Plan designation for 2530 W. Tuolumne Road (APN: 088-010-053) will be changed from Community Commercial (CC) to Community Commercial/Medium Density Residential (CC/MDR) and rezoned from Park (P) to Community Commercial/Medium Density Residential (CC/RM). The General Plan designation for 3525 W Monte Vista Avenue (APN 087-003-018) will be designated Highway Commercial (HWC) and will be pre-zoned Commercial Thoroughfare, this property will have to be annexed into the City by the property owner before development could occur. Minor updates will also be made to the Specific Plan to ensure consistency with the updated 2012 General Plan policies and current regulations.

- 1) **PROJECT LOCATION:** 1598 & 1812 N Tegner, 2530, 2918 & 3000 W Tuolumne Road & 3525 W. Monte Vista Avenue (Stanislaus County APNs 088-010-027, 088-010-028, 088-010-053, 088-010-023, 088-010-001, 087-003-018) as well as updating standards applying to all properties

within the Specific Plan area (see map below for Specific Plan boundary)

**RESPONSE PERIOD STARTS:**  
 Monday, April 3, 2017  
**RESPONSE PERIOD ENDS:**  
 May 3, 2017 @ 5:00 PM

**PUBLIC HEARING:**  
 City of Turlock Planning Commission,  
 May 4, 2017, 6:00 P.M.  
 Yosemite Community Room,  
 Turlock City Hall, 156 South  
 Broadway, Turlock, CA

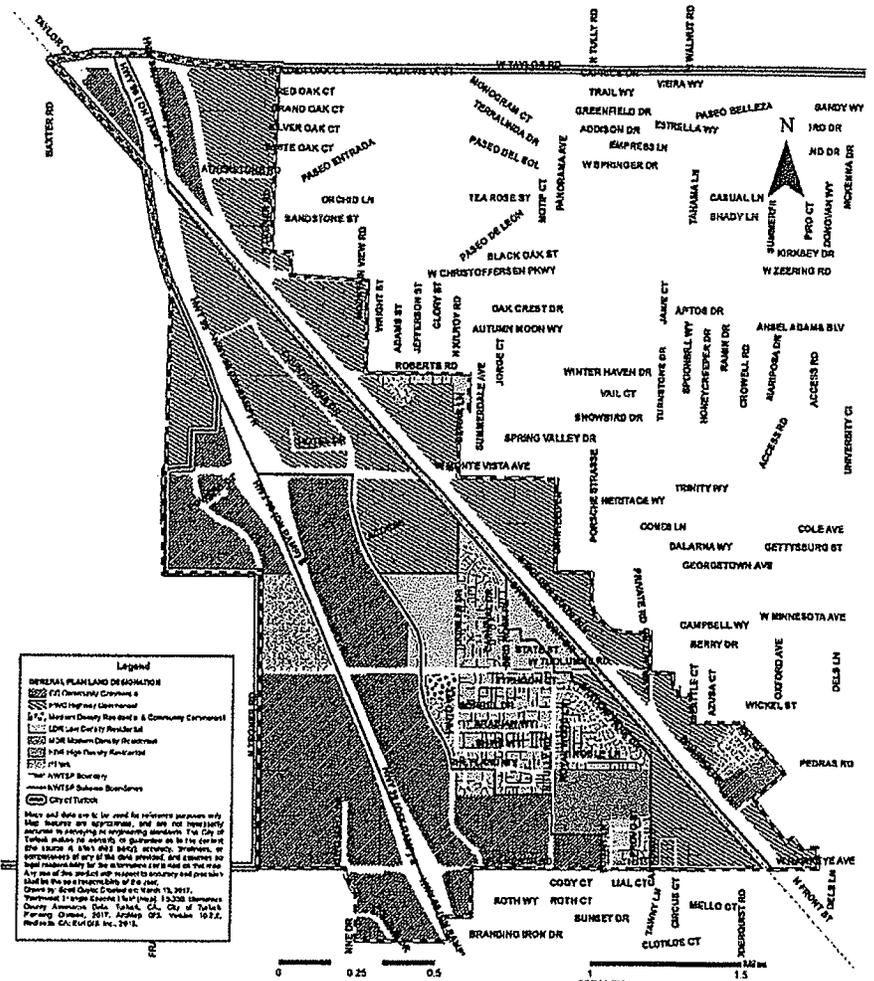
**RECOMMENDED FINDINGS:**

Pursuant to Public Resources Code Section 21080(c)(2) and CEQA Guidelines Section 15168(c)(1), the City of Turlock, as lead agency for the proposed project, has prepared an initial study to make the following findings:

1. Pursuant to CEQA Guidelines Section 15162, the proposed activity is adequately described and is within the scope of the General Plan EIR.
2. All feasible mitigation measures developed in the General Plan EIR have been incorporated into the project.
3. The analyses of cumulative impacts, growth inducing impacts, and irreversible significant effects on the environment contained in the General Plan EIR are adequate for this subsequent project.
4. Pursuant to CEQA Guidelines Section 15093, a Statement of Overriding Considerations was adopted for the General Plan EIR (City Council Resolution 2012-156). As identified in the Turlock General Plan EIR, development in the project area would result in significant, and unavoidable, impacts in the areas of noise, regional air quality, and the eventual loss of agricultural land. The magnitude of these impacts can be reduced, but not eliminated by the mitigation measures referenced in the initial study prepared for this project and General Plan EIR. Therefore, mitigation measures identified in the General Plan EIR, and its respective Statements of Overriding Considerations, are adequate to mitigate the impacts from the proposed project where feasible, and are hereby incorporated by reference.
5. Pursuant to Public Resources Code Section 21157.6(a), having reviewed the General Plan EIR, the City of Turlock finds and determines that:



# NORTHWEST TRIANGLE SPECIFIC PLAN



- a. no substantial changes have occurred with respect to the circumstances under which the General Plan EIR was certified, and
  - b. that there is no new available information which was not and could not have been known at the time the General Plan EIR was certified.
6. Pursuant to CEQA Guidelines Section 15162, having reviewed the General Plan EIR, the City of Turlock finds and determines that, based on substantial evidence in the light of the whole record, that new information of substantial importance shows that significant environmental effects have been identified, but that feasible mitigation measures have been incorporated to revise the proposed subsequent project to avoid or mitigate the identified effects to a point where clearly no significant effects would occur.
7. The City has further determined, pursuant to CEQA Guidelines Section 15070(b) that:
- a. Revisions to the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review, would avoid the effects or mitigate the effect to a point where clearly no significant effects would occur; and
  - b. There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

Documents used in preparation of this Proposed Mitigated Negative Declaration, are available for public review at:

City of Turlock, City Hall  
Planning Division  
156 South Broadway, Suite 120  
Turlock, CA 95380  
Telephone: (209) 668-5640

You can view the Initial Study Checklist and any related documents for this project on our website at: <http://ci.turlock.ca.us/buildinginturlock/planninglandusepermitting/planningprojects/activeprojects.asp>

BY:   
\_\_\_\_\_  
Katie Quintero  
Senior Planner  
ENVIRONMENTAL REVIEW

Enclosure: Initial Study



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

- 1) **Project Title:** General Plan Amendment 2016-01, Rezone 2016-01, (Northwest Triangle Specific Plan Update)
- 2) **Lead Agency Name and Address:** City of Turlock  
156 South Broadway, Ste. 120  
Turlock, CA 95380
- 3) **Contact Person and Phone Number:** Katie Quintero, Senior Planner  
(209) 668-5640
- 4) **Project Location:** 1598 & 1812 N Tegner, 2530, 2918 & 3000 W  
Tuolumne Road & 3525 W. Monte Vista Avenue  
(Stanislaus County APNs 088-010-027, 088-010-028,  
088-010-053, 088-010-023, 088-010-001, 087-003-018)  
as well as updating standards applying to all properties  
within the Specific Plan area (see map for Specific Plan  
boundary)
- 5) **Project Sponsor's Name and Address:** City of Turlock
- 6) **General Plan Designation:** Various
- 7) **Zoning:** Various
- 8) **Description of the Project:**

The Northwest Triangle Specific Plan area consists of approximately 800 acres in the northwestern part of the city largely within a triangle area created by Golden State Boulevard, State Highway 99, and Fulkerth Road. See attached map for exact boundary.

