



**STANISLAUS LAFCO
LOCAL AGENCY FORMATION COMMISSION**

Sara Lytle-Pinhey, Executive Officer
1010 10th Street, Third Floor
Modesto, California 95354
Phone: 209-525-7660
Fax: 209-525-7643
www.stanislauslafco.org

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

AGENDA
Wednesday, June 24, 2020
6:00 P.M.
Joint Chambers—Basement Level
1010 10th Street, Modesto, California 95354

**MEMBERS OF THE PUBLIC MAY REMOTELY OBSERVE THE MEETING AND
ADDRESS THE COMMISSION VIA EMAIL. THIS MEETING WILL NOT
INCLUDE IN-PERSON PUBLIC ATTENDANCE.**

This meeting will be held in accordance with the Governor's Stay at Home Executive Order N-33-20 and in accordance with Executive Order N-29-20 (that pertains to the holding of public meeting via teleconferencing) and will not include in-person public attendance. Members of the public may observe the meeting and provide comments to the Commission via email as described below:

How to observe the Meeting:

- You can observe the live stream of the LAFCO meeting at:
<http://www.stancounty.com/sclive/>
- In addition, LAFCO meetings are broadcast live on local cable television. A list of cable channels is available at the following website:
<http://www.stancounty.com/planning/broadcasting.shtm>

How to submit Public Comments:

- If you wish to make either a general public comment or to comment on a specific agenda item, please submit your comment (include Agenda Item Number in the subject line), to the Clerk at lafco@stancounty.com. Public comments will be accepted by email until the close of the public comment period for the specific item. You do not have to wait until the meeting begins to submit a comment.

All comments will be shared with the Commissioners and placed in the record. The Clerk will read public comments at the Commission meeting, not to exceed three minutes per comment (approximately 250 words). Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations.

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 comment on items that are not listed on the regular agenda. 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 April 22, 2020 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. Letter from Mayor Brandvold, City of Modesto, regarding Urban Limit Line, dated June 9, 2020.

5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

6. CONSENT ITEM

- A. **MUNICIPAL SERVICE REVIEW NO. 2020-02 AND SPHERE OF INFLUENCE UPDATE NO. 2020-02 – ORESTIMBA CREEK AND SAND CREEK FLOOD CONTROL DISTRICTS:** The Commission will consider the adoption of a Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the Orestimba Creek & Sand Creek Flood Control 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. 2020-07.)

7. PUBLIC HEARINGS

- A. **SCHEDULE OF FEES AND DEPOSITS UPDATE:** The Commission will consider approval of an updated schedule of fees and deposits. (Staff Recommendation: Adopt the updated Schedule of Fees and Deposits.)

8. OTHER BUSINESS

- A. **CITY SPHERES OF INFLUENCE REPORT:** (Staff Recommendation: Accept and file 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. ADJOURNMENT

A. Set the next meeting date of the Commission for August 26, 2020.

B. Adjourn.

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: Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedure Section 185 which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the Local Agency Formation Commission shall be in English and anyone wishing to address the Commission is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.



STANISLAUS LOCAL AGENCY FORMATION COMMISSION

MINUTES

April 22, 2020

1. CALL TO ORDER

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

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

Commissioners Present: Jim DeMartini, Chair, County Member
 Bill Berryhill, Vice-Chair, Public Member
 Terry Withrow, County Member
 Michael Van Winkle, City Member
 Amy Bublak, City Member

By Teleconference: Richard O'Brien, Alternate City Member

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

Commissioners Absent: Brad Hawn, Alternate Public Member
 Vito Chiesa, Alternate County Member

2. PUBLIC COMMENT

Chari DeMartini asked if there were any Public Comments received by email. LAFCO Clerk stated there were none.

3. APPROVAL OF MINUTES

- A. Minutes of the January 22, 2020 Meeting.

Motion by Commissioner Bublak, seconded by Commissioner Berryhill and carried with a 5-0 vote to approve the Minutes of the January 22, 2020 meeting by the following vote:

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

Abstention: Commissioners: Van Winkle

4. CORRESPONDENCE

A. Specific Correspondence.

None.

B. Informational Correspondence.

None.

5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

None.

6. CONSENT ITEMS

A. **POLICIES AND PROCEDURES UPDATE.** The Commission will consider approval of non-substantive updates to Section 2 and 4 of its policies and procedures, consistent with Government Code. (Staff Recommendation: Adopt Resolution No. 2020-02, approving the Policies and Procedures update.)

Motion by Commissioner Van Winkle, seconded by Commissioner Withrow and carried with a 5-0 vote to adopt Resolution No. 2020-02 approving the Policies and Procedures Update, by the following vote:

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

7. PUBLIC HEARINGS

A. **OUT-OF-BOUNDARY SERVICE APPLICATION: SPENCER-MARSHALL (CITY OF MODESTO):** The City of Modesto has requested approval of an area-wide out-of-boundary sewer service extension to the unincorporated Spencer-Marshall area. The area consists of 114 parcels totaling approximately 53 acres. As the territory is outside the City's limits, LAFCO review is required prior to the extension of City services. (Staff Recommendation: Adopt Resolution No. 2020-03, approving the application.)

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

Chair DeMartini asked if there were any Public Comments received by email for the Public Hearing at 6:09 p.m.

LAFCO Clerk stated there were none.

Chair DeMartini closed the Public Hearing at 6:09 p.m.

Motion by Commissioner Withrow, seconded by Commissioner Van Winkle and carried with a 5-0 vote to adopt Resolution No. 2020-03, approving the application, by the following vote:

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

- B. **LAFCO BUDGET FOR FISCAL YEAR (FY) 2020-2021.** The Commission will consider the adoption of the proposed LAFCO budget and conditional approval of the final budget consistent with Government Code Sections 56380 and 56381. (Staff Recommendation: Approve the proposed budget and conditional final budget and adopt Resolution No. 2020-05 and 2020-06.)

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

Chair DeMartini asked if there were any Public Comments received by email for the Public Hearing at 6:21 p.m.

Clerk stated there were none.

Chair DeMartini closed the Public Hearing at 6:21 p.m.

Motion by Commissioner Withrow, seconded by Commissioner Berryhill and carried with a 5-0 vote to adopt Resolution No. 2020-05 and 2020-06, approving the proposed budget and conditional final budget with an amendment to offset agency contributions using fund balance in order to maintain them at the Fiscal year 2019-2020 level, by the following vote:

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

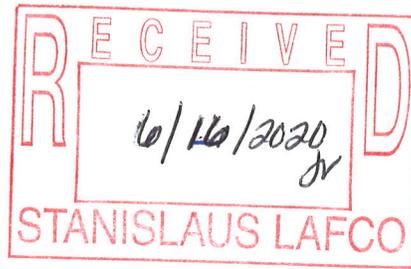
- A. On the Horizon. The Executive Officer informed the Commission of the following:
- Staff is recommending canceling the May meeting as there are no public hearings scheduled.
 - Staff is currently working on a few Municipal Service Reviews and has been working with County Public works on upcoming CSA applications.

12. ADJOURNMENT

- A. Chair DeMartini adjourned the meeting at 6:33 p.m.

Not Yet Approved

Sara Lytle-Pinhey, Executive Officer



Ted Brandvold, Mayor
City of Modesto
1010 Tenth Street, Suite 6200
Modesto, CA 95354
tbrandvold@modestogov.com

June 9, 2020

Executive Officer Sara Lytle-Pinhey
Stanislaus LAFCO
1010 10th St 3rd FL
Modesto, CA 95354-0859

Dear Executive Officer Lytle-Pinhey:

The Modesto City Council will be considering an Urban Limit Line for the City of Modesto that might be of interest to agencies such as yours. As an important leader in our community, we want to provide an opportunity for you to review Modesto's Urban Limit Line concept.

An Urban Limit Line is a boundary imposed by the voters of a city. If land is inside the Urban Limit Line, that land can be annexed to the city without any further action by the voters of the city so long as various laws that govern annexations are followed.

If land is outside the Urban Limit Line, that land could not be annexed by a city without the voters of the city voting to allow that at a future election (except for narrow legal exceptions.)

An Urban Limit Line is the strongest protection a city can impose to protect lands and communities surrounding the city that do not want to be annexed to the city. An Urban Limit Line would create the strongest policy that the City of Modesto can provide that we are committed to the self-determination of those lands and communities outside the boundaries of an Urban Limit Line.

It is unusual for a City Council to consider facilitating an Urban Limit Line as they are usually imposed by voters of a city after frustration builds over land use policy and growth. The City Council of Modesto is considering an Urban Limit Line because of unique factors affecting Modesto.

An Urban Limit Line appeared on the City of Modesto ballot in 2015 due to efforts of former City Councilmember and agricultural land preservationist Denny Jackman. Mr. Jackman informed the City Council that he intended to proceed with another attempt to impose the same limitations as he had pursued in 2015. Since the 2015 proposal was a hard fought battle that created much division in the City and with surrounding

communities, I reached out to Mr. Jackman and a dialogue developed to explore alternatives to his very restrictive measure that would impair the City's future economic development.

Enclosed is a map showing a potential compromise boundary that attempts to balance numerous interests and public policies.

As creation of an Urban Limit Line is considered by the City Council, the Council will have to grapple with issues such as these:

- The City does not have adequate land for economic development and job creation. The current lands where the City has expected economic development have not come to fruition in decades because they are too far east of State Route 99. The Urban Limit Line would create opportunities for job creating uses along State Route 99 thus strategically utilizing our existing key transportation corridor.
- The City has been viewed by surrounding communities as unresponsive to the needs of our neighbors over many decades. I believe the current City Council is committed to cooperation with surrounding communities so they can determine their own futures. The Urban Limit Line would assist in creating an atmosphere for such cooperation. For example, if the City cooperated with the Salida community and the County of Stanislaus, the parties could create an opportunity for Salida to chart its own future and for all of us to create additional job-creating opportunities within the County-approved Salida Community Plan.
- The City can make a decision on whether it chooses to be an important player in preserving prime agricultural lands. Our region is blessed with prime soils and also with strong water supplies managed by the Modesto Irrigation District. An Urban Limit Line – properly designed – can address the urban needs of the City while preserving the lands upon which our agricultural industries depend. This becomes more important in this era of the corona virus where disruptions to our food supply are projected.
- An Urban Limit Line – properly designed – can lead to additional prosperity both in our urban communities and farms. It delineates where a City like Modesto can grow, creates boundaries to encourage cooperation among communities sharing the same geographical region, and encourages additional investment in agricultural lands that are protected from urbanization.

These issues and many others, including any that you bring to our attention, will be considered by the Modesto City Council.

Since the City Council will consider the matter of an Urban Limit Line as early as our June 23 meeting, please provide any input as soon as is convenient for you so we can ensure it is considered. You may email input to ModestoULL@modestogov.com or mail me directly at: Mayor Ted Brandvold, P.O. Box 642, Modesto, CA 95353.

Thank you for taking the time to read this letter.

Sincerely,

A handwritten signature in blue ink, consisting of a large, stylized 'S' followed by a horizontal line and a circular flourish.

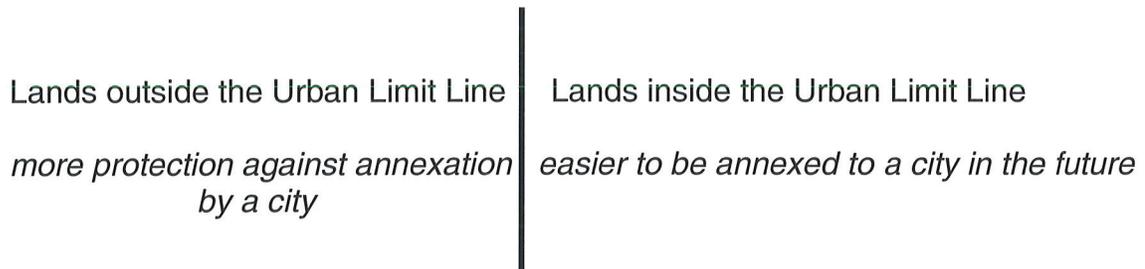
Ted Brandvold, Mayor

P.S. You are an important leader in our community and we value any input you may have.

What an “Urban Limit Line” Means.

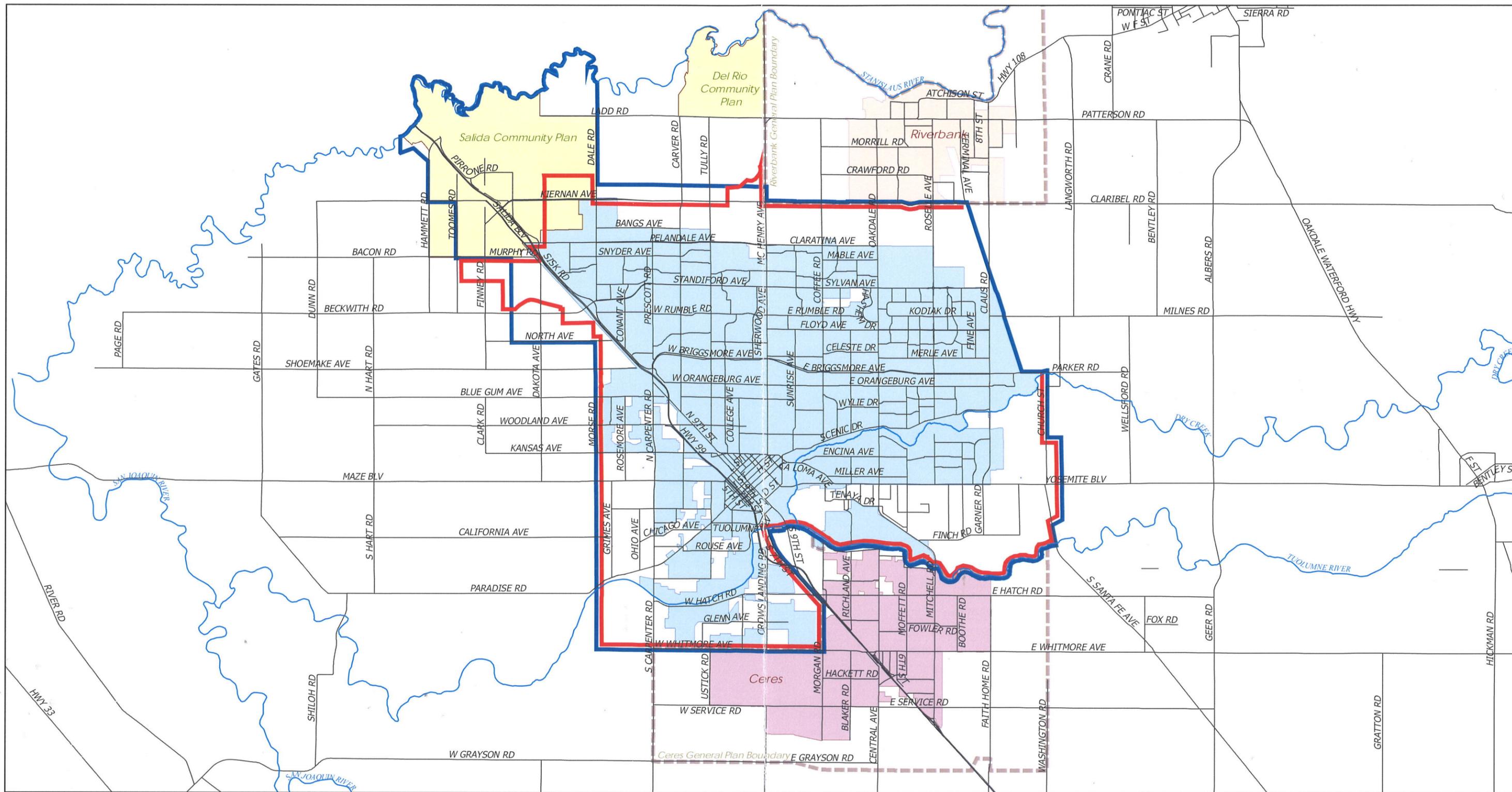
1. An Urban Limit Line is a boundary imposed by the voters of a city.
2. If land is outside the Urban Limit Line, that land could not be annexed by a city without the voters of the city voting to allow that at a future election (except for narrow legal exceptions). Being outside the boundary provides an extra layer of protection if you don't want to be annexed by a City.
3. If land is inside the Urban Limit Line, that land can be annexed to the city without any further action by the voters of the city so long as the various laws that govern annexations are followed. (For example, if a city attempts to annex an inhabited area, the voters in that area would vote on the proposal.)
4. An Urban Limit Line is the strongest protection a city can impose to protect lands surrounding the city that do not want to be annexed to the city.

Here is a simple representation of an Urban Limit Line:



5. An Urban Limit Line – properly designed – encourages cooperation between a city and surrounding communities; provides adequate land to a city for job creation and housing; and encourages investment in agricultural lands outside the city's boundary line.
6. The Modesto City Council is considering an Urban Limit Line for reasons unique to Modesto.

CONCEPTUAL MODESTO URBAN LIMIT LINE



- Proposed Urban Limit Line
- Community Plan Areas
- Modesto Incorporated Area
- Modesto General Plan Boundary

June 8, 2020

MISC-19-010 EXH ULL - GP 6-8-20.mxd



1 inch = 1.7 miles

**EXECUTIVE OFFICER'S AGENDA REPORT
JUNE 24, 2020**

TO: LAFCO Commissioners

FROM: Javier Camarena, Assistant Executive Officer

SUBJECT: MSR NO. 2020-02, SOI UPDATE 2020-02: MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR THE ORESTIMBA CREEK AND SAND CREEK FLOOD CONTROL 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 every five years, as needed. The current review covers the two flood control districts in Stanislaus County: Orestimba Creek Flood Control District and Sand Creek Flood Control District. The previous update for these districts was adopted December 2, 2015.

DISCUSSION

The two flood control districts were organized under the Stanislaus County Flood Control Enabling Act of 1981 for the control of flood, storm, and drainage waters in their boundaries. The Districts are considered "landowner voter districts" as board members are elected by landowners residing within the district boundaries.

The Municipal Service Review and Sphere of Influence Update process provides an opportunity for districts to share accurate and current data, accomplishments and information regarding the services they provide. LAFCO Staff sent each District an information request along with the previously-approved Municipal Service Review and Sphere of Influence document for their comments, revisions and updates. LAFCO Staff also reviewed the Districts' most recent audits, current budget, and financial data 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 at this time. The document serves to affirm the Districts' current Spheres of Influence.

For the Flood Control Districts, this is the fourth Municipal Service Review and Sphere of Influence Update that the Commission has approved. Since the previous MSR-SOI update, a feasibility study was completed that analyzed potential flood control measures for the Orestimba Creek area. The study recommended construction of a chevron levee. The project would be funded partly through federal funds and partly through a local match and could take two-to-five years to complete. This information has been incorporated into the updated MSR-SOI document.

As a municipal service review is considered a "snapshot in time," LAFCO Staff will continue to monitor the Flood Control Districts, as it does with all of the special districts, and offer itself as a resource to the Districts where possible.

