



**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 Amy Bublak, City Member
Vice Chair Terry Withrow, County Member
Sue Zwahlen, City Member
Vito Chiesa, County Member
Bill O'Brien, Public Member
Charlie Goeken, Alternate City Member
Mani Grewal, Alternate County Member
Jami Aggers, Alternate Public Member

**AGENDA
Wednesday, August 27, 2025
6:00 P.M.
Joint Chambers—Basement Level
1010 10th Street, Modesto, California 95354**

- Members of the public may attend this meeting in person.
- You can also 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>

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. All persons wishing to speak during this public comment portion of the meeting are asked to fill out a "Speaker Card" and provide it to the Commission Clerk. Each speaker will be limited to a three-minute presentation. No action will be taken by the Commission as a result of any item presented during the public comment period.

3. CORRESPONDENCE

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

- A. Specific Correspondence.

B. Informational Correspondence.

- 1. CALAFCO Update Memo, dated July 25, 2025.
- 2. CALAFCO Board Memo Recommending Bylaws Amendments, dated

August 15, 2025.

C. "In the News."

4. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

5. CONSENT ITEMS

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

A. **MINUTES OF THE JULY 23, 2025, LAFCO MEETING**
(Staff Recommendation: Accept the Minutes.)

B. **MUNICIPAL SERVICE REVIEW NO. 2025-01 AND SPHERE OF INFLUENCE UPDATE NO. 2025-02 – DENAIR COMMUNITY SERVICES DISTRICT:** The Commission will consider the adoption of a Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the Denair Community Services District. 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. 2025-14.)

C. **OUT-OF-BOUNDARY SERVICE APPLICATION; FRESHPOINT (KEYES COMMUNITY SERVICES DISTRICT)**: The Commission will consider a request to connect to an existing water line to serve the FreshPoint site, an existing food preparation facility, outside of the Keyes Community Services District boundary at 5900 North Golden State Boulevard on the east side of Golden State Boulevard, between East Keyes Road and West Barnhart Road (APN: 045-052-034). The proposed service connection is considered exempt under §15301(b) of the California Environmental Quality Act (CEQA). (Staff Recommendation: Approve the application and adopt Resolution No. 2025-13.)

D. **SELECTION OF AN INDEPENDENT AUDITOR FOR THE BIENNIAL AUDIT.**
(Staff Recommendation: Authorize the Executive Office to Execute a Professional Services Agreement with an independent auditor for completion of a biennial audit for fiscal years ending 2024 to 2025.)

6. PUBLIC HEARING

A. **LAFCO APPLICATION NO. 2025-03: SECURED SPACE CHANGE OF ORGANIZATION TO THE KEYES COMMUNITY SERVICES DISTRICT)**: A request to annex 4.73 acres located at 5024, 5028, and 5030 Rohde Road, between Esmar and Faith Home Roads, to the Keyes Community Services District. Annexation would allow an existing mini-storage facility and seven residential units to receive water services from the District. The proposal is intended to fulfill a condition of approval for a general plan amendment and rezone approved for the site by Stanislaus County in 2024. APN: 041-059-001 & 041-059-002. Stanislaus County, through its planning process, assumed the role of Lead Agency, pursuant to the California Environmental Quality Act (CEQA), for the project. The County approved a Mitigated Negative Declaration for purposes of CEQA. LAFCO, as a Responsible

Agency, will consider the environmental documentation prepared by the County as part of its action. (Staff Recommendation: Approve the application and adopt Resolution No. 2025-12.)

7. OTHER BUSINESS

None.

8. COMMISSIONER COMMENTS

Commission Members may provide comments regarding LAFCO matters.

9. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON

The Commission Chair may announce additional matters regarding LAFCO matters.