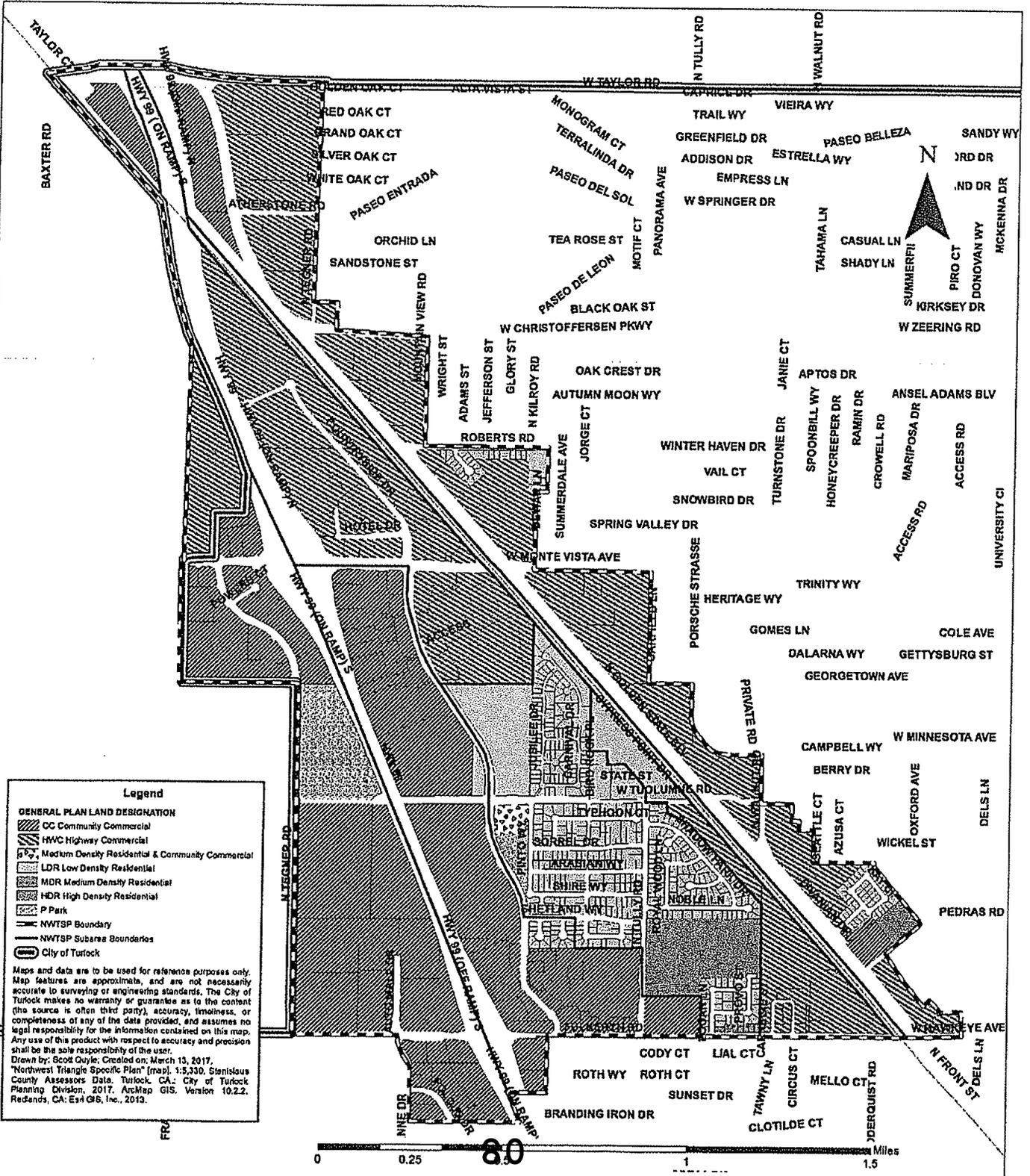
The Northwest Triangle Specific Plan was adopted in 1995 and was amended in 2004. This update to the specific plan will re-designate six properties within the Specific Plan area. The General Plan designation for 1812 N Tegner (APN: 088-010-027), 1598 N Tegner (APN: 088-010-028), 3000 W Tuolumne (APN 088-010-001) and 2918 Tuolumne Road (APN 088-010-023) will be amended from Highway Commercial (HWC) to Community Commercial (CC) and will be rezoned from Agriculture (A) to Community Commercial (CC). The General Plan designation for 2530 W. Tuolumne Road (APN: 088-010-053) will be changed from Community Commercial (CC) to Community Commercial/Medium Density Residential (CC/MDR) and rezoned from Park (P) to Community Commercial/Medium Density Residential (CC/RM). The General Plan designation for 3525 W Monte Vista Avenue (APN 087-003-018) will be designated Highway Commercial (HWC) and will be pre-zoned Commercial Thoroughfare, this property will have to be annexed into the City by the property owner before development could occur. Minor updates will also be made to the Specific Plan to ensure consistency with the updated 2012 General Plan policies and current regulations.



# CITY OF TURLOCK INITIAL STUDY CHECKLIST



# NORTHWEST TRIANGLE SPECIFIC PLAN



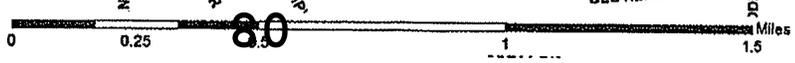
**Legend**

**GENERAL PLAN LAND DESIGNATION**

- CG Community Commercial
- HWC Highway Commercial
- Medium Density Residential & Community Commercial
- LDR Low Density Residential
- MDR Medium Density Residential
- HDR High Density Residential
- P Park
- NWTSP Boundary
- NWTSP Subarea Boundaries
- City of Turlock

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The City of Turlock makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

Drawn by: Scott Ouyie; Created on: March 13, 2017.  
 "Northwest Triangle Specific Plan" (map), 1:5,000, Stanislaus County Assessors Data, Turlock, CA.: City of Turlock Planning Division, 2017. ArcMap GIS, Version 10.2.2. Redlands, CA: Esri GIS, Inc., 2010.





## CITY OF TURLOCK INITIAL STUDY CHECKLIST

**9) Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)**

Turlock's Northwest Triangle area is so called because it is in the northwestern part of the city, and is largely within a triangle created by Golden State Boulevard, State Highway 99, and Fulkerth Road. The Specific Plan area includes more than the area within the triangle; as shown on the map, the area's boundaries include parcels fronting on the east side of Golden State Boulevard and several just west of State Highway 99. A total of approximately 800 acres are included. The western boundary of the Specific Plan coincides with the City limit. The parcels to the west of the Specific Plan are primarily undeveloped and are used for agricultural crops. The southern boundary of the Specific Plan is roughly Fulkerth Road and the parcels to the south of the plan boundary are primarily developed with commercial and residential uses. The eastern boundary extends slightly past Golden State Boulevard and this area is primarily developed with a mix of commercial and residential uses. The northern boundary of the plan area is Taylor Road and is also the City limit.

**10) Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).**

San Joaquin Valley Air Pollution Control District  
Regional Water Quality Control Board

**11) Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?**

The Yokuts and Torres Martinez Desert Cahuilla tribes were contact in writing on March 23, 2017 as part of the Early Public Consultation process. Consultation has not been requested on this project.

**12) EARLIER ENVIRONMENTAL ANALYSES**

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. [Section 15183]

**a) Earlier analyses used.** (Available for review at the City of Turlock – Community Development Services, 156 S. Broadway, Suite 120, Turlock, CA).

*City of Turlock General Plan, 2012 (City Council Resolution No. 2012-173)*  
*Turlock General Plan – EIR, 2012 (Turlock City Council Resolution No. 2012-156)*  
*City of Turlock, Housing Element, Certified in 2016*  
*City of Turlock, Water Master Plan Update, 2003 (updated 2009)*  
*Turlock Parks Master Plan, 1995 (Reviewed in 2003)*  
*City of Turlock, Waste Water Master Plan, 1991 (Updated 2014)*  
*City of Turlock, Storm Water Master Plan, 2013 (Adopted 2016)*  
*City of Turlock, Urban Water Management Plan, 2010 (Adopted 2011)*  
*City of Turlock, Sewer System Master Plan, 2013*  
*Turlock Municipal Code*

*City of Turlock Capital Facilities Fee Nexus Study (Turlock City Council Resolution No. 2013-202)*



# CITY OF TURLOCK INITIAL STUDY CHECKLIST

- b) Impacts adequately addressed.** (Effects from the checklist below, were within the scope of, and adequately analyzed during an earlier document pursuant to applicable legal standards, and such effects were addressed by mitigation measures based on the earlier analysis).

*As identified in the Turlock General Plan EIR, development in the project area would result in significant, and unavoidable, impacts in the areas of transportation, noise, regional air quality, and the eventual loss of agricultural land and soil resources. The magnitude of these impacts can be reduced, but not eliminated, by applying the policies, programs and mitigation measures identified in the Turlock General Plan to the project and identifying mitigation measures as necessary in this initial study. The intensity of the proposed development will result in project level impacts that are equal to, or of lesser severity, than those anticipated in the General Plan EIR, and they would not be different from cumulative effects anticipated by the Turlock General Plan EIR. Potential secondary environmental impacts from the project will be of equal or lesser severity than those identified in the General Plan EIR. Therefore, mitigation measures identified in the General Plan EIR, and their respective Statements of Overriding Considerations (contained in Turlock City Council Resolution No. 2012-156), are adequate to mitigate the impacts from the proposed project where feasible, and are hereby incorporated by reference.*

- c) Mitigation Measures.** (For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

*Project level impacts will be mitigated by application of mitigation measures identified in this initial study, and by appropriate conditions of approval. All cumulative environmental effects related to the ultimate development of the project area will be mitigated through compliance with the policies, standards, and mitigation measures of the Turlock General Plan and General Plan MEA/EIR, as well as the standards of the Turlock Municipal Code, and are herein incorporated by reference where not specifically identified.*

**The project is not located on a site which is included in one or more Hazardous Waste and Substance Site Lists, compiled pursuant to California Government Code Section 65962.5.**

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below  could be potentially affected by this project. However, these impacts would result in a less than significant on the environment by incorporating appropriate mitigation measures.