ENVIRONMENTAL REVIEW RECOMMENDATIONS

Pursuant to the California Environmental Quality Act (CEQA), the adoption of a municipal service review is considered 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, an exemption from further environmental review is appropriate.

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 Orestimba Creek and Sand Creek Flood Control 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 that the Commission approve Municipal Service Review and Sphere of Influence Update for the Orestimba Creek and Sand Creek Flood Control Districts and adopt Resolution No. 2020-07, 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 Orestimba Creek and Sand Creek Flood Control Districts should be affirmed as they currently exist.

Attachments:

- Exhibit 1* - Draft Municipal Service Review and Sphere of Influence Update for the Orestimba Creek and Sand Creek Flood Control Districts
- Exhibit 2* - Draft Resolution No. 2020-07

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

**ORESTIMBA CREEK FLOOD
CONTROL DISTRICT**



**SAND CREEK FLOOD
CONTROL DISTRICT**

Prepared By:

**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

Jim DeMartini, County Member (Chair)

Terry Withrow, County Member

William Berryhill, Public Member (Vice Chair)

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 Vieira, Commission Clerk

Alice E. Mimms, Legal Counsel

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Municipal Service Review and Sphere of Influence Updates For the Orestimba Creek and Sand Creek Flood Control Districts

Introduction

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

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

Municipal Service Review Factors to be Addressed

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

This MSR will analyze the Orestimba Creek and Sand Creek Flood Control Districts. It will also provide a basis for LAFCO to reaffirm the Spheres of Influence for the Districts.

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 Orestimba Creek and Sand Creek Flood Control Districts were originally adopted by the Commission in 1985. 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.

Sphere of Influence Determinations

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

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

Background

Because of the importance of flood control, especially in the Central Valley, cities and counties throughout the State generally do not provide flood control services. Flood control is typically provided by independent flood control districts and/or reclamation districts. These districts quite often do not conform to political boundaries. The rationale for such special purpose districts is that they are able to provide a high degree of focus on public safety for areas that are subject to flooding. General governments, whether cities or counties, typically include both lands subject to flooding and lands that are unlikely to be flooded. By focusing on lands subject to flooding, special districts are able to provide a more targeted public service and impose the costs of that service only on those benefited.

Authority

There are two flood control districts in Stanislaus County: Orestimba Creek and Sand Creek. Both Flood Control Districts are “single purpose special districts” organized under the Stanislaus County Flood Control Enabling Act (1981). Each District has a locally elected Board of Directors made up of landowners in that district. Under the Code, a Flood Control District may be formed for the control of flood, storm and drainage waters to protect property and its inhabitants.

Purpose

Both the Orestimba Creek and Sand Creek Flood Control Districts were established to provide for the control of flood and storm waters within the Districts, and of the flood and storm waters that flow into the Districts. According to the State Water Code, Section 8110, the Districts were organized for the following purposes:

- a. To protect and preserve the banks of rivers and streams and lands lying contiguous to the district from injury by overflow or washing.
- b. To provide for the improvement of rivers and streams.
- c. To prevent the obstruction of rivers and streams.
- d. To assess, levy and collect within each district a tax for the district.

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 Flood Control Districts are authorized to provide the functions or classes of flood control 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 – Orestimba Creek Flood Control District

Formation

The Orestimba Creek Flood Control District was formed on November 20, 1984.

Services

The District provides the following authorized services within its service area:

- Maintaining flood control facilities, including clearing of creek channels and removal of debris to prevent flooding.

Objective

The District's principal objective is to provide for the protection of land, property, and persons within the District from flood, storm and drainage waters which originate both within and outside the District, but which also flow into the District.

Location and Size

The District encompasses approximately 17,600 acres along Orestimba Creek and a tributary, Crow Creek. The unincorporated community of Crows Landing is located on the northern border of the District. The City of Newman is located to the southeast of the District.

Governance

The governing board of the Orestimba Creek Flood Control District consists of five directors elected by landowner election to 4-year terms. Directors must hold title to land within the District. Meetings are held at the Perez Brothers Office, located at 22001 E. Street, Crows Landing, on an as-needed basis.

Personnel

There are no employees employed by the District. The District relies on its volunteer Board members to run the day-to-day operations.

Support Agencies

The District maintains a positive collaborative relationship with other local, state and federal agencies, including: U.S. Army Corps of Engineers, Stanislaus County Public Works Department, Central California Irrigation District (CCID), Del Puerto Water District, City of Newman and Department of Water Resources.

Funding Sources

The District receives a limited amount of the shared property tax revenues from Stanislaus County. The District is also empowered to levy benefit assessments, based on the degree of benefit received by each parcel within the District boundaries, when necessary.

Determinations – Orestimba Creek Flood Control District

The following provides an analysis of the seven categories or components required by Section 56430 for a Service Review for the Orestimba Creek Flood Control District:

1. Growth and Population Projections for the Affected Area

The District serves an area that is unincorporated and agricultural, located between the unincorporated community of Crows Landing and the City of Newman. Little to no growth is projected within the District's boundaries. Growth in the area generally occurs within the City of Newman, just outside the District's boundaries to the southeast, as projected in the City's General Plan. The County also recently approved land use entitlements for the Crows Landing Industrial Business Park located just north of the District and expected to develop in phases over many 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 the District's Sphere of Influence. The unincorporated community of Crows Landing, which lies contiguous to the District's Sphere of Influence, just north of the District's boundary, is considered disadvantaged, as the median household income falls below the 80% statewide median.

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

The U.S. Army Corps of Engineers and Stanislaus County, in partnership with the Orestimba Creek Flood Control District and the City of Newman, completed a feasibility study in 2012 intended to assist in finalizing the selection of a flood damage reduction plan for Orestimba Creek. The study recommended construction of a 4.7 mile chevron levee along the east bank of the Central California Irrigation District (CCID) Main Canal and a 1-mile cross levee to reduce flood risk to adjacent agricultural areas within the District as well as surrounding areas and the City of Newman. At its completion, the project would provide protection from a 200-year flood event to the City of Newman.

The feasibility study estimated that completion of the project could take 2-5 years. The project is currently still in the planning stages as funding is still needed to begin construction.

The District does not provide services related to sewer, municipal and domestic water, or structural fire protection.

4. Financial Ability of Agencies to Provide Services

The District has limited financial resources to fund flood control projects. The District utilizes a special benefit assessment method of financing to maintain existing flood control facilities for parcels within the District's boundary.

5. Status of, and Opportunities for, Shared Facilities

At this time the District does not share any facilities with other agencies or Districts.

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

A five-member Board of Directors, elected by the landowners within the District, governs the District. The District is subject 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.

SOI Update – Orestimba Creek Flood Control District

The following determinations for the Orestimba Creek Flood Control 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 Orestimba Creek Flood Control District's Sphere of Influence (SOI), which is coterminous with the District's boundaries, includes approximately 17,000 acres along Orestimba Creek and a tributary, Crow Creek. The unincorporated community of Crows Landing is located on the northern border of the District. The city of Newman is located just to the southeast of the District.

The predominate land use within the District is agriculture and this is not expected to change. 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 uses decisions within the District boundaries is retained by the County, whose General Plan identifies the area as agriculture.

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

The need for flood protection and maintenance of the Creek channels within the District boundaries is critical and will not change. Flood protection is necessary to protect residents and property now and into the future. At this time there are no other cost-effective alternatives available for the provision of continued flood protection. The existing flood control system must be continually monitored, maintained and improved.

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

The District operates with limited funding in order to provide basic maintenance to existing flood control facilities. Completion of the large-scale, chevron levee project would allow the District to continue its efforts to maintain and improve its ability to keep potential flooding from occurring within and/or around the District boundaries.

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 District's territory and sphere of influence is within unincorporated agricultural areas of the County. As identified previously, the unincorporated community of Crows Landing lies to the immediate north of the District. The City of Newman, located southeast of the District, is a community of interest, as the City experiences periodic flooding and would greatly benefit from improvements identified in the USACE Feasibility Study.

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.

DISTRICT SUMMARY PROFILE

District: **ORESTIMBA CREEK FLOOD CONTROL DISTRICT**

Location: Orestimba Creek, near the unincorporated community of Crows Landing and the City of Newman.

Service Area: Approximately 17,600 acres

Population: Approximately 400

Households: Approximately 134

Land Use: Rural and Agricultural

Date of Formation: November 20, 1984

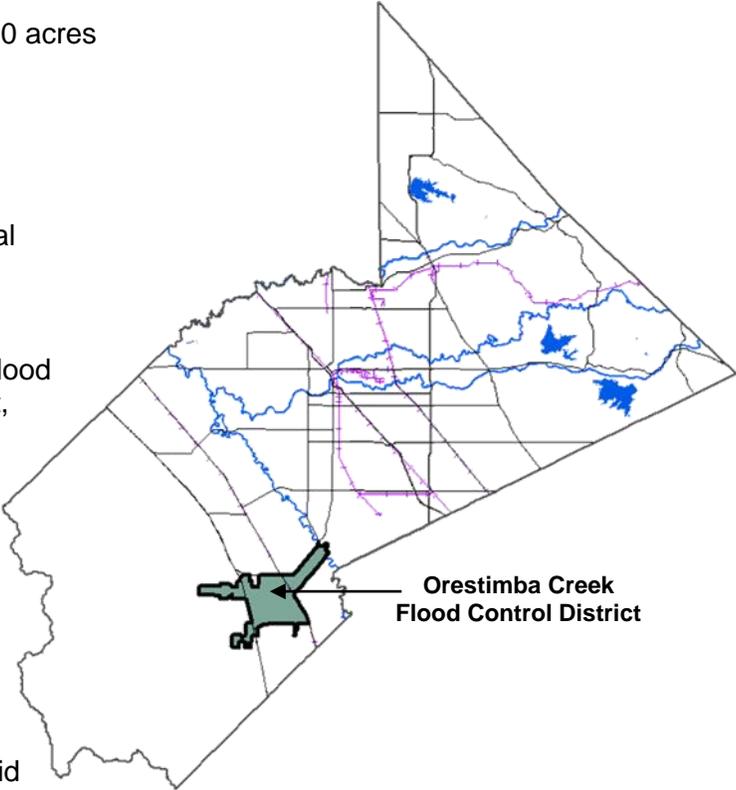
Enabling Act: Stanislaus County Flood Control Enabling Act, Water Code Appendix, Section 120 et seq.

Governing Body: Five Directors – Elected by Landowners, must hold title to land within the District.

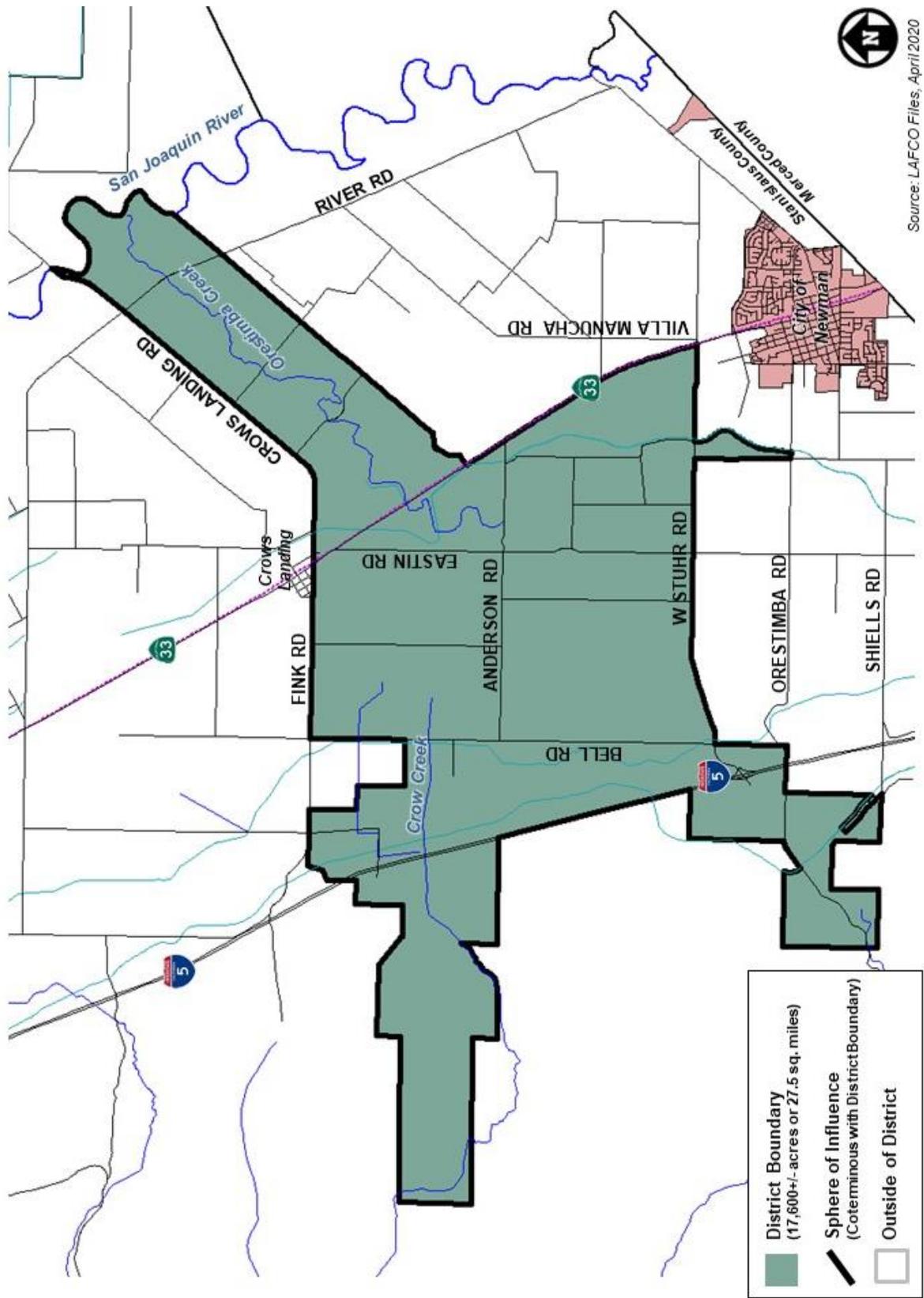
Administration: There are no paid staff members

District Services: Maintenance of existing flood control facilities within District boundaries.

Total Revenues: \$15,421 (Fiscal Year 2017-2018)



Map: Orestimba Creek Flood Control District Sphere of Influence



Municipal Service Review – Sand Creek Flood Control District

Formation

The Sand Creek Flood Control District was formed on April 26, 1988.

Location and Size

The Sand Creek Flood Control District covers an approximate 11,600-acre watershed area, with outlets into the Turlock Irrigation District (TID) Main Canal, located about one mile east of the community of Denair. The floodplain is located between the Highline and TID Main Canals. The upper watershed area above the Highline Canal is gently rolling, with an average slope of about 2.5 percent. The soils are predominately sandy loams underlain by soft sandstone. Most of this upper watershed was converted from rangeland to irrigated vineyards and orchards. The lower watershed, below the Highline Canal contains a variety of agricultural uses including cropland, pastureland and orchards.

Governance

The governing board of the Sand Creek Flood Control District consists of 5 directors elected by landowner election to 4-year terms. Directors must hold title to land within the District. Meetings are held quarterly on the third Wednesday (March, June, July, and October), at the Turlock Irrigation District (TID) Ante Room, 333 E. Canal Drive, Turlock.

Personnel

The District relies on its volunteer Board members to run the day-to-day operations and contracts for other services as needed (e.g. a part-time secretary and auditor).

Support Agencies

The District maintains a positive collaborative relationship with other local, state and federal agencies, as necessary. These agencies may include the: Turlock Irrigation District (TID), State Department of Water Resources (DWR), State Regional Water Quality Control Board (RWQCB) and the Federal Emergency Management Agency (FEMA).

Funding Sources

The District receives a limited amount of special benefit assessments to fund its services. The special assessments are based upon the degree of benefit received by each parcel within the District boundaries.

Services

The District provides the following authorized services within its service area:

- Prevention of flooding, via monitoring of drain ditch lines to prevent overflow and flooding. This includes spraying of weeds to keep the Sand Creek Drain clear from any debris.
- Monitoring of discharges into the TID canal.

Determinations – Sand Creek Flood Control District

The following provides an analysis of the seven categories or components required by Section 56430 for a municipal service review for the Sand Creek Flood Control District:

1. Growth and Population Projections for the Affected Area

The District serves an area that is unincorporated and agricultural, east of the community of Denair. Little to no growth is projected within the District's boundaries.

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

It appears that the District currently has both the ability and the capacity to provide monitoring and maintenance in its service area. The District does not provide services related to sewer, municipal and domestic water, or structural fire protection.

4. Financial Ability of Agencies to Provide Services

At present time, the District appears to have limited financial resources to fund sufficient levels of service within the District's boundaries. There are no overlapping or duplication of services within the District boundaries. The District does not charge rates for services. However, the District's special benefit assessment method of financing is reasonable for flood control services for specific parcels that benefit from the flood control services provided by the District.

5. Status of, and Opportunities for, Shared Facilities

When necessary, the District shares facilities with other agencies (e.g. Turlock Irrigation District).

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 Directors, elected by the landowners within the District, governs the District. The Board is subject to the provisions of the Brown Act requiring open meetings.

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

None.

SOI Update – Sand Creek Flood Control District

The following determinations for the Sand Creek Flood Control 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 Sand Creek Flood Control District's Sphere of Influence (SOI), which is coterminous with its current boundaries, covers an approximate 11,600-acre watershed area, with outlets into the Turlock Irrigation District (TID) Main Canal, located about one mile east of the community of Denair.

The predominate land use is agriculture, as the District is agriculturally based. It is expected that the present and planned land uses will continue to remain agricultural. 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 uses decisions within the District boundaries is retained by the County.

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

The need for flood protection and maintenance of drain ditch lines within the District boundaries is important and will not change. At this time there are no other cost-effective alternatives to drain ditch lines available for the provision of continued flood protection. The existing levee and flood control system must be continually monitored, maintained and improved.

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

Currently, the District is constructing improvements to improve the reliability of the levee system. It is also developing a plan, per the Department of Water Resources, with regards to discharge requirements.

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

The unincorporated community of Denair lies west of the District's boundaries and may be considered a community of interest in the area.

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.