10. EXECUTIVE OFFICER'S REPORT

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

A. On the Horizon.

11. ADJOURNMENT

A. Set the next meeting date of the Commission for September 24, 2025.

B. Adjournment

LAFCO Disclosure Requirements & Notices

Disclosure of Campaign Contributions: Government Code Section 84308 requires that a LAFCO Commissioner disqualify themselves from voting on an application involving an "entitlement for use" (such as a change of organization, reorganization or sphere of influence) if, within the last 12 months, the Commissioner has received \$500 or more in campaign contributions from the applicant, participant or a representative of either. The law requires any applicant or other participant in a LAFCO proceeding to disclose the amount and name of the recipient Commissioner on the official record of the proceeding. The law also prohibits an applicant or other participant from making a contribution of \$500 or more to a LAFCO Commissioner while a proceeding is pending and for 12 months afterward.

Disclosure of Political Expenditures and Contributions Regarding LAFCO Proceedings: Any person or combination of persons who directly or indirectly contributes a total of \$1,000 or more in support of or opposition to a LAFCO proposal must comply with the disclosure requirements of the Political Reform Act (Section 84250). These requirements contain provisions for making disclosures of contributions and expenditures at specific intervals. More information on the scope of the required disclosures is available from the Fair Political Practices Commission (www.fppc.ca.gov or 1-866-ASK-FPPC).

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 209-525-7660. 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: Proceedings before the Local Agency Formation Commission are conducted in English and translation to other languages is not provided. Please make arrangements for an interpreter if necessary.



TO: CALAFCO Member LAFCOs (all commissioners and staff) & CALAFCO Associate Members

CC: CALAFCO Board of Directors

FROM: José Henríquez, Interim Executive Director & Pamela Miller, Transition Team Consultant

DATE: July 25, 2025

SUBJECT: Update on actions taken by the Board of Directors at their meeting on July 25, 2025

Member LAFCOs and Associate Members:

On behalf of the Board, the Regional Officer Team and the Transition Team, we are pleased to provide you with a brief update on the actions taken by the Board during today's Board meeting.

Today there was significant positive forward movement in the ongoing transformation of CALAFCO. The Board demonstrated its commitment to that progress by deliberating and approving a series of critical recommendations. In summary:

- The Board approved adoption of all proposed changes to the CALAFCO Policies & Procedures, effective immediately. These recommendations were developed in part from the feedback received from the membership at the six (6) focus groups conducted throughout the state and the online cultural assessment. Details of all recommended changes and exact language can be found in item 10 from today's agenda packet. Some of the significant Policy changes include:
 - Adding:
 - Board responsibilities
 - Board & regional officer annual performance evaluations
 - Board code of ethics
 - Board member attendance policy (to support the Bylaws change approved by the membership last year)
 - Various policies addressing Regional Officers being voting members of the Board, should the proposed Bylaws change be approved by the membership in October
 - Deleting the Membership Advisory Committee
- The Board approved recommending additional amendments to the Bylaws for presentation to Member LAFCOs at the annual business meeting scheduled for October 23, 2025. Details of all recommended changes and exact language can be found in item 10 from today's agenda packet. The one significant change is:
 - Adding clarifying language that states regional officers shall serve as voting Board members until such time as the Bylaws are amended in the future to allow Executive Officers to be directly elected to the Board.
- After conducting an interview in open session and deliberating in closed session, the Board appointed Michelle McIntyre (currently Placer LAFCO Executive Officer) as CALAFCO's new Interim Executive Director, subject to negotiation of a contract, and authorized the Executive Committee and Legal Counsel to negotiate the contract with Ms. McIntyre.

- The Board approved a series of important items on the Consent agenda including (all contracts were included in the packet for review):
 - Contract amendment with Miller Management & Consulting Group for transition team work (amendment to lower rate and extend contract)
 - Contract with Hurst Brooks and Espinosa for legislative advocacy services for the coming year
 - Contract with CV Strategies for marketing and communication services for the coming year
 - The appointment of the CALAFCO Executive Officer and two Deputy Executive Officers
- Finally, the Board adopted a revised FY 25-26 budget.