<input checked="" type="checkbox"/>	Aesthetics		Hazards & Hazardous Materials		Recreation
<input checked="" type="checkbox"/>	Agricultural and Forestry Resources	<input checked="" type="checkbox"/>	Hydrology/Water Quality	<input checked="" type="checkbox"/>	Transportation/Traffic
<input checked="" type="checkbox"/>	Air Quality		Land Use/Planning		Tribal Cultural Resources
<input checked="" type="checkbox"/>	Biological Resources		Mineral Resources	<input checked="" type="checkbox"/>	Utilities/Service Systems
<input checked="" type="checkbox"/>	Cultural Resources		Noise		
<input checked="" type="checkbox"/>	Geology/Soils		Population/Housing		
<input checked="" type="checkbox"/>	Greenhouse Gas Emissions	<input checked="" type="checkbox"/>	Public Services		



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

**RECOMMENDED FINDINGS:** Pursuant to Public Resources Code Section 21080(c)(2) and CEQA Guidelines Section 15168(c)(1), the City of Turlock, as lead agency for the proposed project, has prepared an initial study to make the following findings:

1. Pursuant to CEQA Guidelines Section 15162, the proposed activity is adequately described and is within the scope of the General Plan EIR.
2. All feasible mitigation measures developed in the General Plan EIR have been incorporated into the project.
3. The analyses of cumulative impacts, growth inducing impacts, and irreversible significant effects on the environment contained in the General Plan EIR are adequate for this subsequent project.
4. Pursuant to CEQA Guidelines Section 15093, a Statement of Overriding Considerations was adopted for the General Plan EIR (City Council Resolution 2012-156). As identified in the Turlock General Plan EIR, development in the project area would result in significant, and unavoidable, impacts in the areas of noise, regional air quality, and the eventual loss of agricultural land. The magnitude of these impacts can be reduced, but not eliminated by the mitigation measures referenced in the initial study prepared for this project and General Plan EIR. Therefore, mitigation measures identified in the General Plan EIR, and its respective Statements of Overriding Considerations, are adequate to mitigate the impacts from the proposed project where feasible, and are hereby incorporated by reference.
5. Pursuant to Public Resources Code Section 21157.6(a), having reviewed the General Plan EIR, the City of Turlock finds and determines that:
  - a. no substantial changes have occurred with respect to the circumstances under which the General Plan EIR was certified, and
  - b. that there is no new available information which was not and could not have been known at the time the General Plan EIR was certified.
6. Pursuant to CEQA Guidelines Section 15162, having reviewed the General Plan EIR, the City of Turlock finds and determines that, based on substantial evidence in the light of the whole record, that new information of substantial importance shows that significant environmental effects have been identified, but that feasible mitigation measures have been incorporated to revise the proposed subsequent project to avoid or mitigate the identified effects to a point where clearly no significant effects would occur.
7. The City has further determined, pursuant to CEQA Guidelines Section 15070(b) that:
  - a. Revisions to the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review, would avoid the effects or mitigate the effect to a point where clearly no significant effects would occur; and
  - b. There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	X
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potential significant impact" or "potentially significant	



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

<p>unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.</p>	
<p>I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.</p>	

Katie Quintero, Senior Planner

Date

### EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:
  - (a) Earlier Analysis Used. Identify and state where they are available for review.
  - (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards,



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

and state whether such effects were addressed by mitigation measures based on the earlier analysis.

- (c) **Mitigation Measures.** For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
<b>1. Aesthetics – Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X		
<b>Response:</b>				
a) <b>The General Plan EIR notes that the primary scenic views lie on the City's boundary, at its agricultural edge, and further concludes that any aesthetic impacts of the development within the City in accordance with the General Plan would have a less than significant impact. The re-designation of the six properties and implementation of the Northwest Triangle Specific Plan are consistent with the General Plan and will not have a significant impact on any scenic vistas.</b>				
b) <b>There are no scenic or historic resources within the Specific Plan area.</b>				
c) <b>The project will facilitate future development on currently vacant parcels; thereby, changing the existing visual character and quality of the sites. The General Plan notes that new development that implements the General Plan Urban Design Element create a more aesthetically pleasing character for the City. Any development of the sites would affect the existing visual character of the sites; however, the attributes noted in the General Plan Urban Design Element will be applied to any projects in the area and will mitigate any potential impacts.</b>				



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

d) Any development in the area will produce additional light and glare from required street and on-site lighting. Project level review will occur at the time development is proposed and it will be required to comply with the Turlock Municipal Code and the Turlock General Plan requirements that all types of illumination generated by the project shall not be a source of light and glare upon adjoining developments. The Turlock General Plan EIR concludes that any new development has the potential to create new sources of light and glare; however, those impacts are deemed to be less than significant with the mitigation contained in the EIR.

**Sources:** *City of Turlock, General Plan and EIR, 2012; City Design Element, 2012; City of Turlock, Standard Specifications, Section 18; City of Turlock Beautification Master Plan, 2003.*

**Mitigation:**

1. Prior to the issuance of a building permit, a lighting plan shall be submitted to the Building Division for review and approval to ensure that all lighting is designed to confine light spread within the site boundaries.
2. All lighting fixtures must be shielded to confine light spread within the site boundaries.
3. Implement an "agricultural-urban buffer design" to minimize the impact of urban development near active agricultural operations.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
<p><b>2. Agriculture and Forestry Resources</b> - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the states inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
a) Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources agency, to non-agricultural use?		X		
b) Conflict with existing zoning for agricultural use of a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))				X



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X	

**Response:**

a) The development of this proposed project would result in a loss of Prime Farmland, as identified by the CA Department of Conservation Farmland Mapping and Monitoring Program, but this is less than significant as the loss of farmland from this project is consistent with the General Plan EIR. The loss of farmland within the entire Turlock Planning Area has already been analyzed in the General Plan EIR and was considered a significant impact that cannot be mitigated. Consequently, the City Council of the City of Turlock adopted a Statement of Overriding Considerations for the General Plan (Turlock City Council Resolution No. 2012-156), stating that the social and economic benefits of converting the farmland outweighed the adverse environmental effects (CEQA Guidelines § 15093). This Statement of Overriding Considerations included the farmland on the subject sites.

The development of the project site does not propose any changes to the General Plan, changes in circumstance, or new information that would cause substantial agricultural impacts that were not considered in the General Plan EIR.

Mitigation identified in the Turlock General Plan EIR has been incorporated into the project to help try to reduce the impacts to agriculture. The amendment to this Master Plan to allow for an update to the Master Plan and the re-designation of six properties was analyzed in the General Plan.

All of the lots in the Master Plan area shall have a Right-to-Farm Notice recorded on the deed to help ensure new development in the area does not impact the current agricultural operations in the area. An agricultural buffer shall be created at the urban/rural edge of the Master Plan where properties are adjacent to agricultural land.

Pursuant to CEQA §15162, this project will not create any new significant environmental impacts related to agricultural resources and therefore no additional environmental documentation is warranted. Pursuant to CEQA §15183, this project is consistent with the General Plan and no additional environmental review is needed because there are no agricultural impacts peculiar to the project, no new significant agricultural impacts, no new offsite and cumulative agricultural impacts, or no agricultural impacts that are more significant than described in the prior General Plan EIR.

b) None of the properties being re-designated as part of this action are enrolled in a Williamson Act Contract. Agriculture buffers will be required on properties adjacent to agricultural uses on the plan boundary.

c, d) There are no forest lands or timberlands within the City of Turlock.

e) The Specific Plan area is predominately developed with urban uses. Four of the properties being rezoned for commercial uses are adjacent to the city limit with agricultural uses located across from them. Any development proposals for these properties will go through a site plan review and deep setback and agricultural buffers will be required to ensure development of these properties does not impact any nearby agricultural production.

**Sources:** CA Dept. of Conservation Farmland Mapping and Monitoring Program, 2014; City of Turlock, General Plan, Land Use Element, 2012; City of Turlock, General Plan EIR, 2012; City Council Resolution 2012-156.



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

**Mitigation:**

1. Where the master plan area meets the edge of the study area boundary deep landscape setbacks and agricultural buffers shall be used to screen the edge of urban development. Buffer types can be found in Section 6.1 of the General Plan.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

3. **Air Quality** - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?		X		
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X		
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		X		
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

**Response:**

a), b), c) The project will not conflict with, or obstruct, implementation of the 2007 PM10 Maintenance Plan, the 2008 Ozone Plan, or the 2012 and 2015 PM2.5 Plan or related subsequent progress reports of these plans. SJVAPCD has established thresholds for ROG, NOx, PM 10 & PM 2.5 emissions.

Any projects that develop in the area will be subject to design review and will be subject to all San Joaquin Valley Air Pollution Control District rules and regulations. The project will not violate any air quality standards, result in cumulatively considerable net increase of any criteria pollutant, or expose sensitive receptors to substantial pollutant concentrations. Compliance with the General Plan policies and standards, and the SJVAPCD Rules and Regulations is expected to reduce the project impacts; however, the Turlock General Plan EIR found that there would be significant and unavoidable air quality impacts even with implementation of these measures. A Statement of Overriding Considerations has been adopted as part of that process.

The City of Turlock adopted an Air Quality and Greenhouse Gas Emissions Element demonstrating that the General Plan would reduce greenhouse gas emissions. Compliance with the State's greenhouse gas emissions targets for 2030 relied on the adoption of the regional Sustainable Communities Strategy (SCS). StanCOG's SCS has been adopted and was approved by the California Air Resources Board. Furthermore, StanCOG has found that the City of Turlock's General Plan complies with the SCS. This project is consistent with the General Plan; therefore, the project is expected to have a less than significant impact on greenhouse gas emissions.