DISTRICT SUMMARY PROFILE

District: **SAND CREEK FLOOD CONTROL DISTRICT**

Location: Sand Creek Watershed, located one mile east of the unincorporated community of Denair

Service Area: Approximately 11,600 acres

Population: Approximately 380

Households: Approximately 126

Land Use: Rural and Agricultural

Date of Formation: April 26, 1988

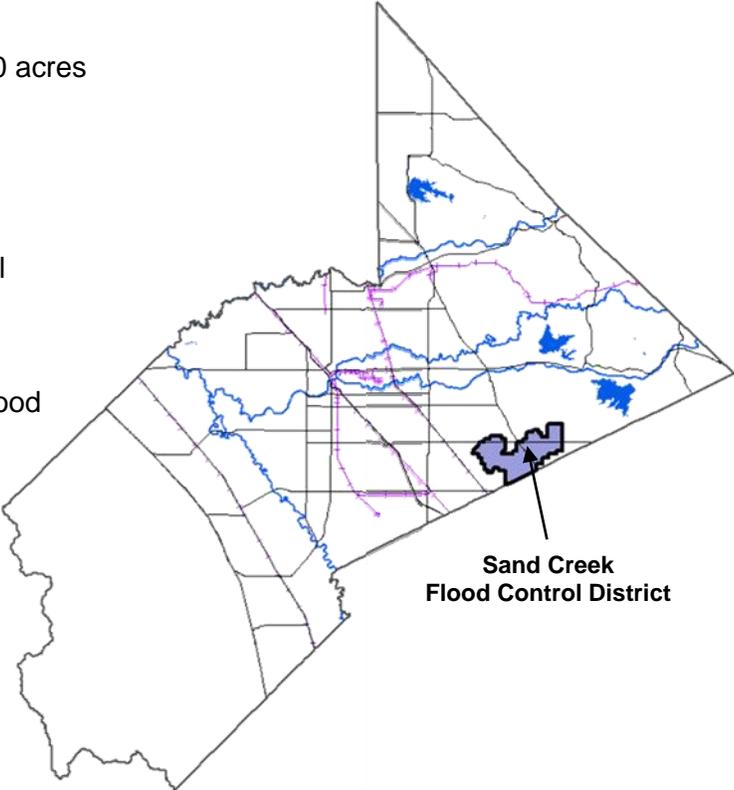
Enabling Act: Stanislaus County Flood Control Enabling Act, Water Code Appendix, Section 120 et seq.

Governing Body: Five Directors – Elected by Landowners, must hold title to land within the District.

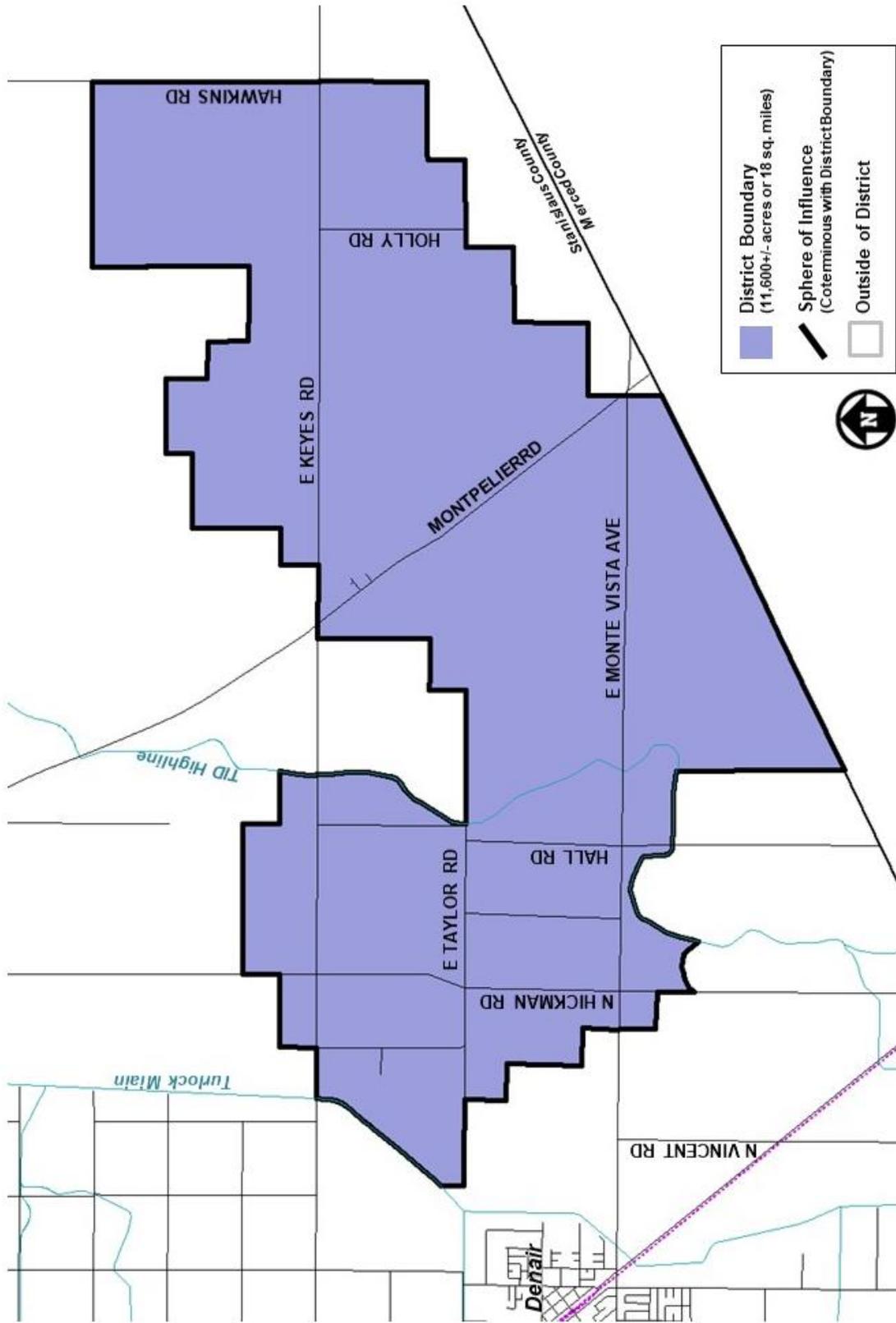
Administration: The District is administered by 5 Directors, elected by the property owners within the District. Contracted staff services (e.g. secretary, auditor) are used on an as-needed basis.

District Services: Maintenance of existing flood control facilities within District boundaries.

Budget: \$9,835 (Fiscal year 2019-2020)



Map: Sand Creek Flood Control District Sphere of Influence



Source: LAFCO Files, April 2020

REFERENCES

1. California Department of Water Resources. *2012 Central Valley Flood Protection Plan*. June 2012.
2. California Department of Water Resources. *Disadvantaged Communities (DAC) Mapping Tool* (<https://gis.water.ca.gov/app/dacs/>). Accessed April 2, 2020.
3. California Department of Water Resources, Division of Flood Management website (www.fpm.water.ca.gov). Accessed April 2, 2020.
4. Orestimba Creek Flood Control District, Financial Statements and Independent Auditors' Report for the Years Ended June 30, 2018, 2017, 2016, 2015, and 2014.
5. Sand Creek Flood Control District. *Financial Statements for the Years Ended June 30, 2016, 2015, 2014, 2013, and 2012*.
6. Sand Creek Flood Control District. *Fiscal Year 2019-2020 Budget*.
7. Stanislaus LAFCO. *Executive Officer's Agenda Report: Consideration and Adoption of a Sphere of Influence for the Orestimba Creek Flood Control District*. March 20, 1985.
8. Stanislaus LAFCO. *Municipal Service Review and Sphere of Influence Update for the Orestimba Creek Flood Control District and Sand Creek Flood Control District*. December 2, 2015.
9. United States Army Corps of Engineers. *Orestimba Creek - Draft Interim Feasibility Study*. December 2012.

**STANISLAUS COUNTY LOCAL AGENCY
FORMATION COMMISSION**

RESOLUTION

DATE: June 24, 2020

NO. 2020-07

SUBJECT: Municipal Service Review No. 2020-02 and Sphere of influence Update No 2020-02: Orestimba Creek and Sand Creek Flood Control 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 Orestimba Creek and Sand Creek Flood Control 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 June 24, 2020 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 Districts 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 Orestimba Creek and Sand Creek Flood Control Districts and the determinations contained therein;

WHEREAS, the Orestimba Creek and Sand Creek Flood Control Districts were established to provide flood control services within their boundaries;

WHEREAS, pursuant to Government Code Section 56425(i), the range of services provided by the Orestimba Creek and Sand Creek Flood Control 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 Orestimba Creek and Sand Creek Flood Control 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 Orestimba Creek and Sand Creek Flood Control 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 Orestimba Creek and Sand Creek Flood Control Districts.

ATTEST: _____
Sara Lytle-Pinhey, Executive Officer

**EXECUTIVE OFFICER'S AGENDA REPORT
JUNE 24, 2020**

TO: LAFCO Commissioners
FROM: Sara Lytle-Pinhey, Executive Officer *SLP*
SUBJECT: **SCHEDULE OF FEES AND DEPOSITS UPDATE**

RECOMMENDATION

It is recommended that the Commission adopt an updated Schedule of Fees and Deposits to be effective July 1, 2020.

DISCUSSION

Government Code section 56383 allows LAFCOs to recover costs by charging fees, provided that the fees do not exceed the estimated reasonable cost of providing those services for which the fee is charged. LAFCO collects application fees for review of boundary changes, sphere of influence requests, out-of-boundary service extensions, and other LAFCO services. The majority of these fees are deposits. Projects are then cost-accounted to reflect the actual cost of processing the application. Should the cost be less than the deposit, the difference is refunded to the applicant. Should the cost exceed the deposit, the applicant is immediately notified and invoiced.

The last comprehensive view of LAFCO's fee schedule occurred in 2008, with minor updates in subsequent years. For the current update, Staff reviewed the last 5 years of application revenues received and the average actual costs for these applications. Based on these average costs, Staff is recommending deposit amounts be increased for certain proposals in order to eliminate the need to request additional funds from applicants. As with the current cost accounting practice, any unexpended portion of the deposit will be returned to applicants upon completion of the proceedings. The proposed Schedule of Fees and Deposits with updated application amounts is attached.

Updated Fees & Deposits

The following outlines the recommended changes:

- Based on the average cost for city and district annexations, Staff is recommending a \$500 increase in deposits for each of these application types.
- Special district applications were previously separated for County Service Areas (CSAs) and other types of districts. Staff is recommending this section of the be simplified to apply to all types of districts, based on their similar costs.
- The deposit for special district formations has also been increased. Currently, the deposit for a special district formation is less than a special district annexation with simultaneous sphere of influence expansion. Based on actual time spent on these applications and the actions involved, costs for these types of applications should be similar.
- Staff has removed the "Addition of a Service that a CSA May Provide" item, as this is a duplicate of the "Activation of Latent Powers" item. The deposit amount remains unchanged.

- Staff also added “Non-Scheduled Municipal Service Review Update” to the Sphere of Influence Amendment line item. This serves to clarify that the deposit amount will contribute towards Staff also updating a Municipal Service Review for the agency, generally required in advance of or simultaneously with an amendment to a Sphere of Influence.

Other Updates

It is common for Staff to receive applications that involve multiple actions requested of the Commission (e.g. a simultaneous sphere of influence amendment and annexation). To clarify that a deposit will be collected for each of these actions, a statement has been provided at the beginning of the Schedule of Fees and Deposits.

Clarification has also been provided to an outdated section related to providing copies of meetings (previously only available by audio tape or CD) and hardcopy agenda subscriptions. These are now readily available in digital format online and can be downloaded on demand.

Additionally, when required, Staff collects fees on behalf of State entities, including the California Department of Fish & Wildlife, whose fees have recently increased. In the majority of instances, these fees have already been paid in advance of a LAFCO application; however, they are included in LAFCO’s Schedule of Fees and Deposits for the applicant’s information.

Staff has reviewed the other application deposit amounts and found that no other changes to the Schedule of Fees and Deposits are needed at this time. Staff will continue to regularly track costs associated with applications and return to the Commission in future years if changes to deposit amounts are needed.

Attachment: Proposed LAFCO Schedule of Fees and Deposits

SCHEDULE OF FEES AND DEPOSITS
(Effective ~~January 01, 2015~~ July 1, 2020)

1. FILING FEES

*All fees listed below are considered deposits unless otherwise noted. **Deposit amounts will be combined for applications requesting multiple boundary changes or actions. Please verify the appropriate deposit amount with LAFCO Staff prior to submitting an application.***

A. Boundary Changes

City or District Annexation	\$3,000 \$3,500
City or District Detachment	\$3,000 \$3,500
City or District Reorganization	\$3,500 \$4,000

B. District Formation, Consolidation, Dissolution

Formation of a Special District (includes SOI Adoption)	\$5,500 \$8,500
Formation of a County Service Area (CSA), includes	
Sphere of Influence (SOI) Adoption	\$3,000
Addition of a Service that a CSA May Provide	\$1,500
District Consolidation/Merger	\$3,500 \$4,000
District Dissolution	\$3,500 \$4,000
Establishment of a Subsidiary District	\$3,500
Activation of Latent Powers (Additional Service) by a District ..	\$1,500

C. Sphere of Influence Amendment and/or Non-Scheduled Municipal Service Review Update \$5,000

D. Incorporation \$15,000

E. Disincorporation \$5,000

F. Out of Boundary Service Extension Request

1. Executive Officer Review (Flat Fee)	\$ 500
2. Commission Review	\$1,500

G. Fire Service Contract Review \$1,500

H. Request for Reconsideration \$1,500
This fee shall be returned to the applicant if the Commission determines that the reconsideration is required to correct a procedural defect in its

earlier action.

- I. Special Meeting Request..... \$1,500
- J. Continuance Request by Applicant..... \$1,500

2. SUPPLEMENTAL FEES

- A. Notice of Hearing: Actual Cost

Section 56157 of the Government Code requires that for certain applications, notice be provided to registered voters and owners of within the affected territory as well as those within 300 feet of the exterior boundary. The applicant will be required to reimburse LAFCO for the direct cost of this noticing.

- B. Outside Consultant(s) Fees: Actual Cost

An additional fee may be charged based on actual cost to hire outside consultant(s) to prepare incorporation feasibility studies, comprehensive fiscal analyses or special studies.

- C. County Surveyor: Actual Cost

LAFCO utilizes the services of the County Surveyor for review of legal descriptions. The first two hours of staff time associated with these tasks are factored in to the application deposit. Projects requiring more than two hours of County Surveyor review are charged at actual cost.

- D. Mapping Fees: Actual Cost

The County may also assist LAFCO in updating its boundary maps on the Geographical Information System (GIS). The first two hours of staff time associated with these tasks are factored in to the application deposit. Projects requiring more than three hours of GIS mapping are charged at actual cost.

- E. Service/Duplication Costs:

The majority of LAFCO records, including meeting videos, minutes, and reports, are available electronically at no charge. Hardcopies of documents, additional Staff research, and pre-application services will be charged according to the following chart Additional services not listed will be charged at actual cost.

Copy of Commission Hearing	\$5 per meeting
Document Copying – Black & White	\$0.10 per page
Archive Retrieval	Actual Cost

Mailed Subscriptions	Actual Cost
Staff Research & Studies	Limited to one half-hour of staff time, then actual cost
Pre-Application Fees	Limited to one half-hour of staff time, then actual cost

F. Outside Legal Counsel Fees: Actual Cost

LAFCO may require the services of outside legal counsel to process an application. An additional fee may be charged, at the discretion of the Executive Officer, based on the actual cost to hire outside counsel.

3. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FEES

CEQA compliance is required for most LAFCO actions; these fees are in addition to the Filing Fees.

CEQA Exemption – LAFCO as Lead Agency	\$57
Initial Study – LAFCO as Lead Agency	Actual Cost
Prepare Negative Declaration - LAFCO as Lead Agency	Actual Cost
Prepare EIR – LAFCO as Lead Agency	Actual Cost
Stanislaus County Clerk/Recorder Filing Fees*	\$57
Fish & Game Filing Fees*	
- Negative Declaration	\$2,216.25 \$2,406.75
- Mitigated Negative Declaration	\$2,216.25 \$2,406.75
- Environmental Impact Report (EIR)	\$3,078.25 \$3,343.25

*Other agency fees – subject to change without notice.

4. OTHER ACTIONS

A. Non-Scheduled Municipal Service Reviews Actual Cost

B. Petition Verification Actual Cost

Petition verifications are performed in-house whenever possible; however, some proposals require petition checks to be performed by either the County Elections Department or Assessor’s Office. These departments will bill LAFCO for the service, which is then passed on to the applicant.

5. STATE CONTROLLER’S REVIEW OF COMPREHENSIVE FISCAL ANALYSIS – FOR AN INCORPORATION PROPOSAL

For any request made pursuant to Government Code Section 56801, the requestor shall include a deposit of \$25,000 to cover the costs of the State Controller’s review. The requestor may be required to deposit additional amounts, as requested by the Executive Officer, to complete the review. Upon completion of the State Controller’s

review and final billing to LAFCO, the requestor will either be: (a) refunded the amount that the deposit exceeds the actual cost of the State Controller's review; or (b) charged the amount that the actual cost of the State Controller's review exceeds the deposit(s). (The deposit amount includes a 10% administration and coordination fee, which is non-refundable.)

6. WORKSHOP FEES

Proponents or opponents of actions pending before the Commission may request that a workshop be held in their area. If the Executive Officer agrees to conduct such a workshop session, the requesting party shall reimburse LAFCO all costs associated therewith.

7. FEE POLICIES

- A. All deposits are initial payments toward the actual costs of processing ("project costs"). Project cost includes all staff time and materials. Materials include, but are not limited to, charges for advertisement of hearings, map and legal description review (up to 2 hours), postage, copies, signature verification, in addition to fees for project reviews by affected agencies.
- B. If the actual costs exceed the deposit, the Executive Officer shall bill the applicant. The application shall not be processed further until the additional costs are paid. All final bills must be paid by the applicant prior to filing the Certificate of Completion.
- C. The Commission may, at its sole discretion, contract for outside assistance to assist in processing and review of an application before it. The types of assistance include, but are not limited to, legal, engineering, environmental, planning, appraisal, management, and clerical fields. The estimated or actual costs, as determined by the Commission for such assistance shall be deposited with the Executive Officer before an application will be processed further.
- D. Applicants are also responsible for payment of appropriate State Board of Equalization fees. The Executive Officer will determine the appropriate fee in accordance with the State Board of Equalization fee schedule. The fee, payable to the "State Board of Equalization", shall be collected by the Executive Officer prior to the Certificate of Completion.
- E. Filing fees and deposits may be appealed before the Commission prior to the submittal of an application. A request for waiver shall be submitted in writing to the LAFCO Executive Officer and shall specify the reasons for the request. The appeal will be considered at the next regular meeting of the Commission.
- F. If the actual project costs are less than the deposit, the LAFCO Staff will refund the unused portion of the deposit to the applicant. For an application that has been denied, a refund of the unused portion (if applicable) shall be

issued. The refund shall be made after the reconsideration period has closed. For an application that is approved, the refund shall be made when the LAFCO file is closed (typically when LAFCO receives written notice from the State Board of Equalization that the boundary change has been accepted). Refunds may not include fees which LAFCO collects for outside agencies.