In March there was a commitment to take the necessary steps to address the concerns of the membership. The Transition Team and the Board are working together to move CALAFCO forward during this period of transition and rebuilding trust. While much work has been accomplished over the past five months, there is still much more to do. We thank you for your engagement, your input and feedback, and for partnering with us to co-create CALAFCO's future. We look forward to your continued engagement and implementing the next steps of CALAFCO's transformation with you.



Memo

To: Member LAFCOs

From: CALAFCO Board of Directors and Transition Team

Date: August 15, 2025

Subject: **CALAFCO Board Recommending Bylaws Amendments at October 23, 2025 Annual Business Meeting**

Dear Member LAFCOs,

This October, you will be asked to vote on several proposed amendments to CALAFCO's Bylaws. These changes are part of the larger Association transformation effort underway and are in direct response to feedback from Member LAFCOs.

One amendment adds the four Regional Officers as voting members of the Board. This action is a vital next step in CALAFCO's ongoing transition and creates broader Board representation to enhance capacity and decision-making. (Refer to Bylaws Section 4.1.)

The proposed amendment to Bylaws Section 4.2.1 changes the term of office for newly elected Board Members to begin on December 1 in the year in which they were elected. This change allows new Board Members time for appropriate onboarding and orientation before taking office, supporting their successful governance capability.

To support the Bylaws change approved by the membership in 2024 (in Section 4.4 which addresses potential termination due to attendance), Section 4.3(C) has been added to explicitly state that a vacancy may occur as a result of the attendance matters outlined in Section 4.4.

In Section 4.5.6, it is proposed to remove the ability for a Board Member to give proxy to the Executive Director to establish a quorum for Board Meetings.

All other proposed amendments are minor and non-substantive.

Supported by the Board in February and again unanimously in July 2025, this proposal reflects a shared desire to better align Board representation with the operational knowledge and institutional insight of LAFCO Executive Officers and support new Board Members by better preparing them to take office. It is part of a broader package of reforms that began in 2024 and continue in response to concerns raised by Member LAFCOs.

These amendments do not increase costs or dues. Rather, they strengthen CALAFCO by:

- Broadening representation on the Board
- Enhancing the quality of deliberation and decision-making
- Setting the stage for full Executive Officer participation on the Board
- Strengthens Board governance and best practices

Failure to approve these changes will undermine the possibility of future inclusion of Executive Officers as voting Board members and will hamper CALAFCO's ability to properly prepare new Board Members for their role. We believe that the outcome would be detrimental to the long-term health, viability and relevance of the Association.

We urge you to review the enclosed FAQ, presentation, and proposed Bylaws changes and share this information with your Commission. For questions, please contact Transition Team member Pamela Miller at pmiller@millermcg.com, Interim Executive Director José Henríquez at jhenriquez@calafco.org, your Regional Officer or your Board Member representatives.

We truly appreciate your continued support.

Sincerely,

CALAFCO Board of Directors & Transition Team

—

Attachment: Bylaws reflecting proposed amendments in tracked changes as approved by the Board on February 7, and July 25, 2025



Proposed Bylaws Changes

To be considered at the October 2025 Annual Business Meeting

Q: What is CALAFCO proposing?

A: The Board is recommending the Membership approve the following Bylaws amendments:

- Adding the four Regional Officers as voting members of the CALAFCO Board of Directors (Section 4.1). This is an interim step toward ultimately giving Executive Officers the ability to serve as voting Board members, pending future Membership approval;
- Changing the effective date of Board Members' term of office to begin December 1 in the year of their election, beginning with the 2026 election (Section 4.2.1); and
- Other minor, non-substantive clean-up amendments.

Q: Why are these changes being proposed?

A: The proposed changes are a critical milestone in CALAFCO's organizational transition. They are in response to feedback from Member LAFCOs and are part of a larger effort that includes new leadership, updated policies and procedures, and ongoing transformation efforts. Adding Regional Officers to the Board will strengthen representation and enhance decision-making by incorporating deeper institutional and operational knowledge. Changing the effective date of assuming office allows newly elected Board Members time for proper onboarding and orientation before taking office.