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

<p>d) Updating the Specific Plan will not directly result in any construction. Any proposed development projects in the Specific Plan area will be subject to design review and environmental analysis to ensure there are no significant impacts to sensitive receptors.</p>
<p>e) The Specific Plan update will not create any objectionable odors as it does not contain any development proposal. As properties in the Specific Plan area develop they will be subject to design review and any uses with the potential to create objectionable odors will be evaluated and required to mitigate any potential impacts they could create.</p>
<p><b>Sources:</b> <i>San Joaquin Valley Unified Air Pollution Control District 2007 Ozone Plan, 2010 PM-10 Maintenance Plan, 2012 and 2015 PM-2.5 Plan; SJVAPCD's Guide For Assessing and Mitigating Air Quality Impacts (revised January 10, 2002); Turlock General Plan EIR, 2012, Turlock General Plan, Air Quality and Greenhouse Gas Element Section, 2012; Statement of Overriding Considerations (Turlock City Council Resolution 2012-156) SJVUAPCD (June 2005) Air Quality Guidelines for General Plans; StanCOG Regional Transportation plan/Sustainable Communities Strategy Letter of Consistency for the Turlock General Plan dated January 25, 2015.</i></p>
<p><b>Mitigation:</b></p> <p>1. Any future project in the area shall be subject to design review and shall comply with all applicable San Joaquin Valley Air Pollution Control District rules and regulations.</p>

	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
<b>4. Biological Resources - Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?		X		
b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?				X
<b>Response:</b>				
<p>a) The proposed project would not have any direct effects on species, riparian habitat, wetlands, nor would it interfere with the movement of any resident or migratory fish, conflict with policies protecting biological resources or the provisions of an adopted Habitat Conservation Plan. Virtually all of the land within the urban boundaries of Turlock, as well as unincorporated land within the City's Sphere of Influence, have been modified from its native state, primarily converted into urban or agricultural production. The majority of the Specific Plan area has been built out, the vacant sites have been actively cultivated and cleared for many years.</p> <p>The California Natural Diversity Database has identified two special-status species within the General Plan Study area, the Swainson's Hawk and the Hoary bat. While the General Plan Study Area does not contain land that is typical for the Hawk's breeding and nesting, it is presumed to be present and mitigation measures have been incorporated to address any potential impacts. The Hoary bat is not listed as a Species of Special Concern by the California Department of Fish and Wildlife but it is monitored in the CNDDB. Mitigation measures identified in the General Plan EIR, (General Plan Policy 7.4-d), consistent with the comments received on the Turlock General Plan, have been added to the project to reduce the impacts of the project to a less than significant level. Any development in the area will be subject to design review and a CEQA determination to be able to consider site specific features.</p>				
b) There are no rivers, lakes or streams located within the City of Turlock. Therefore, the project will have no impact on riparian habitats or species.				
c) The General Plan EIR identifies the federally protected wetlands located within the City of Turlock and the surrounding Study Area. These areas are not located within the Specific Plan area.				
d) The project is located within the City of Turlock in a predominantly developed area. No migratory wildlife corridors have been designated on, near or through the Specific Plan area; therefore, the project would not impede the movement of any resident or migratory fish or wildlife species. The General Plan identifies mitigation measures that will be incorporated in to the project requiring the investigation of the existence of any wildlife nursery sites on any project sites upon development.				
e) The Specific Plan area is predominantly developed, the undeveloped parcels being re-designated as part of this action have been planted in row crops or are vacant and have been kept clear for a number of years. As properties develop in the area site specific design review would determine if there are trees or other natural features on the property that offer habitat opportunities which could potentially offer foraging habitat for Swainson's Hawk but this is not expected as the land has been cultivated and kept clear for a number of years. See a) above for mitigation measures.				



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

f) There is no Habitat Conservation Plan, Natural Conservation Community Plan, other approved local or regional conservation plan that encompasses the project site.

**Sources:** California Dept. of Fish & Wildlife: Natural Diversity Data Base; California Native Plant Protection Act; U.S. Dept. of Agriculture: Land Capability Classification Maps; California Dept. of Conservation: Important Farmlands Maps & Monitoring Program; Stanislaus County Williamson Act Contract Maps; Turlock General Plan, Conservation Element, 2012; US Fish and Wildlife Service – Recovery Plan for Upland Species of the San Joaquin Valley, 1998

**Mitigation:**

1. If ground disturbing activities, such as grading, occurs during the typical nesting season for songbirds and raptors, February through mid-September, the developer is required to have a qualified biologist conduct a survey of the site no more than 10 days prior to the start of disturbance activities. If nests are found, no-disturbance buffers around active nests shall be established as follows until the breeding season has ended or until a qualified biologist determines that the birds have fledged and are no longer on the nest for survival: 250 feet for non-listed bird species; 500 feet for migratory bird species; and one-half mile for listed species and fully protected species.
2. If nests are found, they should be continuously surveyed for the first 24 hours prior to any construction related activities to establish a behavioral baseline. Once work commences the nest shall be continuously monitored to detect any behavioral changes as a result of the project. If behavioral changes are observed, the work causing the change should cease and the Department consulted for additional avoidance and minimization measures.
3. If Swainson's Hawks are found foraging on the site prior to or during construction, the applicant shall consult a qualified biologist for recommended proper action, and incorporate appropriate mitigation measures. Mitigation may include, but are not limited to: establishing a one-half mile buffer around the nest until the breeding season has ended or until a qualified biologist determines that the birds have fledged and are no longer dependent on the nest for survival. Mitigating habitat loss within a 10 mile radius Mitigating habitat loss within a 10 mile radius of known nest sites as follows: providing a minimum of one acre of habitat management land or each acre of development for projects within one mile of an active nest tree. Provide a minimum of .75 acres of habitat management land for each acre of development for projects within between one and five miles of an active nest tree. Provide a minimum of .5 acres of habitat management land for each acre of development for projects within between five and 10 miles of an active nest tree.
4. The applicant shall comply with all applicable federal, State, and local laws and regulations related to the protection and preservation of endangered and/or threatened species through consultations with appropriate agencies.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
<b>5. Cultural Resources - Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?		X		



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

b) Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5?		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		
d) Disturb any human remains, including those interred outside of formal cemeteries?		X		

**Response:**

a) The project would not alter or destroy any historic archaeological site, building, structure, or object, nor would it alter or affect unique ethnic cultural values or restrict religious or sacred uses. The City of Turlock consulted with California Native American tribes as required under SB 18 when developing the General Plan EIR. The closest historic resource identified in the General Plan EIR is located more than 5 miles away. In addition, the City has conducted a Cultural Records Search as part of the Turlock General Plan.

b) and c) As a result of many years of extensive agricultural production, virtually all of the land in the City of Turlock has been previously altered from its native or riparian state. There are no known sites of unique prehistoric or ethnic cultural value.

c) The project would not alter or destroy any historic archaeological site, building, structure, or object, nor would it alter or affect unique ethnic cultural values or restrict religious or sacred uses. The City of Turlock consulted with California Native American tribes as required under SB 18 when developing the General Plan EIR. The closest historic resource identified in the General Plan EIR is located more than 5 miles away. In addition, the City has conducted a Cultural Records Search as part of the Turlock General Plan. As a result of many years of extensive agricultural production virtually all of the land in the Plan area has been previously altered from its native or riparian state. There are no known sites of unique prehistoric or ethnic cultural value.

**Sources:** *Turlock General Plan, Conservation Element, 2012; City of Turlock General Plan EIR, 2012; Cultural Resources Records Search, 2008*

**Mitigation:**

1. In accordance with State Law, if potentially significant cultural, archaeological, or Native American resources are discovered during construction, work shall halt in that area until a qualified archaeologist can assess the significance of the find, and, if necessary develop appropriate treatment measures in consultation with Stanislaus County, Native American tribes, and other appropriate agencies and interested parties.
2. If human remains are discovered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the county coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the coroner determines that no investigation of the cause of death is required and if the remains are of Native American origin, the coroner will notify the Native American Heritage Commission, which in turn will inform a most likely descendant. The descendant will then recommend to the landowner appropriate disposition of the remains and any grave goods.

	Potentially	Less Than	Less Than	No Impact
--	-------------	-----------	-----------	-----------



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

	Significant Impact	Significant Impact With Mitigation	Significant Impact	
<b>6. Geology and Soils - Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.		X		
ii) Strong seismic ground shaking?		X		
iii) Seismic-related ground failure, including liquefaction?		X		
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?		X		
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?		X		
d) Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?		X		
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
<b>Response:</b>				
<p>a) Several geologic hazards have a low potential to occur within the Turlock General Plan study area. The greatest seismic hazard identified in the Turlock General Plan EIR is posed by ground shaking from a fault located at least 45 miles away. While no specific liquefaction hazard is located within the Turlock General Plan study area, the potential for liquefaction is recognized throughout the San Joaquin Valley. The risk to people and structures was identified as a less than significant impact addressed through compliance with the California Building Codes. Turlock is located in Seismic Zone 3 according to the State of California and the Alquist-Priolo Special Study Zones Act. All building permits are reviewed to ensure compliance with the California Building Code (CBC) for compliance with standards to reduce the potential damage that could be associated with seismic events. The area is flat and is not located adjacent to areas subject to landslides. In addition, the City enforces the provisions of the Alquist-Priolo Special Study Zones Act that limits development in areas identified as having special seismic hazards.</p>				



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

b) and c) The General Plan EIR notes that soils in the Specific Plan area have a “low” or “medium” susceptibility to soil erosion. Erosion hazards are highest during construction. Chapter 7-4 of the Turlock Municipal Code requires all construction activities to include engineering practices for erosion control. Furthermore, future development projects are required to comply with National Pollutant Discharge Elimination System (NPDES) General Construction Permit requirements. Project applicants are required to prepare a Storm Water Pollution Prevention Plan (SWPPP) and comply with the City’s storm water permit (MS4) to minimize the discharge of pollutants during and post-construction. Compliance with existing policies and programs will reduce this impact to less than significant levels.

d) Less than one percent of the soils located in the General Plan study area are considered to have moderate potential for expansion. As required by the Turlock Municipal Code, building permit applications must be accompanied by a preliminary soil management report that characterizes soil properties in the development area.

e) Development within the project area will be required to connect to the City of Turlock’s waste water system and will not utilize any type of septic system or alternative wastewater system.