**EXECUTIVE OFFICER'S AGENDA REPORT
MARCH 26, 2020**

TO: LAFCO Commissioners

FROM: Javier Camarena, Assistant Executive Officer

SUBJECT: CITY SPHERES OF INFLUENCE REPORT (INFORMATIONAL ITEM)

LAFCO Staff regularly updates maps for each of the nine cities and numerous special districts in Stanislaus County and also serves as a resource for these agencies regarding boundary information and history. Staff often receives requests for data regarding city spheres of influence, their original adoption, and farmland within the remaining areas. In response, Staff has compiled data for all of the city spheres of influence and is also providing this report to the Commission for informational purposes. The report will also be posted on our website at: www.stanislauslafco.org

CURRENT CITY SPHERES OF INFLUENCE

Government Code Section 56076 defines a sphere of influence as “a plan for probable physical boundaries and service area of a local agency, as determined by the commission.” The Commission’s adopted policies further describe spheres of influence as representing a 20-year planning boundary for an agency. Stanislaus LAFCO also designates a “primary area” for cities that represents the agency’s near-term growth area of zero to ten years. However, this report and associated maps will focus on the overall sphere of influence of each city.

The following table is summary of the current sphere of influence and city limits.

CITY LIMIT & SPHERE OF INFLUENCE ACREAGES

(Rounded to the Nearest Acre)

CITY	SPHERE OF INFLUENCE (SOI) INCLUDING CITY LIMITS	CITY LIMITS	REMAINDER OUTSIDE CITY (WITHIN SOI)
Ceres	8,487	6,086	2,401
Hughson	2,029	1,239	790
Modesto	40,512	28,821	11,691
Newman	3,980	1,399	2,581
Oakdale	6,706	3,993	2,713
Patterson	6,149	5,112	1,037
Riverbank	4,850	3,067	1,783
Turlock	13,111	10,724	2,387
Waterford	2,734	1,560	1,174
TOTAL	88,558	62,001	26,557

Source: Stanislaus LAFCO, April 2020

HISTORY

LAFCOs were first given the statutory authority to adopt spheres of influence in 1971. Throughout the 1970s, Stanislaus LAFCO, the County, and the nine cities studied potential

spheres of influence, while considering a variety of factors including current and future service areas, special districts, and land uses. The Commission's adoption and establishment of the city spheres of influence occurred in 1984.

Attached are maps of each city displaying the original sphere of influence adopted in 1984 as well as a description of the subsequent changes to the sphere of influence that have occurred to date. Since the previous update to this report in 2015, a total of 1,583 acres have been added to City Spheres of Influence. Those additions included Oakdale (82 acres), Riverbank (1,479 acres), and Turlock (22 acres). Currently, there are no pending applications for additional sphere of influence expansions.

FARMLAND WITHIN AND AROUND CITY SPHERES OF INFLUENCE

The second set of maps attached to this report give a general idea of the farmland in and around the spheres of influence of the nine cities using data from the California Department of Conservation's Farmland Mapping and Monitoring Program.

"Important Farmlands Inventory"

Of the non-developed acreage located inside and outside of the city spheres of influence, Staff has calculated the approximate acreages considered to be Prime Farmland, Farmland of Statewide Importance, and Unique Farmland, as defined by the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP). The FMMP uses a classification system that combines technical soil ratings and current land use as the basis for its Important Farmland maps. These definitions are commonly used by agencies when evaluating proposals during the California Environmental Quality Act (CEQA) review process to determine whether impacts to agricultural resources will have significant environmental effects.

Prime Farmland:

Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

Farmland of Statewide Importance:

Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

Unique Farmland:

Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.

The FMMP data also includes a number of other mapping designations, including a designation known as Farmland of Local Importance. For Stanislaus County, these include farmlands growing dryland pasture, dryland small grains, and irrigated pasture that do not meet the farmland definitions above.

The majority of land outside of the County's Spheres of Influence continue to be designated as farmland. "Important Farmlands" can be found throughout the valley floor of Stanislaus County with the exception of unincorporated communities and developed areas outside of County SOIs, which are designated as "Urban and Built Up". The more mountainous western and eastern portions of the County are mostly designated as "Grazing and Non-Agricultural and Natural Vegetation". The following tables provide an estimate of Important Farmlands throughout the County.

**ACREAGES OF IMPORTANT FARMLAND
WITHIN CITY SPHERES OF INFLUENCE**

(Rounded to the Nearest Acre)

	SOI	City Limits	Outside City w/in SOI	Important Farmland within SOIs			Total Important Farmland within SOIs
				Prime	Statewide Importance	Unique	
Ceres	8,487	6,086	2,401	690	16	0	705
Hughson	2,029	1,239	790	720	0	2	722
Modesto	40,512	28,821	11,691	4,055	0	826	4,880
Newman	3,980	1,399	2,581	1,539	0	724	2,263
Oakdale	6,706	3,993	2,713	846	133	526	1,505
Patterson	6,149	5,112	1,037	750	0	0	750
Riverbank	4,850	3,067	1,783	490	0	197	686
Turlock	13,111	10,724	2,387	746	465	145	1,357
Waterford	2,734	1,560	1,174	790	51	69	910
Totals:	88,558	62,001	26,557	10,626	664	2,489	13,779

**ACREAGES OF IMPORTANT FARMLAND
OUTSIDE CITY SPHERES OF INFLUENCE**

(Rounded to the Nearest Acre)

County	County Total	Total SOIs w/ Cities	Important Farmland outside SOIs			Total Important Farmland outside SOIs
			Prime	Statewide Importance	Unique	
County	996,000	88,558	221,080	30,400	110,298	361,778

LAFCO Definition of "Prime Agricultural Land"

It should be noted that LAFCO law (Government Code Section 56000, et seq.) uses a broader definition of "prime agricultural land" as compared to the Department of Conservation. As such, much of the acreage classified by the Department of Conservation as "prime farmland," "farmland of statewide importance," and "unique farmland" may also qualify as "prime agricultural land" under LAFCO's definition. For reference, the LAFCO definition of "prime

agricultural land” as found in Government Code Section 56064 is as follows:

An area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the following qualifications:

- (a) Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not the land is actually irrigated, provided that irrigation is feasible.*
- (b) Land that qualifies for rating 80 through 100 Storie Index Rating.*
- (c) Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agricultural in the National Range and Pasture Handbook, Revision 1, December 2003.*
- (d) Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than \$400 per acre.*
- (e) Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than \$400 per acre for three of the previous five calendar years.*

Unlike the FMMP data, farmland maps reflecting LAFCO's definition of prime agricultural land are not readily available. This information is typically researched on a project-by-project basis, at the time of application.

In 2012, the Commission adopted an Agricultural Preservation Policy (Policy 22) to promote preservation of and minimize impacts to agricultural lands while balancing the need for planned, orderly development and the efficient provision of services. Since 2012, four city annexations have been approved that included mitigation measures requiring the preservation of 490+/- acres of important farmland. The mitigation measures included on each annexation are consistent with Policy 22 and are still in progress as development proposals are pending with each of the cities.

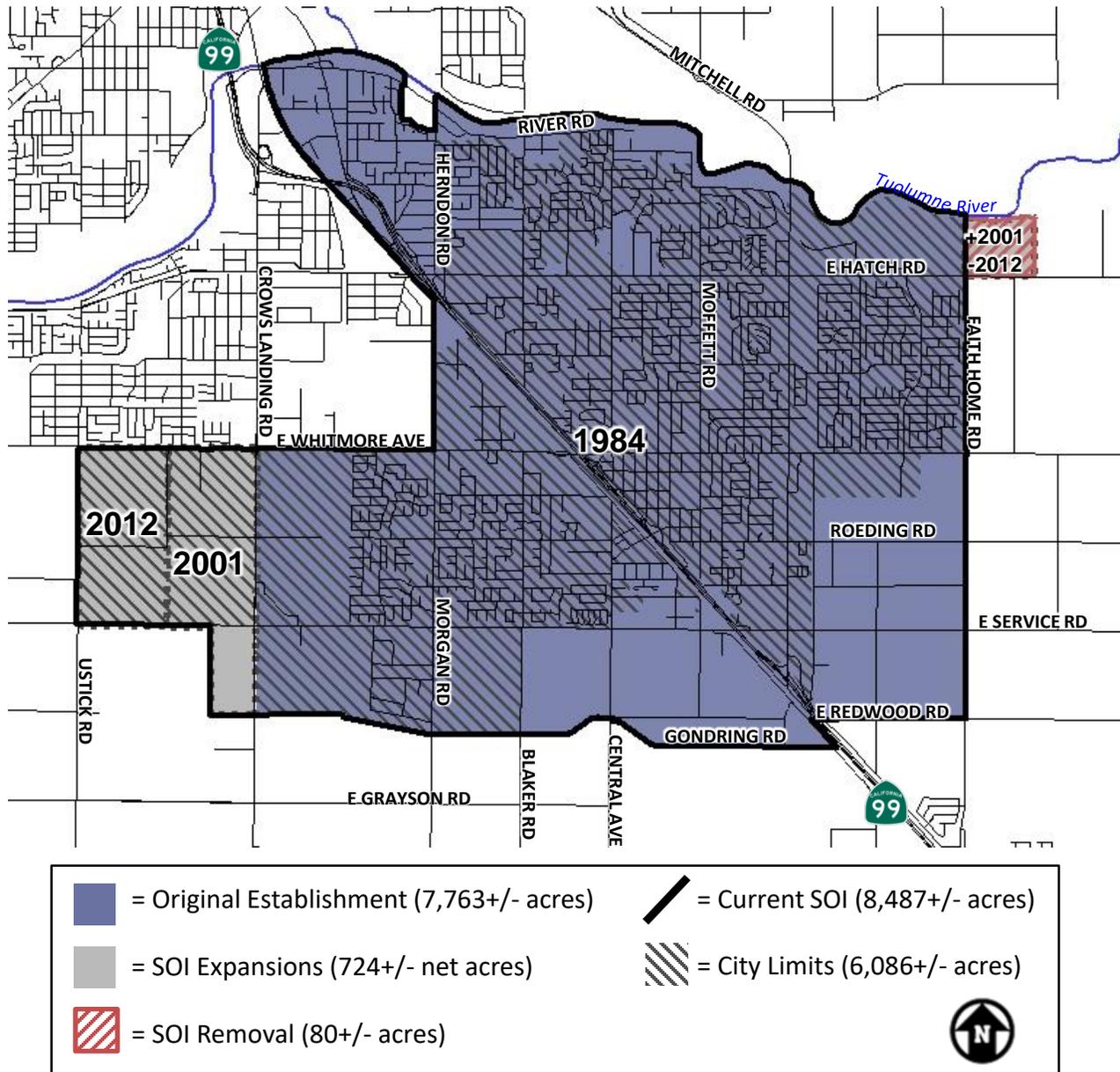
ADDITIONAL RESOURCES

Sphere of Influence maps are updated for all cities and special districts as changes occur and can be found on our website at: <http://www.stanislauslafco.org/info/info.htm>. These maps also include the current boundaries for the cities and special districts. Questions about this or any other Stanislaus LAFCO data can be directed to Staff at: lafco@stancounty.com or (209) 525-7660.

Attachments: City Sphere of Influence (SOI) History Maps (1984-2020)
“Important Farmland” Maps

City of Ceres

Sphere of Influence (SOI) History: 1984-2020



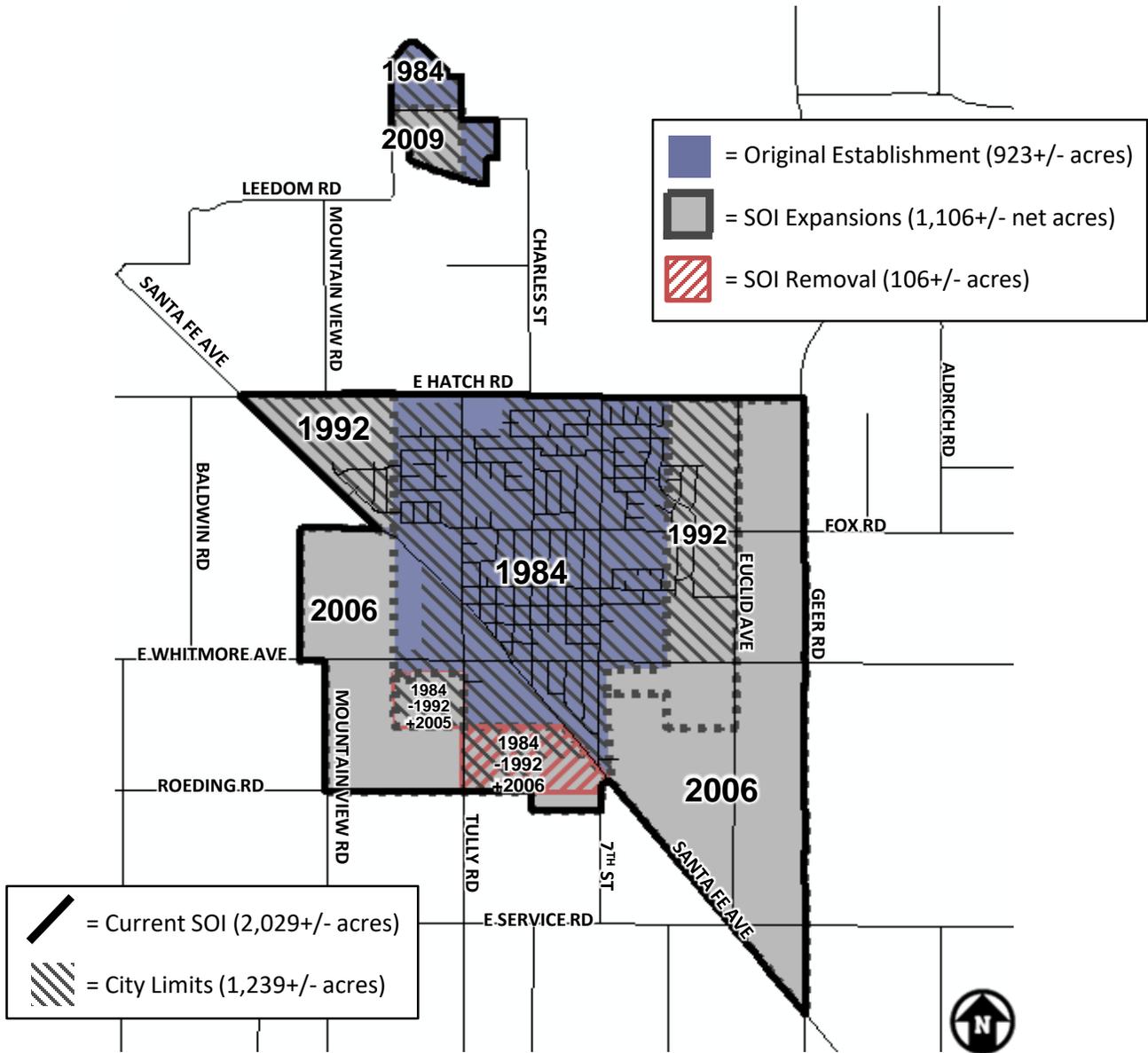
Summary of Sphere of Influence Changes

Date	Project Name	Description	Acreage Added to	
			SOI	Total SOI
12/19/1984	Original Establishment	Original adoption of a Sphere of Influence for the City of Ceres	--	7,763
1/24/2001	2001 SOI Modification	Added area west of Crows Landing Rd and east of Faith Home Rd.	484	8,247
2/22/2012	West Landing Specific Plan Mods.	Addition of 320 acres westerly, to Ustick Rd and removal of 80 acres east of Faith Home Rd.	240 (net)	8,487

Source: Stanislaus LAFCO, May 2020

City of Hughson

Sphere of Influence (SOI) History: 1984-2020



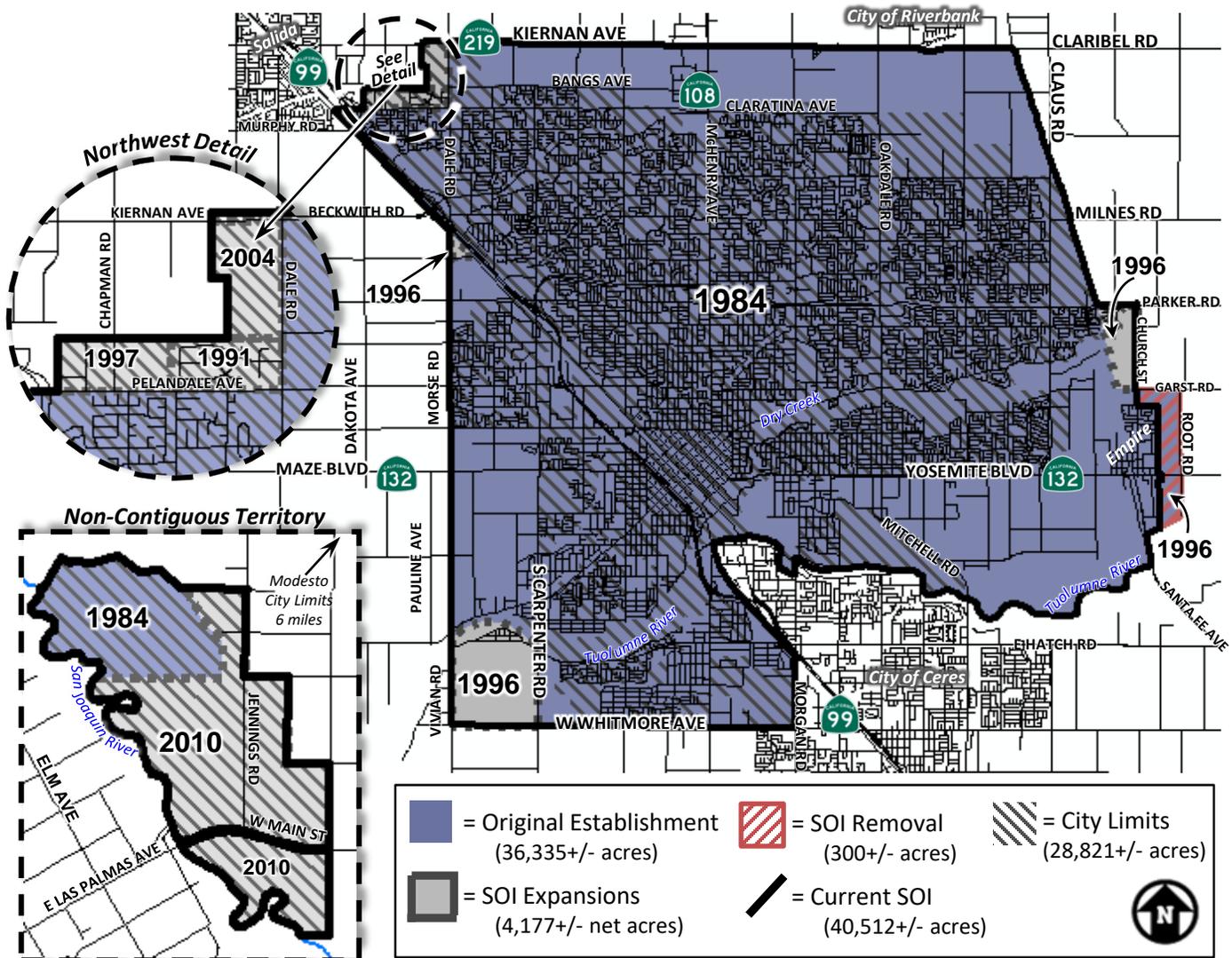
Summary of Sphere of Influence Changes

Date	Project Name	Description	Acreage Added to SOI	Total SOI
12/19/1984	Original Establishment	Original adoption of a Sphere of Influence for the City of Hughson	--	923
2/26/1992	1992 SOI Modifications	Added approx. 315 acres to the east and west. Removed approx. 106 acres from the southerly side	209 (net)	1,121
8/24/2005	Tully Road No. 2	Modified SOI concurrently with Tully Road No. 2 annexation (Area was in SOI during original adoption but had been removed in 1992. Was re-added with this proposal)	32	1,153
8/23/2006	2006 SOI Modifications	Expanded SOI to Geer/Santa Fe, further west to Mountain View area and included area east of Tully Rd that had been previously removed from the SOI	832	1,985
9/23/2009	WWTP No. 3	Modified SOI concurrently with WWTP No. 3 annexation	33	2,029