Q: What are the benefits of the changes?

- Broader Representation: Balances policymaker insight with expert operational knowledge from LAFCO practitioners.
- Increased Board Capacity: Enhances institutional knowledge and brings in day-to-day LAFCO experience.
- Responsiveness: Aligns CALAFCO's governance with the evolving needs of its membership.
- Stronger Decisions: Leads to better-informed, more relevant Board deliberations and outcomes.

Q: What happens if these changes are not approved?

A: Failure to pass the amendments will likely halt further progress toward seating Executive Officers as voting Board members—an outcome that would significantly limit CALAFCO's ability to evolve and reflect its full membership; and will hamper CALAFCO's ability to properly prepare new Board Members for their role.

Q: When is the vote and who votes?

A: The vote takes place at the CALAFCO Annual Business Meeting on October 23, 2025, at 9:00 a.m., during the Annual Conference in San Diego. Each member LAFCO in good standing may designate a voting delegate to vote in person (pursuant to Bylaws Sections 3.5 through 3.7).

BYLAWS
OF THE
CALIFORNIA ASSOCIATION OF LOCAL AGENCY FORMATION COMMISSIONS

ARTICLE I

OFFICES

1.1 Principal Office. The principal office of California Association of Local Agency Formation Commissions (“Corporation”) is located at California Local Agency Formation Commissions, 1451 River Park Drive, Suite 185, Sacramento, California 95815¹.

1.2 Change of Address. The Board of Directors (“Board”) (as that term is defined in Section 4.1.1 of these Bylaws) hereby is granted full power and authority to change the location of the principal office of Corporation. Any such change shall be noted by the Secretary in these Bylaws, but shall not be considered an amendment of these Bylaws.

ARTICLE II

MEMBERS

2.1 Classification and Qualifications of Members. The Corporation shall have three (3) classes of members as follows: Member Local Agency Formation Commissions (“Member LAFCOs”)~~es~~; Officers of Member LAFCOs; and Associate Members. Member LAFCOs shall be any local agency formation commission (“LAFCO”), which have paid the required annual membership dues and assessments and have indicated by appropriate action their desire to join the Corporation. Officers of Member LAFCOs shall be any regular or alternate Commissioner, executive officer, deputy executive officer, legal counsel, or deputy legal counsel of any Member LAFCO in good standing as a Member LAFCO. Associate Members of the Corporation shall be any member of the public, a government agency, a business, or an educational institution, either who or which has paid the required annual membership dues and assessments and has indicated by appropriate action ~~its~~their desire to join the Corporation. Notwithstanding any other provision in these Bylaws to the contrary, the terms generally meaning “approval of members or the membership” or “ratification by the members or membership” or “adopted by the members or membership” shall mean such approval or ratification or adoption by ~~members~~Members LAFCOs eligible to vote.

2.2 Membership Dues. The Board shall identify the privileges, and set the amount of membership dues, in accordance herewith, for membership categories during the budget adoption process. The membership dues payable to the Corporation for the admission calendar year by newly admitted members shall be payable in full at the time of admittance. The amount of membership dues and the time or times of payment may, in accordance herewith, be determined and fixed by the Board, and a member, upon learning of any change in such amount or the time or

¹ Office location changed on August 1, 2023.

times of payment, may avoid liability therefor by promptly resigning from membership.
(Amended 6 September 2006)

2.2.1 Notwithstanding the foregoing, Member LAFCO annual membership dues shall be levied based upon a formula that includes the following components:

(1) Dues are population based. The fiscal year 2020-2021 dues uses a 0.013802199 per capita rate and 2020 population estimates based on data from the California Department of Finance.