**Sources:** California Uniform Building Code; City of Turlock, Standard Specifications, Grading Practices; City of Turlock Municipal Code, Title 8, (Building Regulations); City of Turlock, General Plan, Safety Element, 2012

**Mitigation:**

1. The project shall comply with the current California Building Code (CBC) requirements for Seismic Zone 3, which stipulates building structural material and reinforcement.
2. The project shall comply with California Health and Safety Code Section 19100 et seq. (Earthquake Protection Law), which requires that buildings be designed to resist stresses produced by natural forces caused earthquakes and wind.
3. The project shall comply with the California Building Code (CBC), Chapter 70, regulating grading activities including drainage and erosion control.
4. The project shall comply with the City’s NPDES permitting requirements by providing a grading and erosion control plan, including but not limited to the preparation of a Storm Water Pollution Prevent Plan and Erosion and Sediment Control Plan.
5. The project shall comply with the California Building Code (CBC) requirements for specific site development and construction standards for specified soils types.
6. Any new development in the Specific Plan area shall be required to connect to the City of Turlock waste water system.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
7. Greenhouse Gas Emissions - Would the project:				



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?		X		
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	
<b>Response:</b> a), b) The City of Turlock adopted an Air Quality and Greenhouse Gas Emissions Element demonstrating that the General Plan would reduce greenhouse gas emissions. Compliance with the State's greenhouse gas emissions targets for 2030 relied on the adoption of the regional Sustainable Communities Strategy (SCS). StanCOG's SCS has been adopted and was approved by the California Air Resources Board. Furthermore, StanCOG has found that the City of Turlock's General Plan complies with the SCS. This project is consistent with the General Plan; therefore, the project is expected to have a less than significant impact on greenhouse gas emissions.				
<b>Sources:</b> 2012 General Plan, Air Quality and Greenhouse Gases chapter; AB 32 Scoping Plan; 2014 Stanislaus Council of Governments Regional Transportation Plan and Sustainable Communities Strategy				
<b>Mitigation:</b>  1. Any future development applicants shall comply with all applicable San Joaquin Valley Air Pollution Control District rules and regulations.				

	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
<b>8. Hazards and Hazardous Materials - Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?			X	



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area			X	
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			X	
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
<b>Response:</b>				
a) The adoption of the Specific Plan update will not create a hazard to the public through the routine transport, use or disposal of hazardous materials. There will be no risk of explosion or release of hazardous substances from the proposed project and it is not approving any development projects. Any development in the Specific Plan area will be subject to design review and will be reviewed to ensure the project site is not included on one or more Hazardous Waste and Substance Site Lists compiled pursuant to California Government Code Section 65962.5. All new development is reviewed by the City Fire Division to ensure the project meets the fire protection standards established by the City. All new development must also comply with federal, State, San Joaquin Valley APCD, Stanislaus County, and City policies regulating the production, use, transport and/or disposal of hazardous materials. Furthermore, all new development is required to participate in the City's service mitigation fee that funds police, fire, and public maintenance services operations and maintenance costs.				
b)				
c) and c) See Section a) above.				
d) The General Plan EIR identifies one active cleanup site in the Specific Plan area, this is Suburban Propane located at 4625 N Golden State Blvd. The cleanup status is open with verification monitoring occurring. Adopting the Specific Plan update will not result in a significant hazard to the public. Any development projects will be subject to design review and an analysis of any potential hazards prior to approval.				
e) The project site is not located within two miles of a public airport or public use airport and is not located within the planning area boundary of the Turlock Air Park. Furthermore, the Turlock Air Park has been removed from the Stanislaus County Airport Land Use Compatibility Plan adopted on October 6, 2016 as the Safety Inspectors from the Caltrans Division of Aeronautics have reported that the Airport Operating permits are no longer valid.				



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

<p>f) A private airstrip serving a local pilot is located at 2707 East Zeering Road (APN 073-004-004), approximately four miles north and east of the eastern boundary of the Specific Plan area. See e) above for more information on the Turlock Air Park. The Stanislaus County Zoning Ordinance has established a 1,000 foot radius around the perimeter of a private strip as a clear area not suitable for most types of development. The project site is located outside of the 1,000 foot radius.</p>
<p>g) The proposed project will not impair the implementation of an adopted emergency response / evacuation plan. The project generates traffic that is consistent with the projections contained within the Turlock General Plan EIR. The General Plan EIR found that anticipated growth, and the resulting traffic levels, would not impeded emergency evacuation routes or otherwise prevent public safety agencies from responding in an emergency.</p>
<p>h) There are no designated wildland fire areas within or adjoining the project site.</p>
<p><b>Sources:</b> <i>City of Turlock, Emergency Response Plan, 2004; Stanislaus County Airport Land Use Commission Plan, 2016, amended May 20, 2004, Stanislaus County Multi-Jurisdictional Hazard Mitigation Plan, 2010; City of Turlock, General Plan, Safety Element, 2012; City of Turlock, Municipal Code, Title 8, (Building Regulations)</i></p>
<p><b>Mitigation:</b></p> <p>None required.</p>

	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
<b>9. Hydrology and Water Quality – Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site.		X		



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

e) Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?		X		
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving				X
j) (i) flooding, including flooding as a result of the failure of a levee or a dam?				X
ii) Inundation by seiche, tsunami, or mudflow?				X
<b>Response:</b>				
a) Adopting the Specific Plan amendment will not violate any water quality standards or waste discharge requirements. Any development projects in the area will be subject to design review and will be required to comply with the Regional Water Quality Control Board's construction requirements to reduce the potential impact of pollution from water runoff at the time of construction and post-construction. Upon development, all projects will be required to connect to City utility systems, including water; therefore, development of the area would not result in water quality or waste discharge violations.				
b) The City has developed an Urban Water Management Plan (UWMP) that evaluates the long-range water needs of the City including water conservation and other measures that are necessary to reduce the impact of growth on groundwater supplies. The project has been reviewed by the City of Turlock Municipal Services, the water provider for the City of Turlock, and no concerns were raised regarding the ability of the City to provide adequate potable water to the project.				
c), d) and e) The City of Turlock requires that all development construct the necessary storm water collection systems to convey runoff to detention basins within the project area. Grading plans for construction within the project area will be reviewed to ensure compliance with the Regional Water Quality Control Board's regulations and the City's NPDES discharge permit. Grading and improvement plans for the project will be reviewed to ensure that storm water runoff from the project area is adequately conveyed to the storm water collection system that will be implemented with the project.				
f) No additional water quality impacts are expected from the project.				



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

g), h), i) The project will not result in the placement of housing within the 100-year floodplain. The project site is not located in a flood area. The project does not involve property acquisition, management, construction or improvements within a 100 year floodplain (Zones A or V) identified by FEMA maps, and does not involve a "critical action" (e.g., emergency facilities, facility for mobility impaired persons, etc.) within a 500 year floodplain (Zone B). No development will occur within areas that are subject to inundation by 100-year flood events. The entire City of Turlock is located in Flood Zone "X", according to FEMA. The City of Turlock's Community Number is 060392; Panel Numbers are: 0570E, 0600E, 0800E, 0825E. Revised update September 26, 2008.

j) The project site is located outside the Dam Inundation Area for New Don Pedro Dam and for New Exchequer Dam (the two inundation areas located closest to the City of Turlock Municipal Boundary).

**Sources:** *Federal Emergency Management Agency Floodplain regulations; City of Turlock, Storm Drain Master Plan, 1987; Turlock General Plan EIR, 2012; Turlock General Plan, 2012 ; City of Turlock, Water Master Plan Update, 2009; City of Turlock, Storm Water Master Plan, 2013; City of Turlock Urban Water Management Plan, 2011; City of Turlock Sewer System Master Plan, 2013; City of Turlock, Municipal Code, Title 9, Chapter 2, Water Conservation Landscape Ordinance*



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

**Mitigation:**

The following mitigation will be applied to development projects in the area:

1. The project shall connect to the City's Master Water and Storm Drainage System.
2. The project shall comply with the Regional Water Control Board's regulations and standards to maintain and improve groundwater and surface water quality. The applicant shall conform to the requirements of the Construction Storm Water General Permit and the Municipal Separate Storm Sewer System (MS4) Permit, including both Best Management Practices and Low Impact Development (post-construction) requirements.
3. If the site will be commercially irrigated, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program.
4. If the project includes construction dewatering and it is necessary to discharge the groundwater to water of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit.
4. Site grading shall be designed to create positive drainage throughout the site and to collect the storm water for the storm water drainage system. If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United State Army Corps of Engineers (USACOE). If a USACOE permit or any other federal permit is required for this project due to the disturbance of water of the United States then a Water Quality Certification must be obtained from the Central Valley Water Board prior to the initiation of project activities. If the USCACOE determines that only non-jurisdictional water of the State are present in the proposed project are, the proposed project will require a Waste Discharge Requirements permit to be issued by the Central Valley Water Board.
5. The discharge of oil, gasoline, diesel fuel, or any other petroleum derivative, or any toxic chemical or hazardous waste is prohibited.
6. Materials and equipment shall be stored so as to ensure that spills or leaks cannot enter storm drains, or the drainage ditches or detention basins.
7. A spill prevention and cleanup plan shall be implemented.
8. The builder and/or developer shall utilize cost-effective urban runoff controls, including Best Management Practices (BMP's), to limit urban pollutants from entering the drainage ditches.
9. A General Construction permit shall be obtained from the State Water Resources Control Board, a Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and implemented as part of this permit.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
<b>10. Land Use Planning – Would the project:</b>				
a) Physically divide an established community?			X	