Source: Stanislaus LAFCO, May. 2020

City of Modesto

Sphere of Influence (SOI) History: 1984-2020



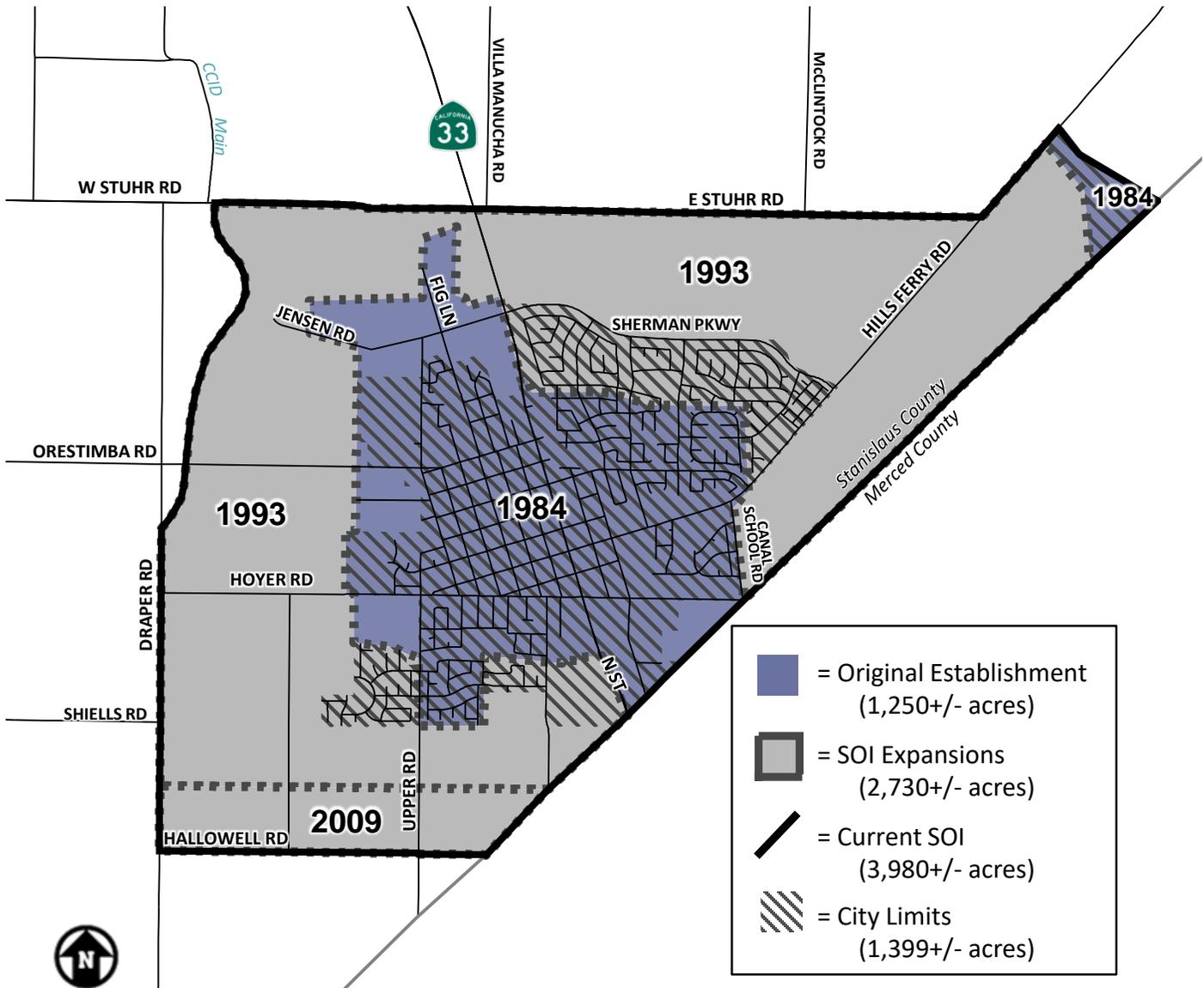
Summary of Sphere of Influence Changes

Date	Project Name	Description	Acreage	
			SOI	Total SOI
12/19/1984	Original Establishment	Original Adoption of a Sphere of Influence (SOI) and Primary Area for the City of Modesto	--	36,335
10/23/1991	Fleur de Ville Reorganization	SOI expanded concurrently with the Fleur de Ville Reorganization, northwest of Pelandale Ave/Dale Rd	76	36,411
2/28/1996	1996 Sphere Expansion	City originally requested to expand its SOI by 7,800 acres to coincide with its updated General Plan. LAFCO approved addition of Whitmore-Carpenter CPD, Empire North CPD, removal of 300ac east of Empire, and redesignation of all SOI to Primary except Beard area. LAFCO denied expansion in Salida area, Kiernan-Carver CPD, and Beckwith-Dakota CPD.	702 (net)	37,113
5/28/1997	Northgate Promenade Reorganization	SOI expanded concurrently with the Northgate Promenade Reorganization (Costco area on Pelandale Ave)	76	37,189
9/22/2004	Kaiser-Cornerstone Reorg.	SOI expanded concurrently with the Kaiser-Cornerstone Reorganization, southwest of Kiernan Ave/Dale Rd.	94	37,283
12/1/2010	Jennings Addition No. 2 Change of Org.	SOI expanded concurrently with the Jennings Addition No. 2 Change of Org. (Area is not contiguous with rest of City Limits.)	3,341	40,512

Source: Stanislaus LAFCO, May 2020

City of Newman

Sphere of Influence (SOI) History: 1984-2020



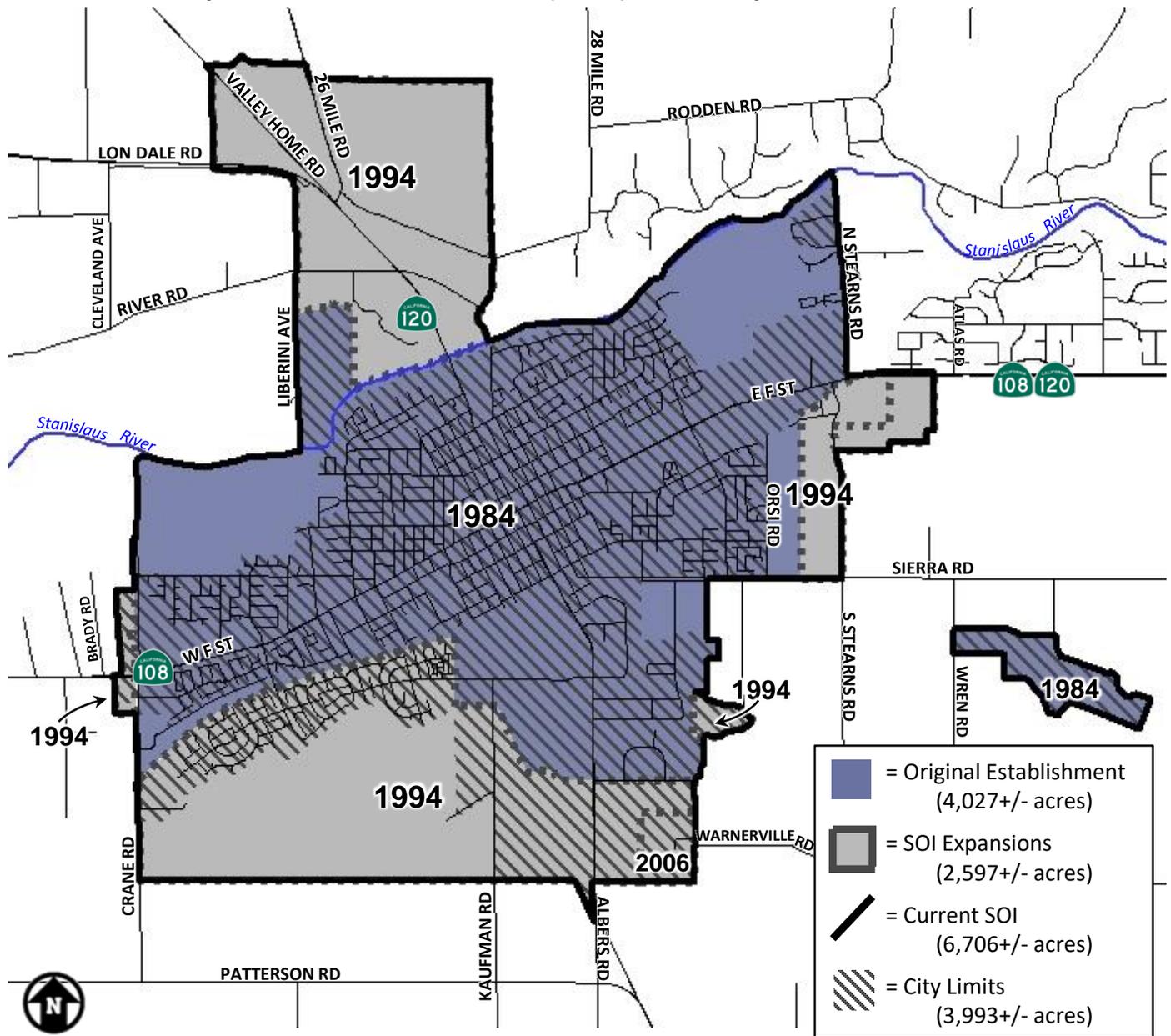
Summary of Sphere of Influence Changes

Date	Project Name	Description	Acreage	
			Added to SOI	Total SOI
12/5/1984	Original Establishment	Original Adoption of a Sphere of Influence (SOI) and Primary Area for the City of Newman	--	1,250
4/28/1993	1993 SOI Modification	Expansion to accommodate areas in Newman's new General Plan	2,498	3,748
1/28/2009	2009 SOI Modification	As part of an MSR-SOI Update, expanded southerly boundary to Hallowell Road	232	3,980

Source: Stanislaus LAFCO, May 2020

City of Oakdale

Sphere of Influence (SOI) History: 1984-2020



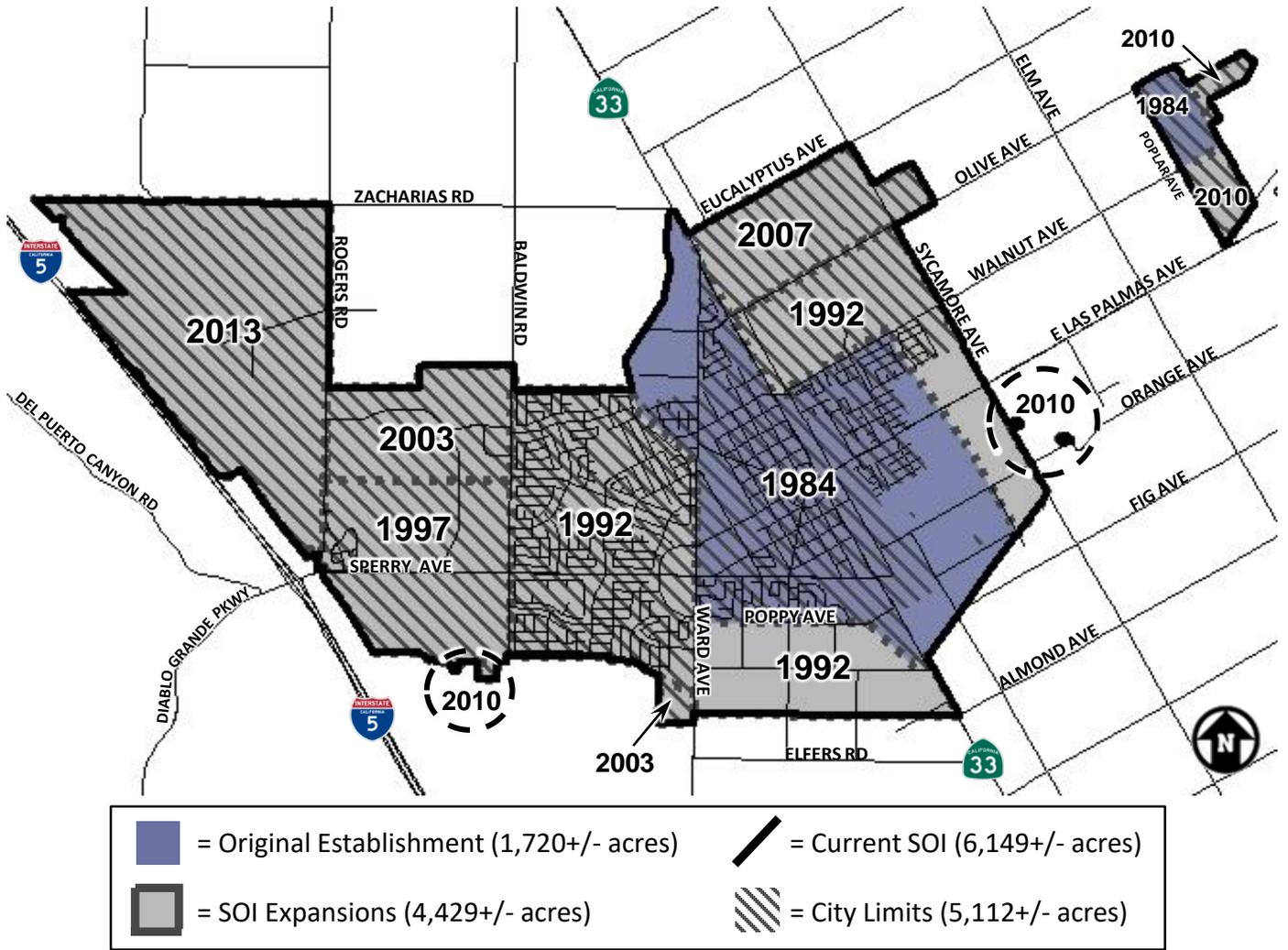
Summary of Sphere of Influence Changes

Date	Project Name	Description	Acreage Added to SOI	Total SOI
10/17/1984	Original Establishment	Original Adoption of a Sphere of Influence (SOI) and Primary Area for the City of Oakdale	--	4,027
10/26/1994	1994 SOI Modification	Expansion into multiple areas following Oakdale's updated 2015 General Plan	2,538	6,565
8/23/2006	South Oakdale Industrial Specific Plan	Concurrent request with the South Oakdale Industrial Specific Plan Reorg., east of Albers Rd	59	6,624
9/17/2015	Crane Crossing	SOI expanded concurrently with the Crane Crossing Specific Plan and Sierra Pointe Specific Plan	82	6,706

Source: Stanislaus LAFCO, May 2020

City of Patterson

Sphere of Influence (SOI) History: 1984-2020



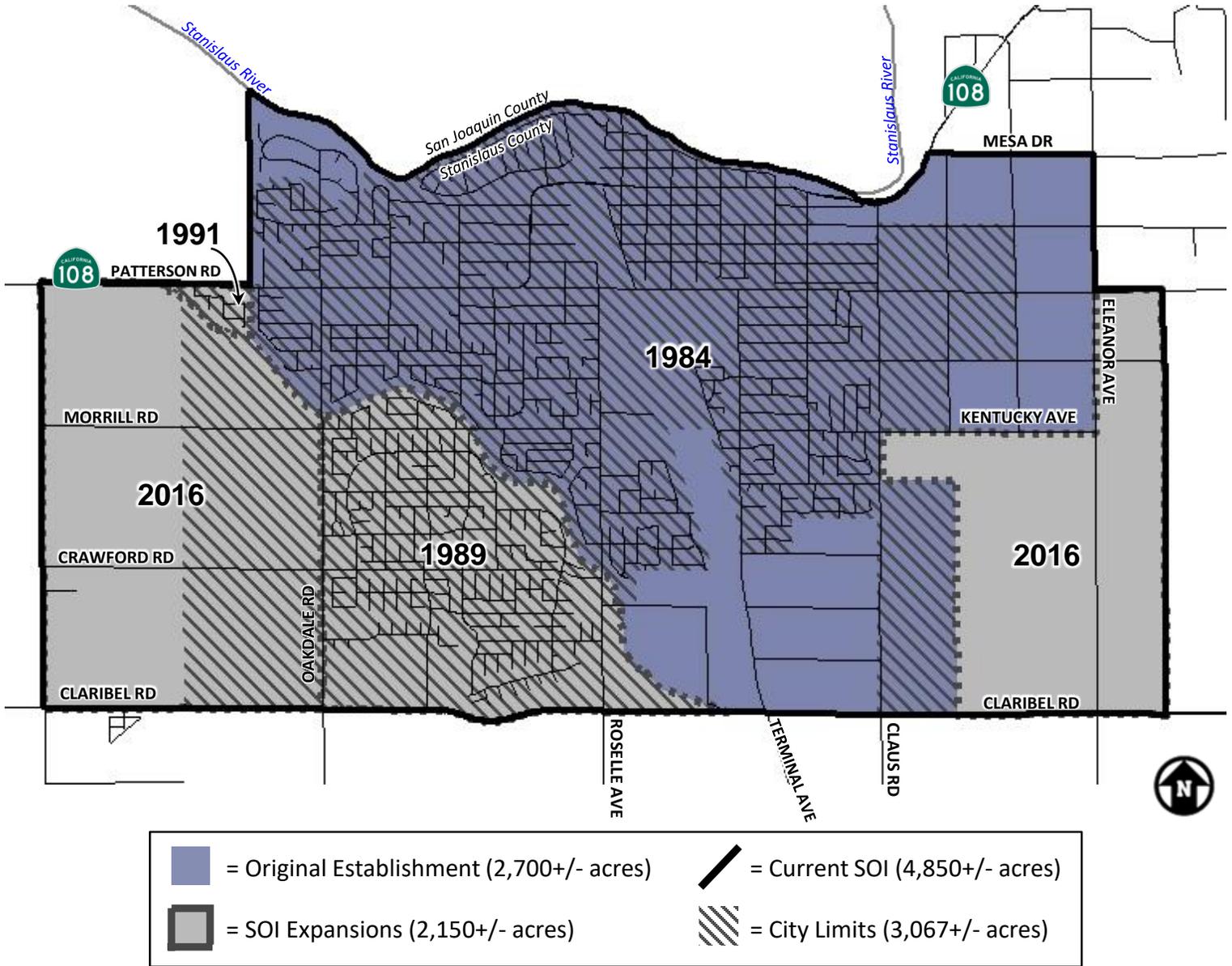
Summary of Sphere of Influence Changes

Date	Project Name	Description	Acreage Added to SOI	Total SOI
12/5/1984	Original Establishment	Original Adoption of a Sphere of Influence (SOI) and Primary Area for the City of Patterson	--	1,720
10/28/1992	1992 SOI Modification	Multiple areas, to reflect the City's 1992 General Plan	1,840	3,560
12/3/1997	1997 SOI Modification	Included portion of the future West Patterson Business Park area, west of Baldwin Rd	585	4,145
2/26/2003	West Patterson-Patterson Gardens	Included the sports park area and northerly portion of the future West Patterson Business Park, west of Baldwin Rd	390	4,535
3/28/2007	Villages of Patterson	Processed concurrently with the Villages of Patterson Reorg	375	4,910
3/24/2010	City Facilities Reorg.	Processed concurrently with the City Facilities Reorg. - various City-owned properties	115	5,025
12/4/2013	Arambel-KDN Bus. Park Reorg.	Processed concurrently with the Arambel-KDN Bus. Park Reorg. proposal, west of Rogers Rd to I-5	1,119	6,149