(2) A base charge as set by the Board ~~of Directors~~, which shall be the same for each Member LAFCO. The base charge for fiscal year 2020-2021 is \$1,000 per LAFCO.

(3) A population threshold as set by the Board ~~of Directors~~.

(4) Population estimates per County updated annually based on data provided by the California Department of Finance.

(5) The per capita rate shall be set by the Board ~~of Directors~~.

(6) No Member LAFCO will pay less than its current dues based on the baseline dues of fiscal year 2018-2019.

2.2.2 Based on the above-described formula, the fiscal year 2020-2021 dues for each Member LAFCO are as follows:

| County | Population Estimate 2020 | Population For Dues Calculation | Base Dues | Per Capita Dues | Base + Per Capita Dues | Total Per Capita Rate |
|--------------|--------------------------|---------------------------------|-----------|-----------------|------------------------|-----------------------|
| ALAMEDA | 1,703,660 | 700,000 | 1,000 | 9,662 | 10,662 | 0.0063 |
| ALPINE | 1,107 | 1,107 | 1,000 | 15 | 1,015 | 0.9171 |
| AMADOR | 37,560 | 37,560 | 1,000 | 518 | 1,518 | 0.0404 |
| BUTTE | 230,701 | 230,701 | 1,000 | 3,184 | 4,184 | 0.0181 |
| CALAVERAS | 44,953 | 44,953 | 1,000 | 620 | 1,620 | 0.0360 |
| COLUSA | 23,144 | 23,144 | 1,000 | 319 | 1,319 | 0.0570 |
| CONTRA COSTA | 1,178,639 | 700,000 | 1,000 | 9,662 | 10,662 | 0.0090 |
| DEL NORTE | 26,997 | 26,997 | 1,000 | 373 | 1,373 | 0.0508 |
| ELDORADO | 189,576 | 189,576 | 1,000 | 2,617 | 3,617 | 0.0191 |
| FRESNO | 1,033,095 | 700,000 | 1,000 | 9,662 | 10,662 | 0.0103 |
| GLENN | 29,691 | 29,691 | 1,000 | 410 | 1,410 | 0.0475 |
| HUMBOLDT | 137,711 | 137,711 | 1,000 | 1,901 | 2,901 | 0.0211 |
| IMPERIAL | 195,814 | 195,814 | 1,000 | 2,703 | 3,703 | 0.0189 |
| INYO | 18,724 | 18,724 | 1,000 | 258 | 1,258 | 0.0672 |
| KERN | 930,885 | 700,000 | 1,000 | 9,662 | 10,662 | 0.0115 |
| KINGS | 154,549 | 154,549 | 1,000 | 2,133 | 3,133 | 0.0203 |