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

b) Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

**Response:**

- a) **The proposed project will not physically divide an established community.**
- b) **The proposed project is an update to an existing Specific Plan. This update is being done to bring consistency between the Specific Plan and the General Plan adopted in 2012. This project consists of a General Plan amendment and re-zoning action. The property specific General Plan amendments are changing properties from one commercial designation from Highway Commercial to Community Commercial. This change is designation from one commercial designation to another is consistent with what was analyzed in the General Plan. The rezoning of the properties are being done to make the zoning designations consistent with the General Plan designations. Overall this action is consistent with the policies and land uses anticipated in the 2012 General Plan.**
- c) **The proposed project is not located within close proximity to any applicable habitat conservation plan or natural communities conservation plan.**

**Sources:** *Turlock General Plan, 2012 & Adopted Housing Element, 2014-23; City of Turlock General Plan EIR, 2012; Turlock Municipal Code, Title 9, Chapter 3; US Fish and Wildlife Service – Recovery Plan for Upland Species of the San Joaquin Valley, 1998*

**Mitigation:**

None required.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
<b>11. Mineral Resources – Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

<p><b>Response:</b>  a), b) Any development that may ultimately occur in the City does result in the utilization of natural resources (water, natural gas, construction materials, etc.); however, these resources will not be depleted by this project. The only known mineral resources within the City of Turlock are sand and gravel from the Modesto and Riverbank formations. The project will result in only minor excavation of any sites.</p>
<p><b>Sources:</b> <i>City of Turlock, General Plan, Conservation Element, 2012</i></p>
<p><b>Mitigation:</b>   None required.</p>

	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
<b>12. Noise – Would the project result in:</b>				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			X	
<p><b>Response:</b>  a) The General Plan and City Noise Ordinance (TMC 9-2-300ART) establish noise standards that must be met for all new development and would be applied to any development projects in the area. The adoption of this plan will not create any noise impacts. Furthermore, any development projects that occur in the area will be subject to the City's noise ordinance which prohibits construction on weekdays from 7:00 p.m. to 7:00 a.m., on weekends and holidays from 8:00 p.m. to 9:00 a.m.</p>				



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

<p>b) The adoption of this plan will not create any significant impacts. The standards of Turlock's Noise Ordinance (TMC 9-2-300ART) are applicable to any development that subsequently occurs in the area during construction and occupancy. The City's ordinance addresses both temporary construction-related noise, noise from special events, as well as ongoing noise from equipment and other operations of this facility. Any project in the area will be subject to the City's noise ordinance which prohibits construction on weekdays from 7:00 p.m. to 7:00 a.m., on weekends and holidays from 8:00 p.m. to 9:00 a.m.</p>
<p>c), d) See A &amp; B</p>
<p>e), f) The project boundary is not located within two miles of a public airport or public use airport. Two private airstrips are located adjacent to the Turlock City Limits. A private airstrip serving a local pilot is located at 2707 East Zeering Road (APN 073-004-004), approximately 4.0 miles north and east of the project site. The property is located over 3.5 miles north of the Turlock Air Park, a private air strip. The Stanislaus County Zoning Ordinance has established a 1,000 foot radius around the perimeter of a private strip as a clear area not suitable for most types of development. The project boundary is located outside of the 1,000 foot radius. Furthermore, the Federal Aviation Administration (FAA) has established regulations for flight operations near built-up areas. Therefore, the project will not be impacted by noise from the operations of any public or private airport.</p>
<p><b>Sources:</b> <i>City of Turlock, General Plan, Noise Element, 2012; City of Turlock, Municipal Code, Title 9, Chapter 2, Noise Regulations; Stanislaus County Airport Land Use Commission Plan, as Amended May 20, 2004; Merced County Airport Land Use Compatibility Plan, June 12, 2012; Turlock General Plan, Circulation Element, 2012</i></p>
<p><b>Mitigation:</b></p> <p>None required</p>

	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
<b>13. Population and Housing – Would the project:</b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

**Response:**  
 a), b) and c) The proposed project would not induce substantial population growth in the area, would not displace substantial numbers of existing housing, and would not displace substantial numbers of people necessitating the construction of replacement housing elsewhere. The majority of the Specific Plan has been built out. One property will be re-designated to Medium Density Residential/Community Commercial. This property was previously permitted for Low Density Residential development, this change would allow for a slight increase in residential development density, but will not be a significant increase. The majority of the infrastructure in the Specific Plan area has already been installed.

**Sources:** *City of Turlock, General Plan, 2012 & Housing Element, 2016*

**Mitigation:**  
 None required.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
<b>14. Public Services</b> – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire Protection?		X		
b) Police Protection?		X		
c) Schools?			X	
d) Parks?			X	
e) Other public facilities?		X		

**Response:**  
 a) The majority of the area has been built out and will not have a significant impact on Fire Services but any development of the project area will require additional fire services. The furthest boundary of the project area is located approximately 1.5 miles from Fire Station 4 (North Walnut Road, east of Highway 99). The Fire Department reviews all development applications to determine the adequacy of fire protection for the proposed development. The Fire Department has commented on this project but has not indicated that the development could not be adequately served or would create an impact on the ability of the Department to serve the City as a whole. The Turlock Municipal Code and the State Fire Code establish standards of service for all new development in the City. Those standards and regulations are applicable to the project.



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

- b) Development from the project area will require additional police services. The impacts from the development of the property on police services will be less-than-significant. Any development projects in the area will be required to pay Capital Facilities Fees upon development, a portion of which is used to fund Police Service capital improvements.
- c) Under the Leroy F. Greene School Facilities Act of 1998, the satisfaction by the developer of his statutory fee under California Government Code Section 65995 is deemed "full and complete mitigation" of school impacts. Therefore, mitigation of impacts upon school facilities shall be accomplished by the payment of the fees set forth established by the Turlock Unified School District.
- d) The area is adequately served with the parks developed in the area as part of the Specific Plan layout.
- e) Development of the project area will not significantly increase the use of or need for new public facilities. The City has prepared and adopted a Capital Facility Program that identifies the public service needs of roads, police, fire, and general government that will be required through build-out of the General Plan area. This program includes the collection of Capital Facility Fees from all new development. Development fees are also collected from all new development for recreational lands and facilities. Conditions of development will require payment of these fees and charges, where appropriate and allowed by law.

**Sources:** Stanislaus County, Public Facilities Plan; City of Turlock, Capital Facility Fees Program, City of Turlock Capital Improvement Program (CIP); Turlock Unified School District, School Facilities Needs Analysis; City of Turlock, General Plan, Parks and Recreational Open Space and Safety Elements, 2012

**Mitigation:**

1. Any future development shall pay all applicable Citywide Capital Facility and Northwest Triangle Specific Plan Fees for public facility service improvements.
2. Prior to the issuance of a building permit, the developer shall pay the applicable development-related school impact fees to fully mitigate its impacts upon school facilities pursuant to California statutes.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
<b>15. Recreation</b>				
a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

<p><b>Response:</b>  a) and b) The continued development of the area will not result in a significant increase in use of existing neighborhood or regional parks over what has been anticipated in the 2012 General Plan. The project does not include recreational facilities or require the construction or expansion of recreational facilities. However, development fees are collected from all new development to provide additional park lands and facilities.</p>
<p><b>Sources:</b> <i>City of Turlock General Plan 2012: City of Turlock Parks Master Plan, 2003</i></p>
<p><b>Mitigation:</b>   None required.</p>

	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
<b>16. Transportation/Traffic – Would the project:</b>				
a) Cause an increase in the traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?		X		
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		X		
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?			X	
e) Result in inadequate emergency access?			X	
f) Result in inadequate parking capacity?			X	
g) Conflict with adopted policies or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			X	



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

**Response:**

a and b)

The Specific Plan area is located within an area identified in the Turlock General Plan for commercial and residential uses. The backbone transportation improvements identified in the Specific Plan have been installed as the area has developed. Any necessary local roadways to accommodate site specific development will be required and analyzed as part of any future development proposal. The City has adopted a Capital Facility Program with traffic improvements planned for build out of the General Plan. A condition of each new development is payment of a Citywide Capital Facility Fee, a portion of which is used to fund these circulation improvements required for cumulative impacts added by the development. The mitigation measures identified in the General Plan EIR and the Statement of Overriding Considerations are adequate to mitigate the transportation and traffic impacts associated with the project. Therefore, no significant traffic issues will be generated by the project.

c) The project site is not located within the flight path of any private or public airstrips.

d) Any development projects in the area will be required to install any necessary public rights-of way and associated improvements to ensure public safety and compliance with the City of Turlock standards and specifications.

e) The Turlock Fire Department reviews all development proposals for adequate emergency access. Any development projects will either meet or exceed the Fire Department needs for emergency vehicle access.

f) The adoption of the Specific Plan update will not generate any new parking demand. Any future development projects will be subject to design review and will be required to provide adequate on-site parking to ensure there are no significant parking impacts.

g) The proposed Specific Plan update will not conflict with adopted policies or programs supporting alternative transportation. Any new development in the area will be required to pay Capital Facility Fees, a portion of which is used to fund alternative transportation improvements.