Source: Stanislaus LAFCO, May 2020

City of Riverbank

Sphere of Influence (SOI) History: 1984-2020



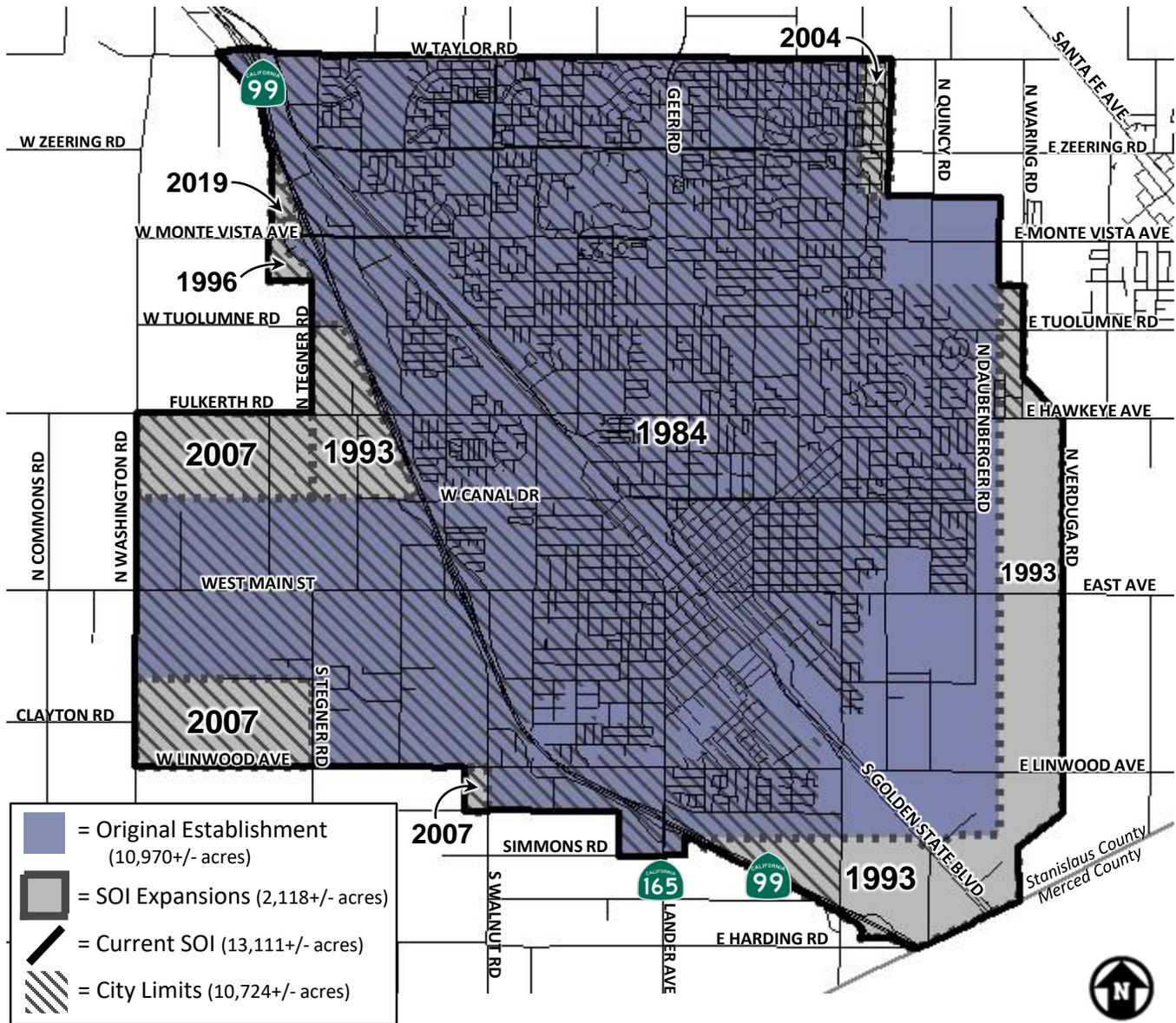
Summary of Sphere of Influence Changes

Date	Project Name	Description	Acreage Added to SOI	Total SOI
12/19/1984	Original Establishment	Original Adoption of a Sphere of Influence (SOI) for the City of Riverbank	--	2,700
10/25/1989	West Area Sphere Modification	Added the future Crossroads area to the SOI (northwest of Oakdale & Claribel Rds)	648	3,348
5/29/1991	Patterson Road No. 2 Reorg.	Expanded concurrently with the annexation request on west side	23	3,371
7/29/2016	2016 SOI Expansion	Expansion into multiple areas consistent with Riverbank's General Plan Update	1,479	4,850

Source: Stanislaus LAFCO, May 2020

City of Turlock

Sphere of Influence (SOI) History: 1984-2020



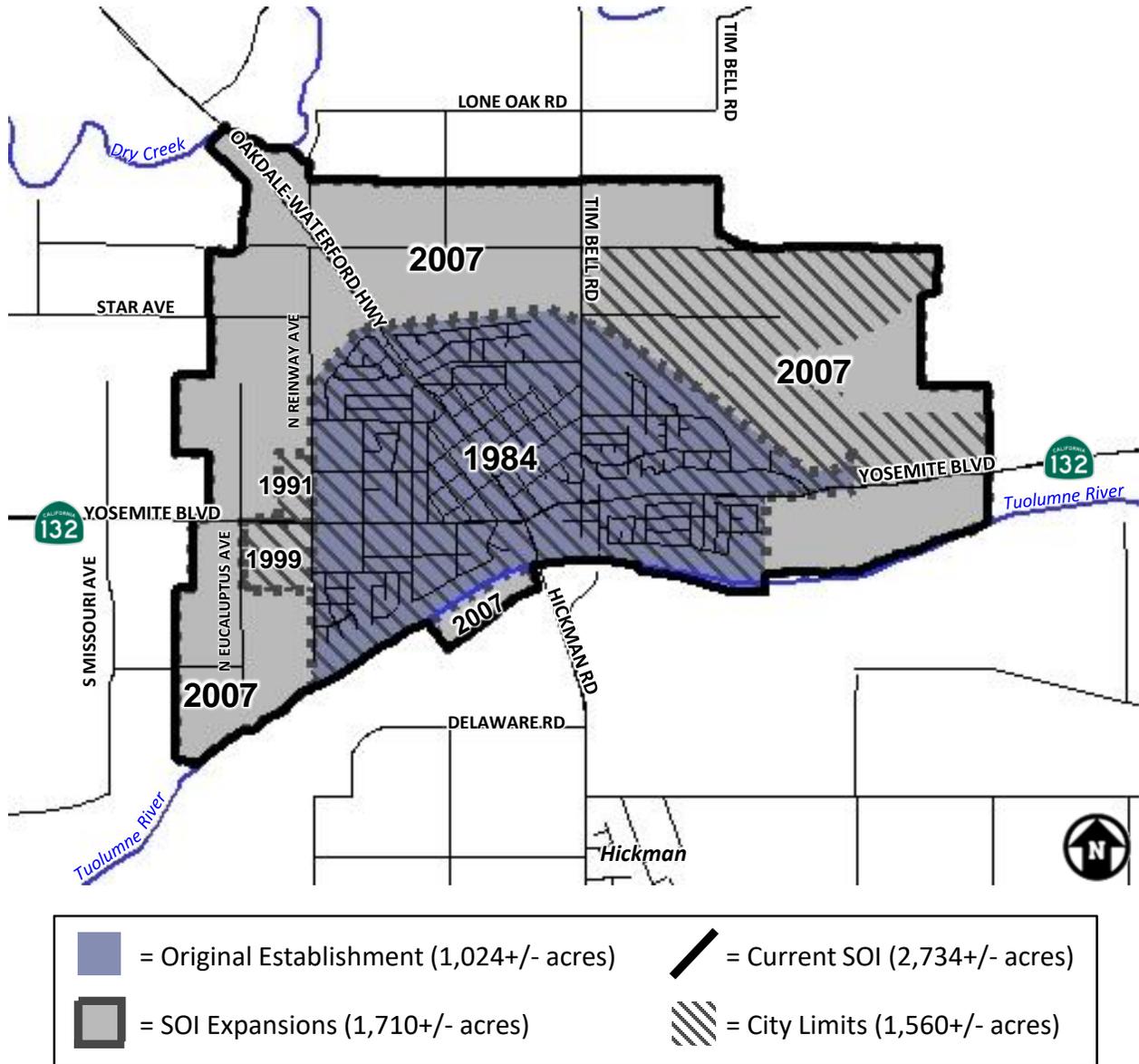
Summary of Sphere of Influence Changes

Date	Project Name	Description	Acreage Added to SOI	Total SOI
11/28/1984	Original Establishment	Original Adoption of a Sphere of Influence (SOI) for the City of Turlock	--	10,970
8/25/1993	1993 SOI Modification	Expanded on the west to include portion of the future Northwest Triangle area, on the east to Verduga Rd, and southeast to the County line	1,318	12,288
2/28/1996	Northwest Triangle SOI	Modification to include remainder of the Northwest Triangle area	95	12,383
4/28/2004	Northeast Turlock Master Plan	Modification to the northeast area	80	12,463
9/26/2007	Westside Industrial Specific Plan	Processed concurrently with the WISP II annexation	625	13,088
10/11/2019	Northwest Triangle No. 2	Annexation and SOI amendment of remaining parcel to complete the Northwest Triangle Specific Plan	22	13,111

Source: Stanislaus LAFCO, May 2020

City of Waterford

Sphere of Influence (SOI) History: 1984-2020



Summary of Sphere of Influence Changes

Date	Project Name	Description	Acreage Added to	
			SOI	Total SOI
12/19/1984	Original Establishment	Original Adoption of a Sphere of Influence (SOI) and Primary Area for the City of Waterford	--	1,024
1/19/1991	Moon School Reorg.	Processed concurrently with annexation, northwest of Yosemite Blvd and Reinway Ave	20	1,044
9/24/1999	Waterford High Change of Org.	Processed concurrently with annexation on the south side of Yosemite Blvd	42	1,086
5/1/2007	MSR-SOI Update (Lake Pointe)	Requested following the City's updated General Plan and in anticipation of the Lake Pointe annexation area	1,648	2,734

Source: Stanislaus LAFCO, May 2020

Dept. of Conservation - Farmland Mapping & Monitoring Program
Important Farmlands Map Categories

	Prime Farmland = Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
	Farmland of Statewide Importance = Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
	Unique Farmland = Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include nonirrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.
	Farmland of Local Importance = Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee. For Stanislaus County, these include farmlands growing dryland pasture, dryland small grains, and irrigated pasture.
	Grazing Land = Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities.

Other Categories:

	Confined Animal Agriculture
	Non-Agricultural / Natural Vegetation
	Vacant or Disturbed Land
	Semi-Agricultural & Rural Commercial Land
	Rural Residential

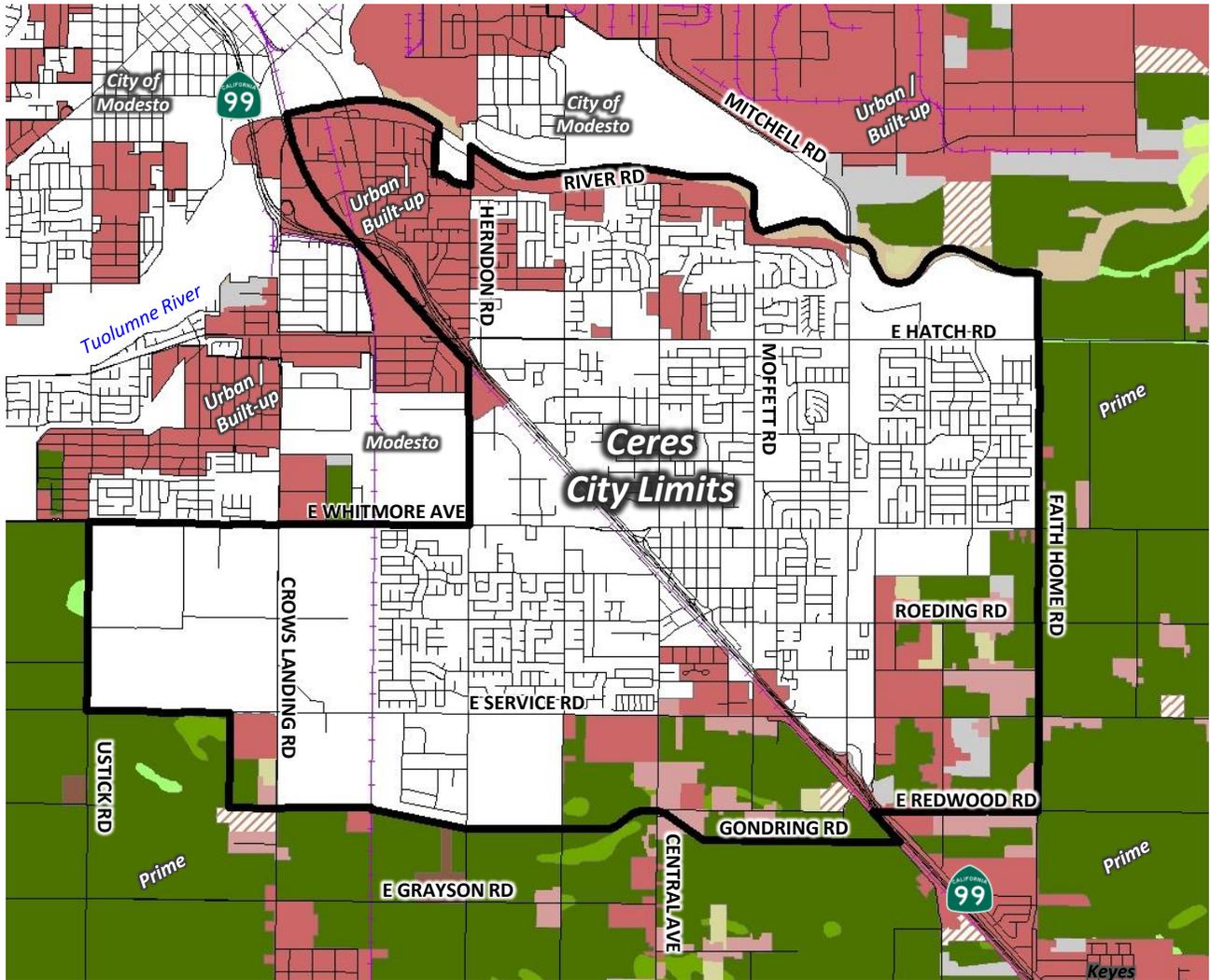
	Urban and Built-Up Land
	Water

LAFCO Boundaries:

	City Sphere of Influence
	City Limits

City of Ceres

Sphere of Influence (SOI) - Important Farmlands Map



Boundary	Acres
Sphere of Influence (SOI)	8,487
Current City Limits	6,086
Remaining Area Outside City Limits, within the Sphere of Influence	2,401

Of the Remaining 2,401 Acres in the SOI:

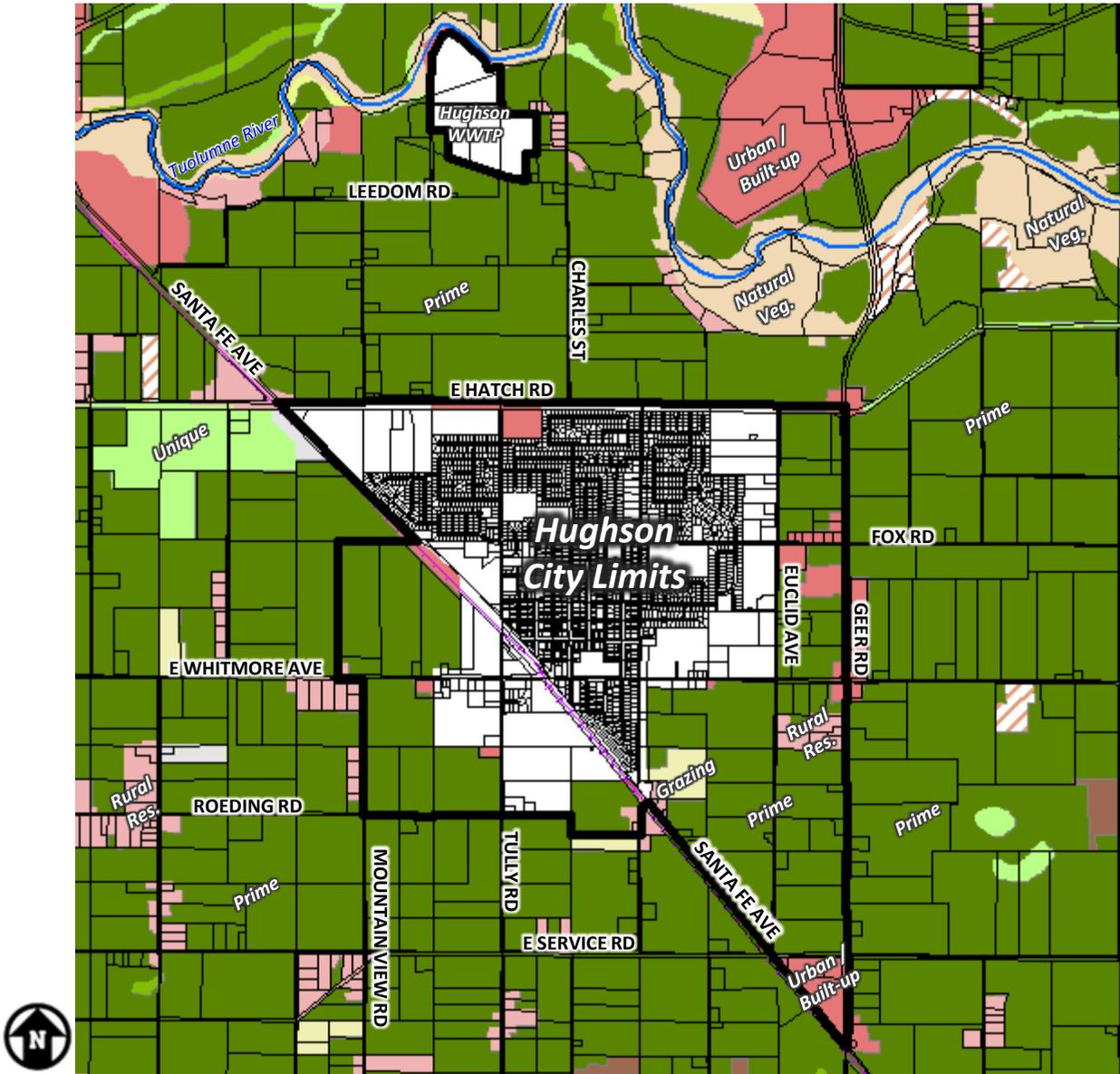
Designation	Acres	% of SOI
Prime Farmland*	690	29%
Farmland of Statewide Importance	16	1%
Unique Farmland	--	--
Total "Important Farmland" Acres in Remaining SOI	706	29%