**Sources:** *City of Turlock, Capital Improvement Program (CIP); City of Turlock, General Plan, 2012; StanCOG, Regional Transportation Plan and Sustainable Communities Strategy, 2014; Stanislaus Assn. of Governments, Congestion Mgmt. Plan, 1992; City of Turlock, Municipal Code, Title 9, Chapter 2, Parking Requirements and California Green Building Code*

**Mitigation:**

1. Any future development project applicant, developer or successor in interest shall pay all applicable Citywide Capital Facility Fees for transportation improvements. These include the development of new bicycle and pedestrian facilities, traffic calming, traffic management, and other projects to improve air quality and reduce congestion, as well as roadway, intersection and interchange improvements.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

<b>17. Tribal Cultural Resources</b> - Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			X	
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X	
<b>Response:</b>				
a) The Turlock General Plan EIR found that there are no known Native American cultural resources within the City of Turlock. The properties are not listed or eligible for listing on the California Register of Historical Resources. In compliance with AB52 notices were sent to the Yokut and Torres Martinez Tribes on March 23, 2017.				
b) See response a).				
<b>Sources:</b> <i>Turlock General Plan, Conservation Element, 2012; City of Turlock General Plan EIR, 2012; Westside Industrial Specific Plan EIR, 2004; Cultural Resources Records Search, 2008</i>				
<b>Mitigation:</b>				
None required.				

	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
<b>18. Utilities and Service Systems – Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?		X		



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		X		
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		X		
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?		X		
e) Result in a determination by the wastewater treatment provider which services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	

**Response:**

- a) **The proposed project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. Sewer, or wastewater, systems are currently available in the Specific Plan area. Pursuant to CEQA §15162 and 15177(b)(2), the proposed project will not create any impacts that warrant additional environmental documentation over and above the impacts addressed in the Turlock Area General Plan EIR.**
- b) **The proposed project will not result in the need to construct a new water or wastewater treatment facility. The existing water and wastewater facilities which serve the City of Turlock are sufficient to serve this use.**
- c) **The Master Plan area is within the boundaries of the City of Turlock's Storm Water Master Plan. Mitigation of the increasing demand for storm water facilities will be through the owner, or successor in interest, paying storm drainage fees, and constructing any project-related storm drain infrastructure to ensure adequate storm drainage, as determined necessary by the City Engineer upon development. Furthermore, mitigation measures are required to mitigate a project's impacts upon the storm water collection and treatment system.**



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

d) The Master Plan area is within the boundaries of the City of Turlock's Water Master Plan and Urban Water Management Plan. The project is consistent with the General Plan land use and growth assumptions that were used to update the City's Urban Water Management Plan. Future development project in the area must construct any project-related water infrastructure to ensure adequate water service to City of Turlock standards. Mitigation of the need for the alteration to water systems will be through the requirement that any applicant, prior to the issuance of building permits, pay the adopted water connection fees, reflecting the pro rata share of the necessary improvements to the existing City water system for each new water user. This is a standard condition of all development in Turlock. In addition, the developer or successor in interest shall be subject to payment of the fees established for the Northwest Triangle Specific Plan to fund necessary public improvements, including sewer and water infrastructure. Furthermore, a condition of each new development is payment of a Capital Facility Fee, a portion of which is used to fund water improvements.

e) See a) and b) above.

f) Any future project in the area shall contract with the City of Turlock's designated waste hauler, Turlock Scavenger, for solid waste disposal. Sufficient capacity remains for the additional solid waste needs to support this project.

g) Solid waste will be of a domestic nature and will comply with all federal, State and local statutes. Turlock Scavenger has an adopted waste diversion/recycling program which has resulted in waste diversion exceeding state-mandated California Integrated Waste Management Board timeframes under Public Resources Code 41000 *et seq.* Any project in the area will be required to install a trash enclosure that will accommodate recycled materials.

**Sources:** *City of Turlock, Capital Improvement Program (CIP); City of Turlock, General Plan, 2012; City of Turlock, Water Master Plan Update, 2009; City of Turlock, Waste Water Master Plan, 1991; City of Turlock, Storm Water Master Plan, 2013; City of Turlock Urban Water Management Plan, 2011; City of Turlock Sewer System Master Plan, 2013*

**Mitigation:**

1. Any future developer or successor in interest shall pay all applicable fees established for the Northwest Triangle Specific Plan.
2. The developer or successor in interest shall pay the City of Turlock's Capital Facility Fee and infrastructure master plan fees.



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
<b>19. Mandatory Findings of Significance</b>				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

**RECOMMENDED FINDINGS:** Pursuant to Public Resources Code Section 21080(c)(2) and CEQA Guidelines Section 15168(c)(1), the City of Turlock, as lead agency for the proposed project, has prepared an initial study to make the following findings:

1. Pursuant to CEQA Guidelines Section 15162, the proposed activity is adequately described and is within the scope of the General Plan EIR.
2. All feasible mitigation measures developed in the General Plan EIR have been incorporated into the project.
3. The analyses of cumulative impacts, growth inducing impacts, and irreversible significant effects on the environment contained in the General Plan EIR are adequate for this subsequent project.
4. Pursuant to CEQA Guidelines Section 15093, a Statement of Overriding Considerations was adopted for the General Plan EIR (City Council Resolution 2012-156). As identified in the Turlock General Plan EIR, development in the project area would result in significant, and unavoidable, impacts in the areas of noise, regional air quality, and the eventual loss of agricultural land. The magnitude of these impacts can be reduced, but not eliminated by the mitigation measures referenced in the initial study prepared for this project and General Plan EIR. Therefore, mitigation measures identified in the General Plan EIR, and its respective Statements of Overriding Considerations, are adequate to mitigate the impacts from the proposed project where feasible, and are hereby incorporated by reference.
5. Pursuant to Public Resources Code Section 21157.6(a), having reviewed the General Plan EIR, the City of Turlock finds and determines that:



## CITY OF TURLOCK INITIAL STUDY CHECKLIST

- a. no substantial changes have occurred with respect to the circumstances under which the General Plan EIR was certified, and
  - b. that there is no new available information which was not and could not have been known at the time the General Plan EIR was certified.
6. Pursuant to CEQA Guidelines Section 15162, having reviewed the General Plan EIR, the City of Turlock finds and determines that, based on substantial evidence in the light of the whole record, that new information of substantial importance shows that significant environmental effects have been identified, but that feasible mitigation measures have been incorporated to revise the proposed subsequent project to avoid or mitigate the identified effects to a point where clearly no significant effects would occur.
7. The City has further determined, pursuant to CEQA Guidelines Section 15070(b) that:
  - a. Revisions to the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review, would avoid the effects or mitigate the effect to a point where clearly no significant effects would occur; and
  - b. There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

**EXHIBIT F**

**Draft LAFCO Resolution No. 2019-15**

*This page intentionally left blank.*

**STANISLAUS COUNTY LOCAL AGENCY  
FORMATION COMMISSION**

**RESOLUTION**

**DATE:** August 28, 2019

**NO.** 2019-15

**SUBJECT: LAFCO APPLICATION NO. 2019-09, MUNICIPAL SERVICE REVIEW NO. 2019-05  
& SPHERE OF INFLUENCE UPDATE NO. 2019-06: NORTHWEST TRIANGLE  
NO. 2 REORGANIZATION TO THE CITY OF TURLOCK**

On the motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and approved by the following:

Ayes: Commissioners:  
Noes: Commissioners:  
Ineligible: Commissioners:  
Absent: Commissioners:  
Disqualified: Commissioners:

**THE FOLLOWING RESOLUTION WAS ADOPTED:**

**WHEREAS**, the City of Turlock has requested to expand their Sphere of Influence and Primary area by 22 acres, annex the territory and detach the area from the Keyes Fire Protection District;

**WHEREAS**, the City of Turlock, as applicant, has rezoned the subject territory;

**WHEREAS**, there are no registered voters within the territory and it is considered uninhabited;

**WHEREAS**, there are no Williamson Act Contracts within the boundaries of the reorganization;

**WHEREAS**, California Government Code Section 56430 requires the Commission to conduct a municipal service review before, or in conjunction with, but no later than the time it is considering an action to update a Sphere of Influence;

**WHEREAS**, a Municipal Service Review has been conducted in accordance with California Government Code Section 56430;

**WHEREAS**, the Municipal Service Review is an informational document and its adoption is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15306, Class 6 (Information Collection) of the State CEQA Guidelines;

**WHEREAS**, the City of Turlock, as Lead Agency, has prepared the environmental documentation and has certified a Mitigated Negative Declaration, in compliance with CEQA and State CEQA Guidelines for the annexation and sphere of influence modification;

**WHEREAS**, the Commission, as a Responsible Agency, has reviewed the environmental

documents prepared by the City of Turlock, including the Initial Study and Notice of Determination;

**WHEREAS**, the Commission is not aware of any legal challenge filed against the City's environmental documentation; and,

**WHEREAS**, the Commission conducted a duly noticed public hearing on August 28, 2019 to consider the proposal at which time the Commission heard and received all oral or written testimony, objections, and evidence that were presented and all interested persons were given an opportunity to hear and be heard with respect to the proposal and the report provided by LAFCO Staff;

**WHEREAS**, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer, the factors set forth in Section 56668 of the California Government Code and testimony and evidence presented at the meeting held on August 28, 2019.

**NOW, THEREFORE, BE IT RESOLVED** that this Commission:

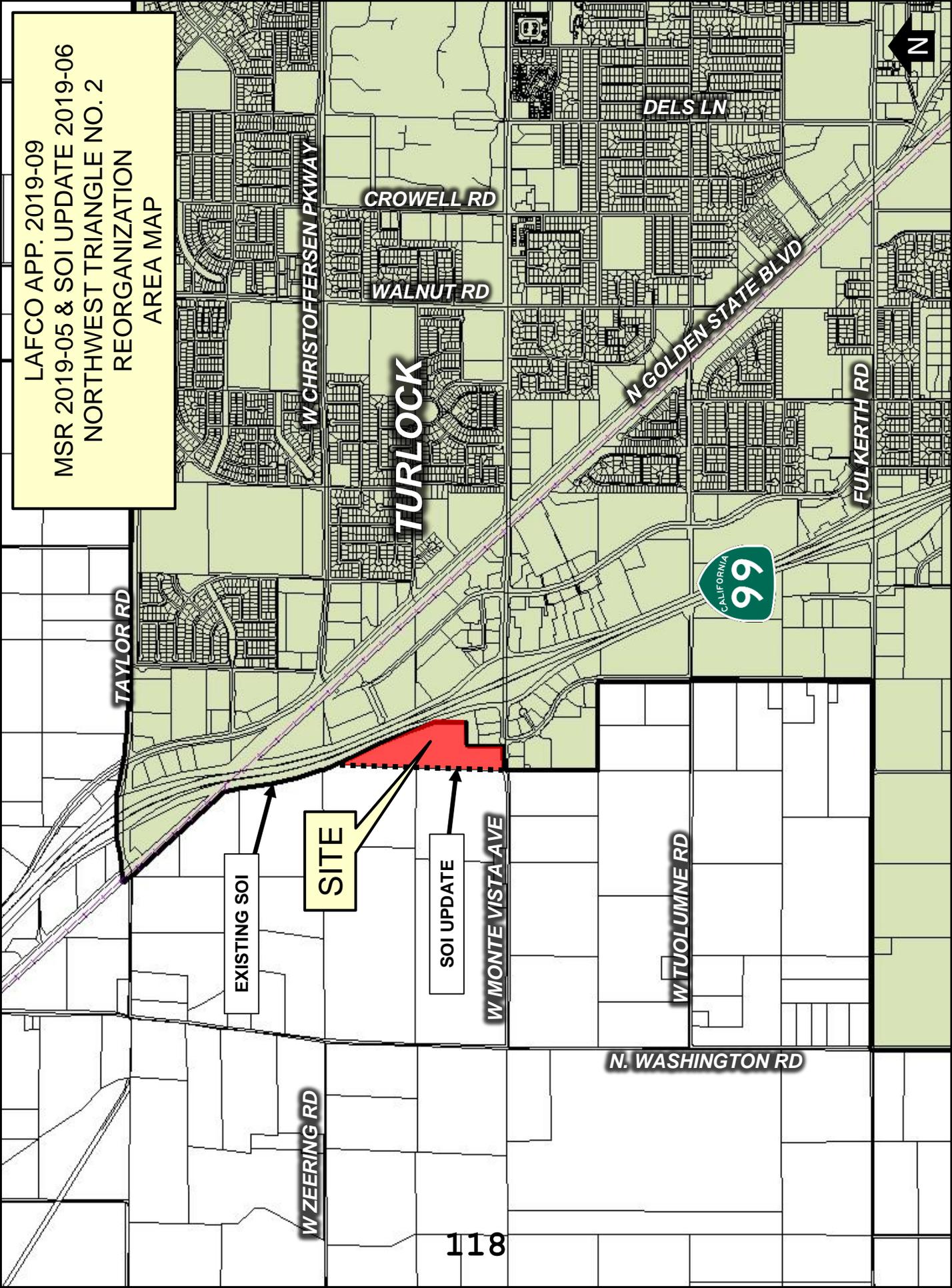
1. Certifies that, acting as a Responsible Agency pursuant to CEQA, it has considered the environmental documentation prepared by the City of Turlock as Lead Agency, including the Initial Study and Notice of Determination.
2. Determines that the preparation and adoption of the City of Turlock Municipal Service Review is categorically exempt from environmental review pursuant to Article 19, Section 15306, Class 6 (Information Collection) of the CEQA Guidelines.
3. Approves the Municipal Service Review prepared in compliance with State law and update of the City of Turlock, and written determinations included therein.
4. Finds that the Sphere of Influence and Primary Area expansion would create a logical boundary and facilitate planned, orderly, and efficient patterns of land use and provision of services.
5. Determines that the Plan for Agricultural Preservation, as submitted by the City, contains sufficient evidence demonstrating consistency with the goals of the Commission's Agricultural Preservation Policy.
6. Approves the Sphere of Influence and Primary Area expansion included as Attachment 1, as requested by the City, and adopts determinations as contained in the staff report.
7. Determines that: (a) the subject territory is located within the proposed Turlock Sphere of Influence; (b) the approval of the proposal is consistent with all applicable spheres of influence, overall Commission policies and local general plans; (c) the territory is considered uninhabited; (d) there is one property owner within the territory that has consented to the proposal; (e) none of the subject agencies have submitted written opposition to a waiver of protest proceedings; (f) the City has provided sufficient evidence to show that the required services are available and will be provided upon development of the area; and (g) approval of the proposal will result in planned, orderly and efficient development of the area.
8. Approves the Municipal Service Review prepared in compliance with State law and update of the City of Turlock, and written determinations included therein.

9. Approves the proposal subject to the following terms and conditions:
  - a. The applicant is responsible for payment of the required State Board of Equalization fees and any remaining fees owed to LAFCO.
  - b. The applicant agrees to defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding brought against any of them, the purpose of which is to attack, set aside, void or annul LAFCO's action on a proposal or any action relating to or arising out of such approval, and provide for the reimbursement or assumption of all legal costs in connection with that approval.
  - c. In accordance with Government Code Sections 56886(t) and 57330, the subject territory shall be subject to the levying and collection of all previously authorized charges, fees, assessments or taxes of the City of Turlock.
  - d. The effective date shall be the date of recordation of the Certificate of Completion.
  - e. The application shall be processed as a reorganization consisting of the annexation of the subject territory to the City of Turlock and detachment from the Keyes Fire Protection District.
  - f. Upon the effective date of the annexation, all rights, title, and interest of the County, including the underlying fee where owned by the County in any and all public improvements, including, but not limited to the following: sidewalks, trails, landscaped areas, open space, streetlights, signals, bridges, storm drains, and pipes shall vest in the City; except for those properties to be retained by the County.
10. Designates the proposal as the "Northwest Triangle No. 2 Reorganization to the City of Turlock".
11. Waives the protest proceedings pursuant to Government Code Section 56662 and orders the reorganization subject to the requirements of Government Code Section 57200 et. seq.
12. Authorizes and directs the Executive Officer to prepare and execute a Certificate of Completion in accordance with Government Code Section 57203, upon receipt of a map and legal description prepared pursuant to the requirements of the State Board of Equalization and accepted to form by the Executive Officer, subject to the specified terms and conditions.

**ATTEST:** \_\_\_\_\_  
Sara Lytle-Pinhey  
Executive Officer

Attachment: Sphere of Influence Map

LAFCO APP. 2019-09  
MSR 2019-05 & SOI UPDATE 2019-06  
NORTHWEST TRIANGLE NO. 2  
REORGANIZATION  
AREA MAP



**SITE**

EXISTING SOI

SOI UPDATE

**TURLOCK**

**EXECUTIVE OFFICER'S AGENDA REPORT  
AUGUST 28, 2019**

TO: LAFCO Commissioners  
FROM: Sara Lytle-Pinhey, Executive Officer *SLP*  
SUBJECT: **INTERACTIVE MAPPING TOOL FOR CITY & SPECIAL DISTRICT DATA**

Over the past year, LAFCO has enhanced its mapping data for the cities and special districts with the intent of sharing a tool for public use. An interactive map is now available on the LAFCO website that quickly displays information about city and district boundaries and provides links to the agency's contact information, municipal service review and LAFCO's sphere of influence maps.

The LAFCO website ([www.stanislauslafco.org](http://www.stanislauslafco.org)) now features a button (shown on the right) that opens a searchable map with city and district layers, annexation history, as well as the Important Farmlands layer provided by the Department of Conservation.



All of LAFCO's data is shared directly with the County's GIS so that the County's layers also provides this additional information about cities and districts. The County is currently in the process of updating its GIS viewer and LAFCO Staff will continue to coordinate our efforts to readily provide accurate and timely information.

**Screenshot of the LAFCO-GIS Viewer**

**Stanislaus LAFCO Map**  
Cities & Special Districts  
Legend Layers Basemap gallery Measure Details Share Print

Find address or place

(2 of 7)

**Community Services District (CSD)**

Name	Keyes Community Services District
Acres	478
PDF Map	<a href="#">More info</a>
Service Review	<a href="#">More info</a>
Contact/Website	<a href="#">More info</a>

Zoom to

Toggles between each district for the selected parcel

Links to further information about the District