* Prime farmland and other categories of "important farmlands" are mapped based on the Department of Conservation definitions

Sources: CA Dept. of Conservation - 2018 Farmland Mapping and Monitoring Program; Stanislaus LAFCO (City Limits & Spheres of Influence), May 2020

City of Hughson

Sphere of Influence (SOI) - Important Farmlands Map



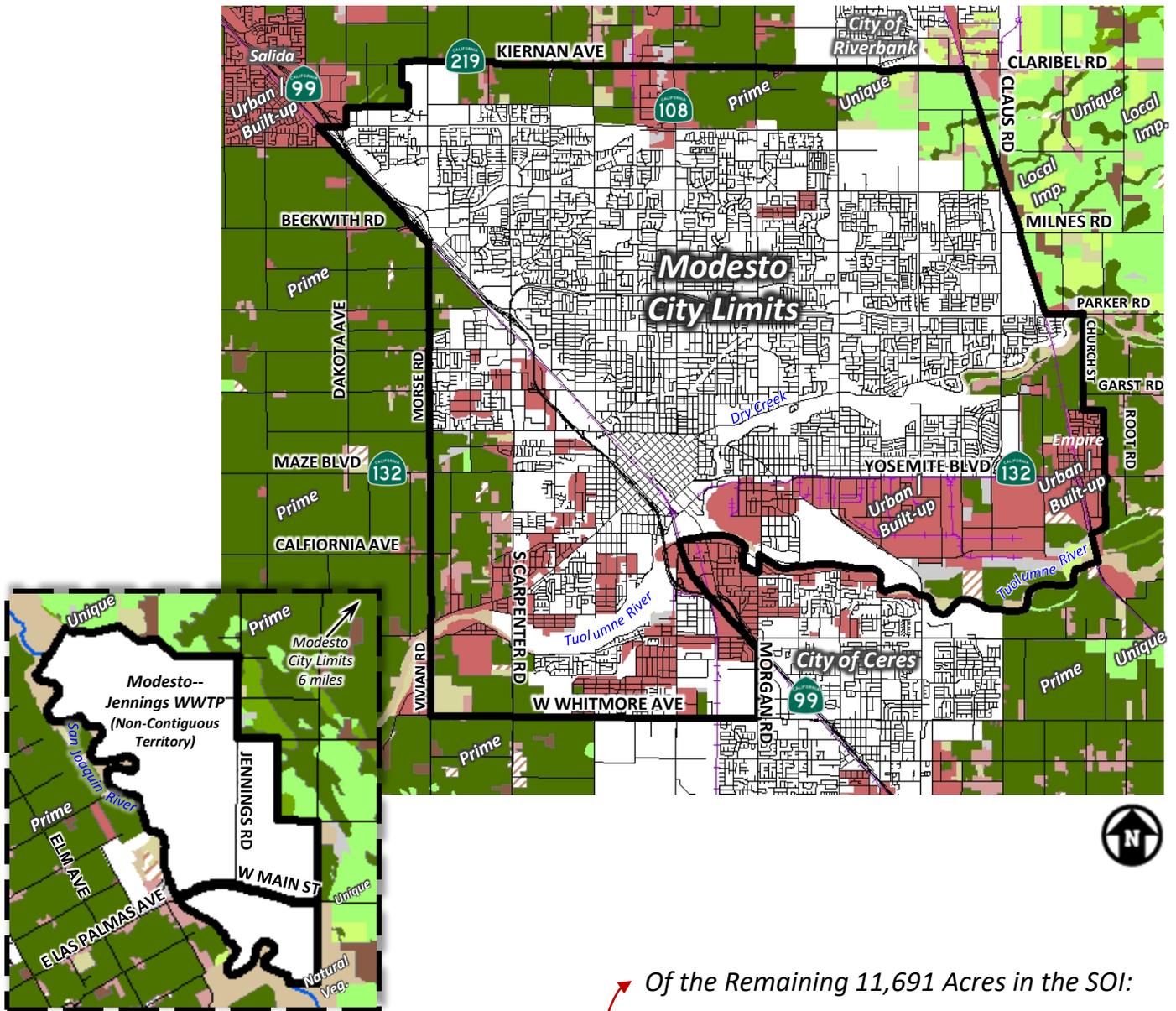
Boundary	Acres	Designation	Acres	% of SOI
Sphere of Influence (SOI)	2,029	Prime Farmland*	720	91%
Current City Limits	1,239	Farmland of Statewide Importance	-	-
Remaining Area Outside City Limits, within the Sphere of Influence	790	Unique Farmland	2	0.3%
		Total "Important Farmland" Acres in Remaining SOI	722	91%

Of the Remaining 790 Acres in the SOI:

* Prime farmland and other categories of "important farmlands" are mapped based on the Department of Conservation definitions

City of Modesto

Sphere of Influence (SOI) - Important Farmlands Map



Boundary	Acres
Sphere of Influence (SOI)	40,512
Current City Limits	28,821
Remaining Area Outside City Limits, within the Sphere of Influence	11,691

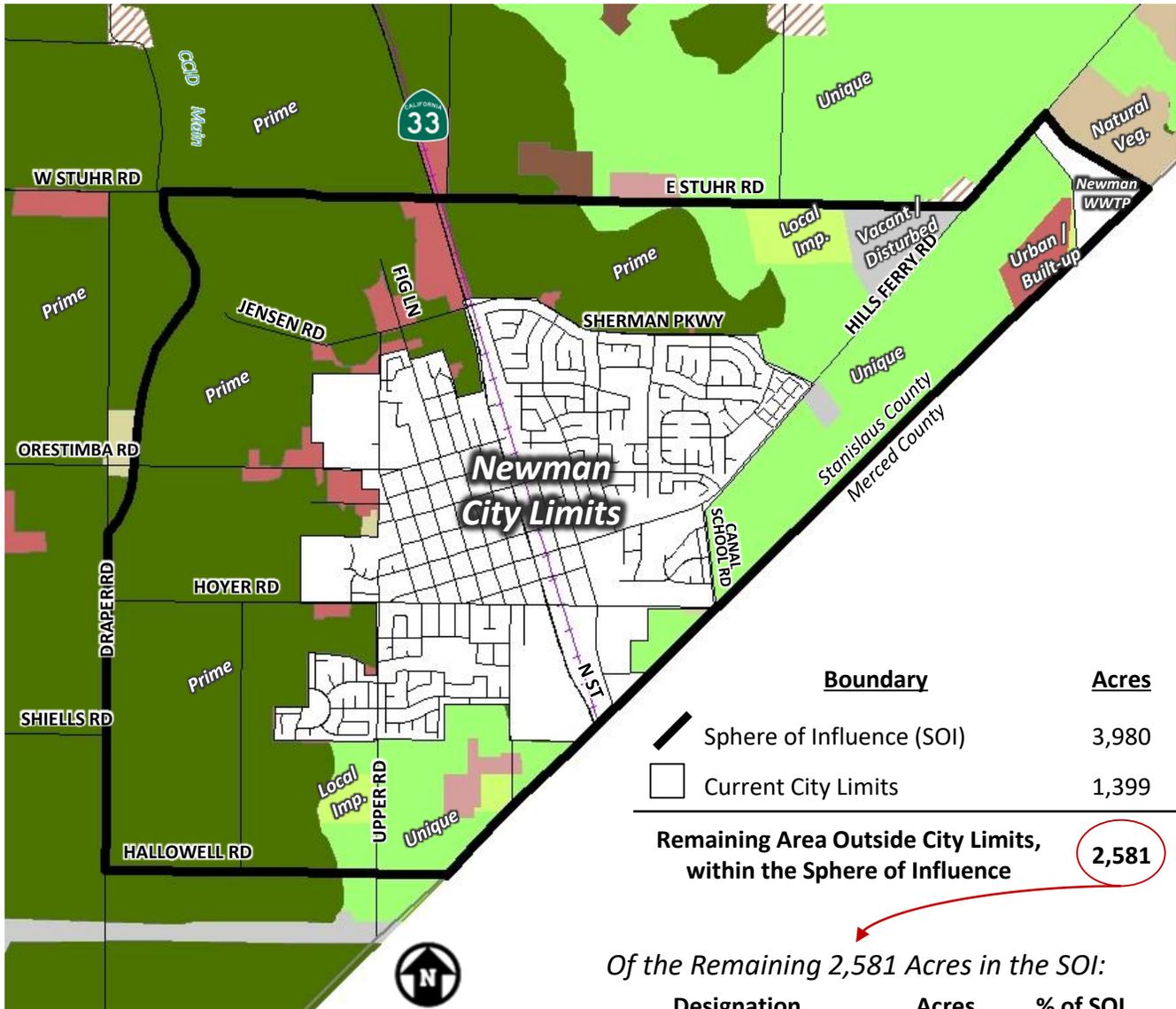
Of the Remaining 11,691 Acres in the SOI:

Designation	Acres	% of SOI
Prime Farmland*	4,055	35%
Farmland of Statewide Importance	0	0%
Unique Farmland	826	7%
Total "Important Farmland" Acres in Remaining SOI	4,881	42%

* Prime farmland and other categories of "important farmlands" are mapped based on the Department of Conservation definitions

City of Newman

Sphere of Influence (SOI) - Important Farmlands Map

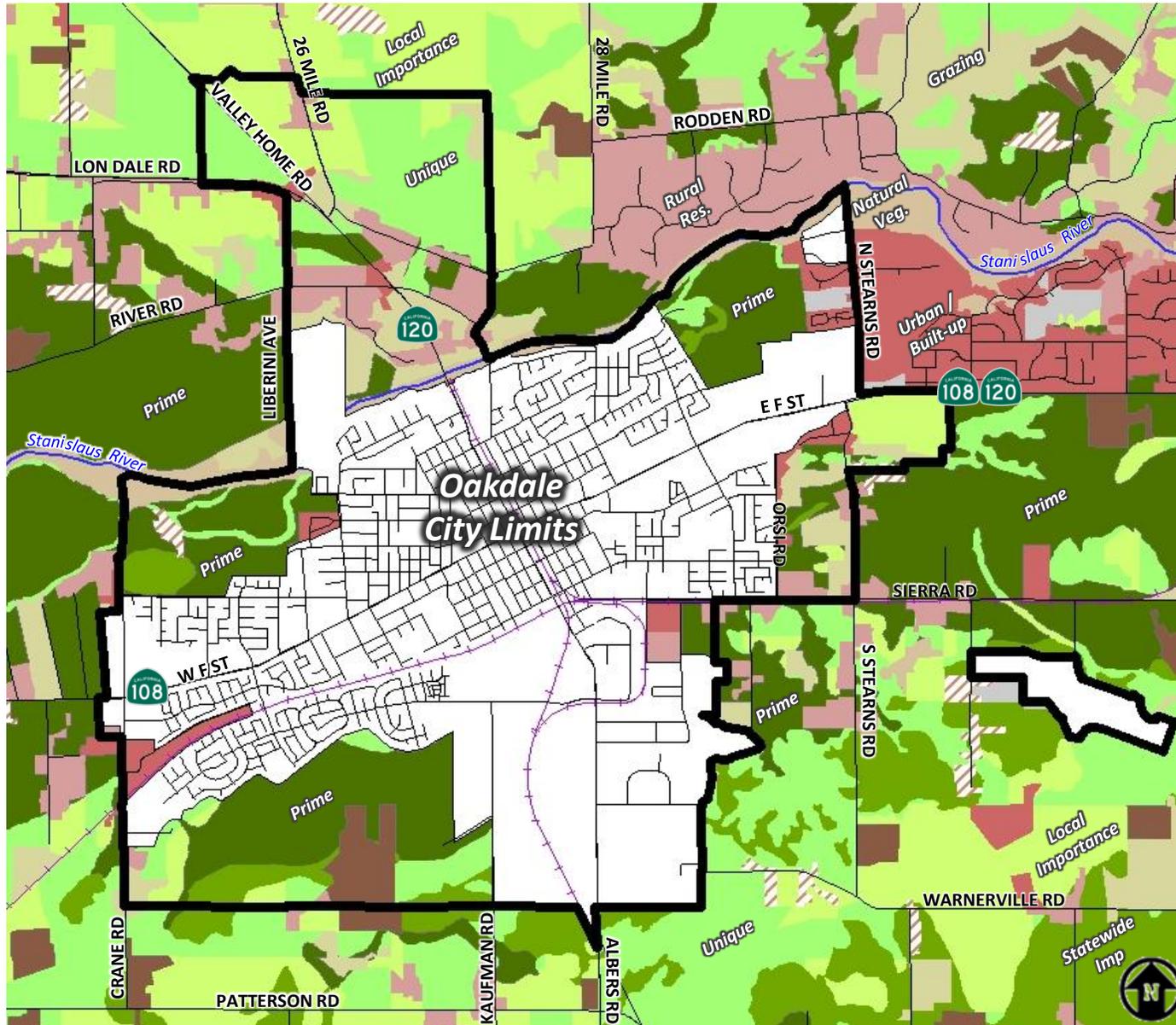


* Prime farmland and other categories of "important farmlands" are mapped based on the Department of Conservation definitions

Sources: CA Dept. of Conservation - 2018 Farmland Mapping and Monitoring Program; Stanislaus LAFCO (City Limits & Spheres of Influence), May 2020

City of Oakdale

Sphere of Influence (SOI) - Important Farmlands Map

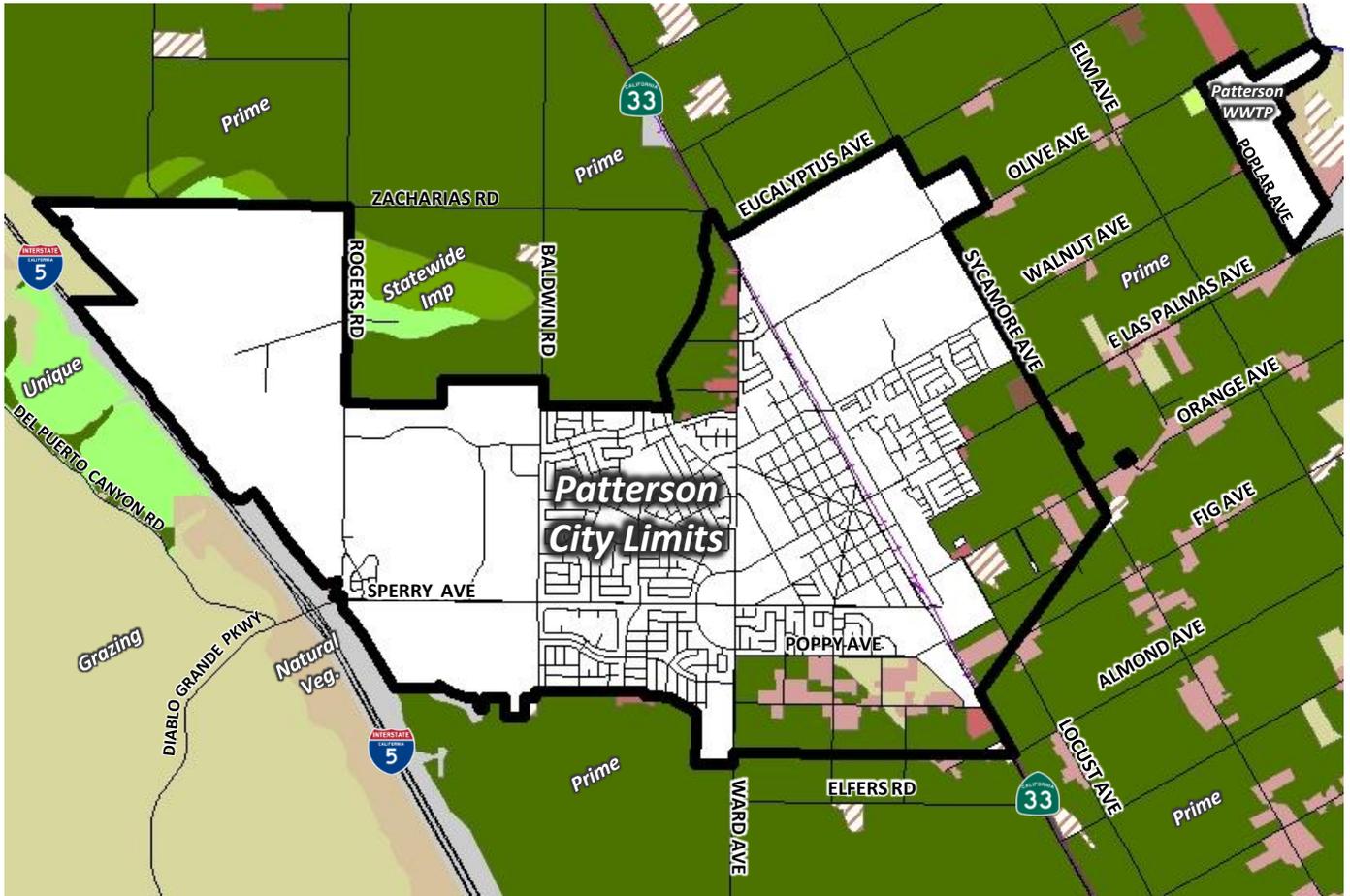


<u>Boundary</u>	<u>Acres</u>	<i>Of the Remaining 2,713 Acres in the SOI:</i>	
		<u>Designation</u>	<u>Acres</u> <u>% of SOI</u>
Sphere of Influence (SOI)	6,706	Prime Farmland*	846 33%
Current City Limits	3,993	Farmland of Statewide Importance	133 5%
Remaining Area Outside City Limits, within the Sphere of Influence	2,713	Unique Farmland	526 37%
		Total "Important Farmland" Acres in Remaining SOI	1,505 74%

* Prime farmland and other categories of "important farmlands" are mapped based on the Department of Conservation definitions

City of Patterson

Sphere of Influence (SOI) - Important Farmlands Map



Boundary	Acres	Designation	Acres	% of SOI
Sphere of Influence (SOI)	6,149	Prime Farmland*	750	72%
Current City Limits	5,112	Farmland of Statewide Importance	-	0%
Remaining Area Outside City Limits, within the Sphere of Influence	1,037	Unique Farmland	-	0%
		Total "Important Farmland" Acres in Remaining SOI	750	72%

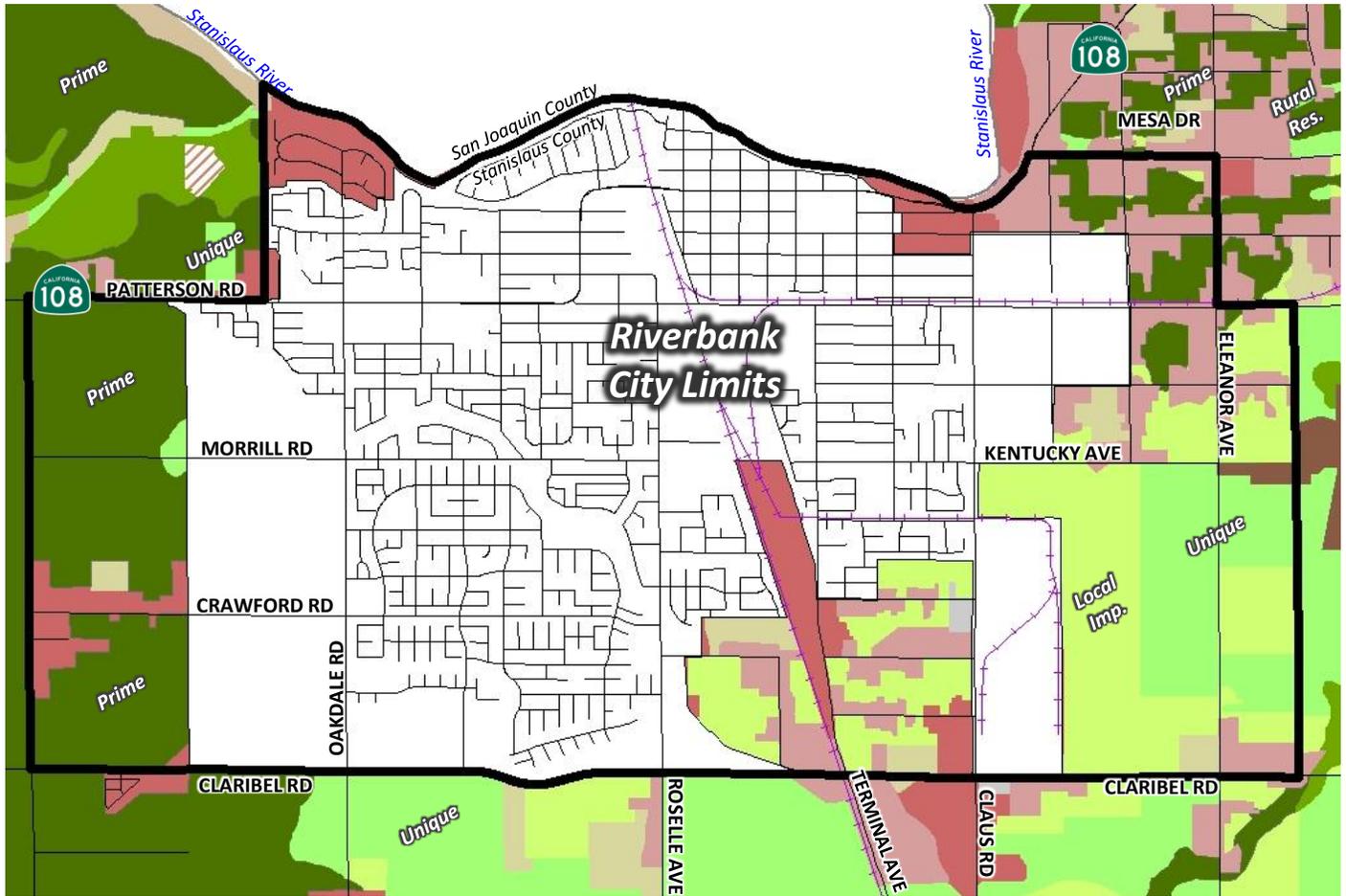
Of the Remaining 1,037 Acres in the SOI:

* Prime farmland and other categories of "important farmlands" are mapped based on the Department of Conservation definitions

Sources: CA Dept. of Conservation - 2018 Farmland Mapping and Monitoring Program; Stanislaus LAFCO (City Limits & Spheres of Influence), May 2020

City of Riverbank

Sphere of Influence (SOI) - Important Farmlands Map



Boundary	Acres	Designation	Acres	% of SOI
Sphere of Influence (SOI)	4,850	Prime Farmland*	490	27%
Current City Limits	3,067	Farmland of Statewide Importance	-	0%
Remaining Area Outside City Limits, within the Sphere of Influence	1,783	Unique Farmland	197	11%
		Total "Important Farmland" Acres in Remaining SOI	687	39%

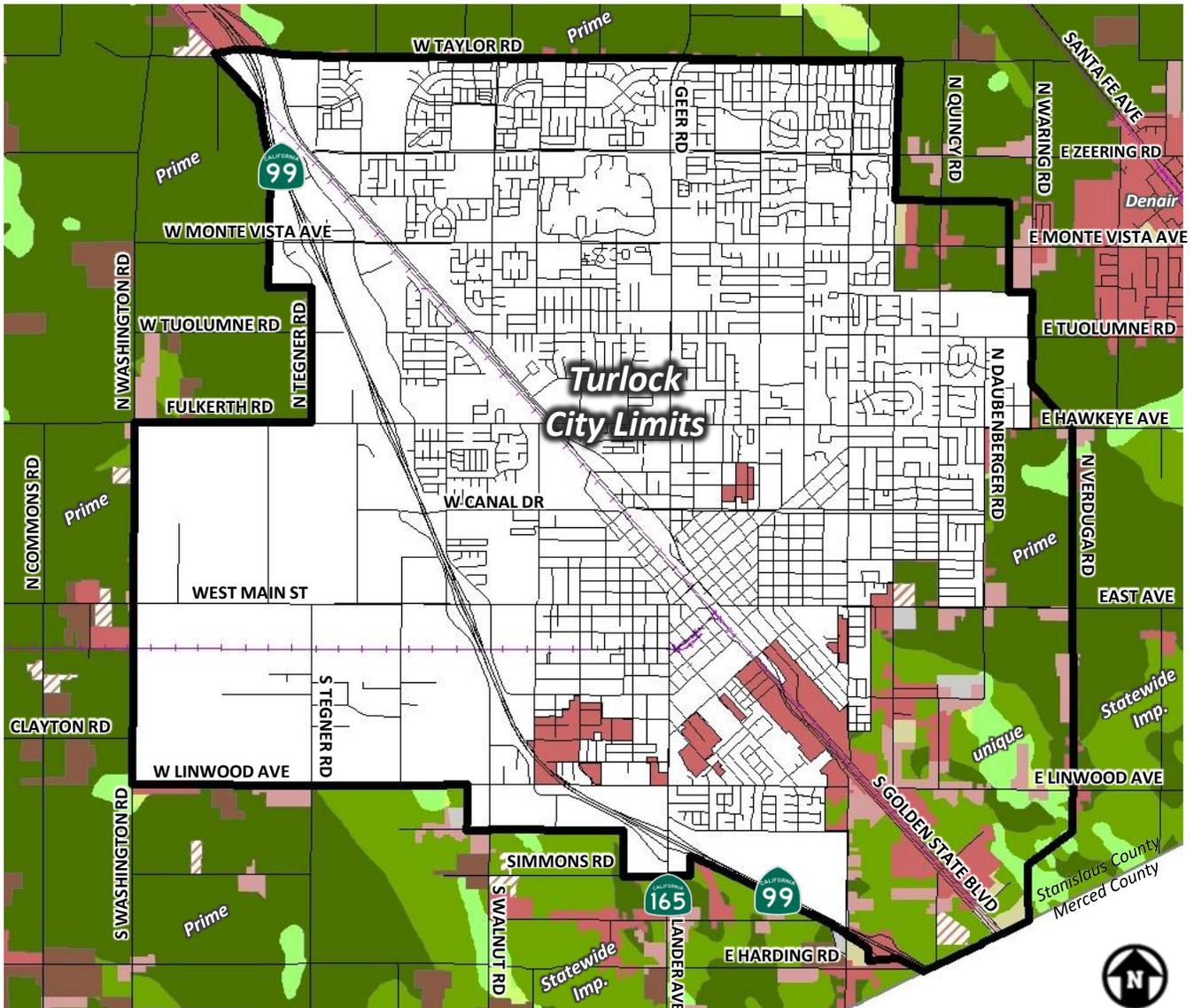
Of the Remaining 1,783 Acres in the SOI:

* Prime farmland and other categories of "important farmlands" are mapped based on the Department of Conservation definitions

Sources: CA Dept. of Conservation - 2018 Farmland Mapping and Monitoring Program; Stanislaus LAFCO (City Limits & Spheres of Influence), May 2020

City of Turlock

Sphere of Influence (SOI) - Important Farmlands Map



Boundary	Acres	Designation	Acres	% of SOI
Sphere of Influence (SOI)	13,111	Prime Farmland*	746	31%
Current City Limits	10,724	Farmland of Statewide Importance	465	19%
Remaining Area Outside City Limits, within the Sphere of Influence	2,387	Unique Farmland	145	6%
		Total "Important Farmland" Acres in Remaining SOI	1,356	57%

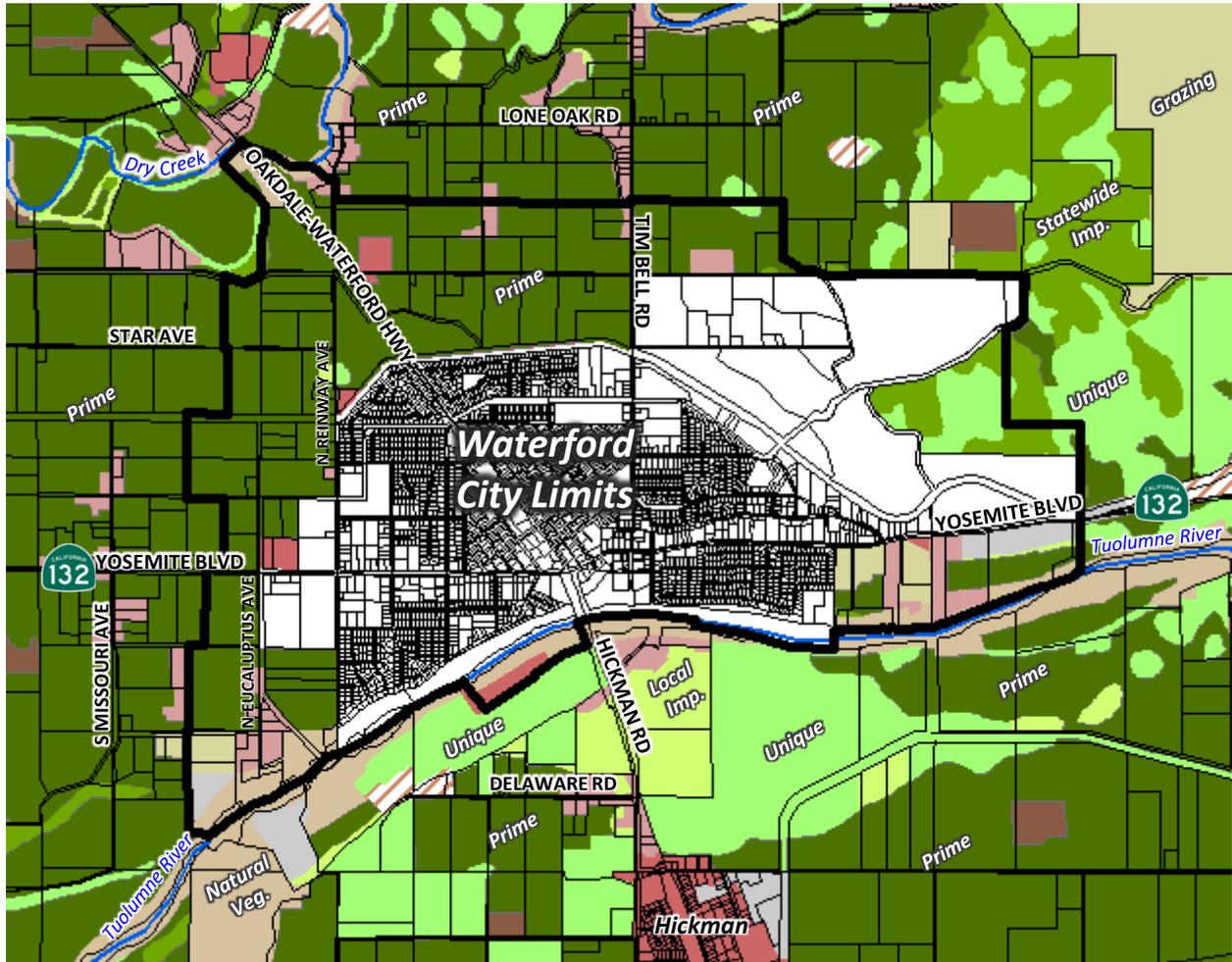
Of the Remaining 2,387 Acres in the SOI:

* Prime farmland and other categories of "important farmlands" are mapped based on the Department of Conservation definitions

Sources: CA Dept. of Conservation - 2018 Farmland Mapping and Monitoring Program; Stanislaus LAFCO (City Limits & Spheres of Influence), May 2020

City of Waterford

Sphere of Influence (SOI) - Important Farmlands Map



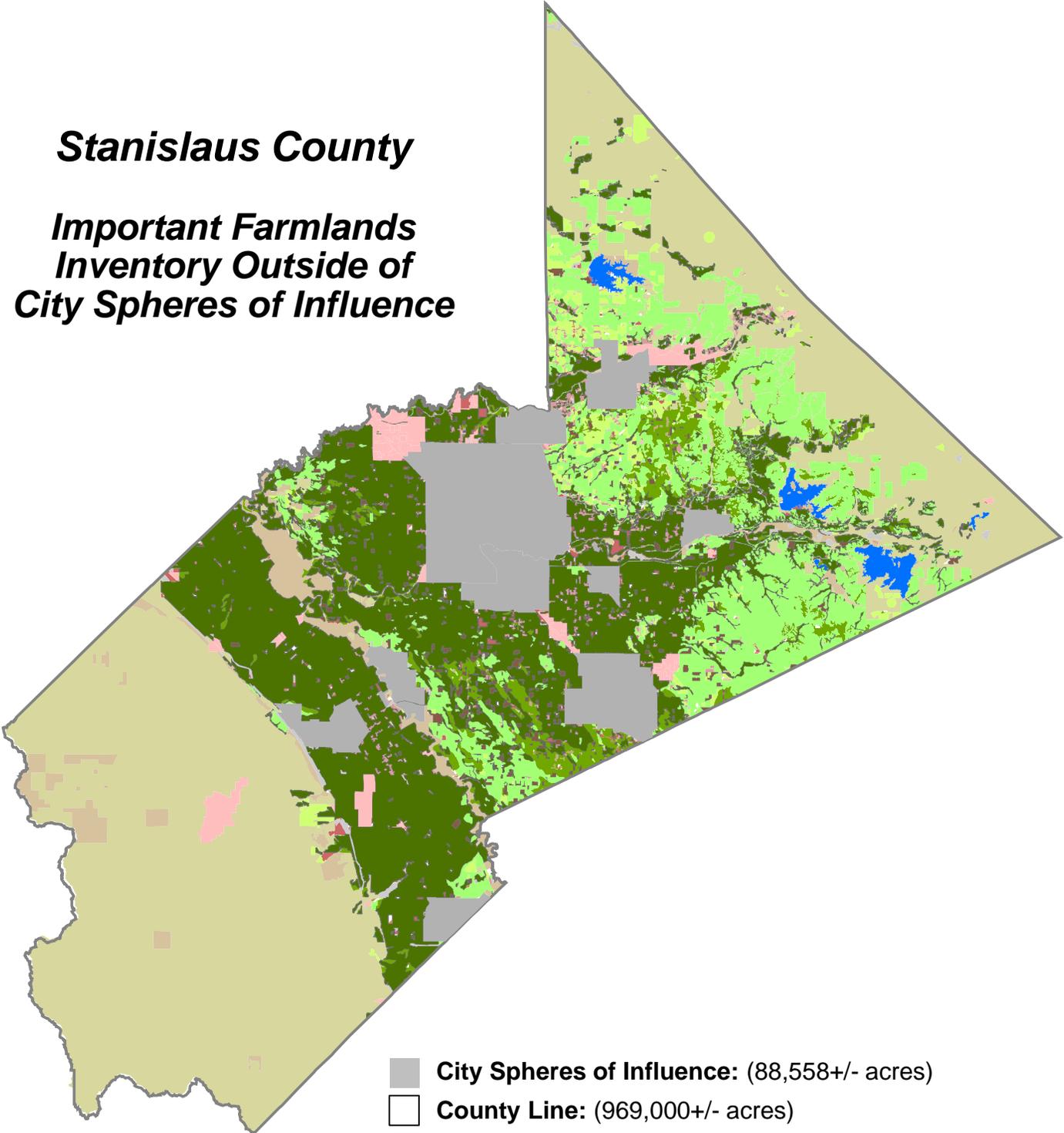
Boundary	Acres	Of the Remaining 1,174 Acres in the SOI:		
		Designation	Acres	% of SOI
Sphere of Influence (SOI)	2,734	Prime Farmland*	790	67%
Current City Limits	1,560	Farmland of Statewide Importance	51	4%
Remaining Area Outside City Limits, within the Sphere of Influence	1,174	Unique Farmland	69	6%
		Total "Important Farmland" Acres in Remaining SOI	910	78%

* Prime farmland and other categories of "important farmlands" are mapped based on the Department of Conservation definitions

Sources: CA Dept. of Conservation - 2018 Farmland Mapping and Monitoring Program; Stanislaus LAFCO (City Limits & Spheres of Influence), May 2020

Stanislaus County

Important Farmlands Inventory Outside of City Spheres of Influence



- City Spheres of Influence: (88,558+/- acres)
- County Line: (969,000+/- acres)
- County General Plan Non-Agricultural: (16,647+/- acres)
- Prime Farmland: (221,080+/- acres)
- Farmland of Statewide Importance: (30,400+/- acres)
- Unique Farmland: (110,298+/- acres)

Total Important Farmlands (Less City SOIs, Non-Agricultural County General Plan Designations, urban, disturbed lands):
361,778+/- acres

Sources: Stanislaus County Planning (General Plan, 2020); Stanislaus LAFCO (City Limits, Spheres of Influence, 2020); CA Dept. of Conservation (FMMP – Important Farmlands, 2016, 2018), June 2020