| | | | | | | |
|----------------|------------|---------|-------|-------|--------|--------|
| LAKE | 65,302 | 65,302 | 1,000 | 901 | 1,901 | 0.0291 |
| LASSEN | 30,626 | 30,626 | 1,000 | 423 | 1,423 | 0.0465 |
| LOS ANGELES | 10,435,036 | 700,000 | 1,000 | 9,662 | 10,662 | 0.0010 |
| MADERA | 162,990 | 162,990 | 1,000 | 2,250 | 3,250 | 0.0199 |
| MARIN | 265,152 | 265,152 | 1,000 | 3,660 | 4,660 | 0.0176 |
| MARIPOSA | 18,031 | 18,031 | 1,000 | 249 | 1,249 | 0.0693 |
| MENDOCINO | 90,175 | 90,175 | 1,000 | 1,245 | 2,245 | 0.0249 |
| MERCED | 286,746 | 286,746 | 1,000 | 3,958 | 4,958 | 0.0173 |
| MODOC | 9,422 | 9,422 | 1,000 | 130 | 1,130 | 0.1199 |
| MONO | 13,986 | 13,986 | 1,000 | 193 | 1,193 | 0.0853 |
| MONTEREY | 454,599 | 454,599 | 1,000 | 6,274 | 7,274 | 0.0160 |
| NAPA | 143,800 | 143,800 | 1,000 | 1,985 | 2,985 | 0.0208 |
| NEVADA | 99,548 | 99,548 | 1,000 | 1,374 | 2,374 | 0.0238 |
| ORANGE | 3,260,012 | 700,000 | 1,000 | 9,662 | 10,662 | 0.0033 |
| PLACER | 397,368 | 397,368 | 1,000 | 5,485 | 6,485 | 0.0163 |
| PLUMAS | 19,374 | 19,374 | 1,000 | 267 | 1,267 | 0.0654 |
| RIVERSIDE | 2,500,975 | 700,000 | 1,000 | 9,662 | 10,662 | 0.0043 |
| SACRAMENTO | 1,572,886 | 700,000 | 1,000 | 9,662 | 10,662 | 0.0068 |
| SAN BENITO | 60,067 | 60,067 | 1,000 | 829 | 1,829 | 0.0305 |
| SAN BERNARDINO | 2,230,602 | 700,000 | 1,000 | 9,662 | 10,662 | 0.0048 |
| SAN DIEGO | 3,398,672 | 700,000 | 1,000 | 9,662 | 10,662 | 0.0031 |
| SAN FRANCISCO | 905,637 | 700,000 | 1,000 | 9,662 | 10,662 | 0.0118 |
| SAN JOAQUIN | 782,662 | 700,000 | 1,000 | 9,662 | 10,662 | 0.0136 |
| SAN LUIS OPIPO | 284,126 | 284,126 | 1,000 | 3,922 | 4,922 | 0.0173 |
| SAN MATEO | 792,271 | 700,000 | 1,000 | 9,662 | 10,662 | 0.0135 |
| SANTA BARBARA | 460,444 | 460,444 | 1,000 | 6,355 | 7,355 | 0.0160 |
| SANTA CLARA | 2,011,436 | 700,000 | 1,000 | 9,662 | 10,662 | 0.0053 |
| SANTA CRUZ | 282,627 | 282,627 | 1,000 | 3,901 | 4,901 | 0.0173 |
| SHASTA | 180,198 | 180,198 | 1,000 | 2,487 | 3,487 | 0.0194 |
| SIERRA | 3,129 | 3,129 | 1,000 | 43 | 1,043 | 0.3334 |
| SISKIYOU | 44,186 | 44,186 | 1,000 | 610 | 1,610 | 0.0364 |
| SOLANO | 453,784 | 453,784 | 1,000 | 6,263 | 7,263 | 0.0160 |
| SONOMA | 515,486 | 515,486 | 1,000 | 7,115 | 8,115 | 0.0157 |
| STANISLAUS | 572,000 | 572,000 | 1,000 | 7,895 | 8,895 | 0.0156 |
| SUTTER | 101,418 | 101,418 | 1,000 | 1,400 | 2,400 | 0.0237 |
| TEHAMA | 65,119 | 65,119 | 1,000 | 899 | 1,899 | 0.0292 |
| TRINITY | 13,389 | 13,389 | 1,000 | 185 | 1,185 | 0.0885 |
| TULARE | 487,733 | 487,733 | 1,000 | 6,732 | 7,732 | 0.0159 |
| TUOLUMNE | 53,976 | 53,976 | 1,000 | 745 | 1,745 | 0.0323 |
| VENTURA | 869,486 | 700,000 | 1,000 | 9,662 | 10,662 | 0.0123 |
| YOLO | 229,023 | 229,023 | 1,000 | 3,161 | 4,161 | 0.0182 |
| YUBA | 79,087 | 79,087 | 1,000 | 1,092 | 2,092 | 0.0264 |

2.2.3 Dues may be increased by the Board on an annual basis to reflect changes in the Consumer Price Index (CPI) for California based on data provided by the California Department of Finance.

2.2.4 ~~Membership~~Member LAFCO dues may be reduced by the ~~board~~Board if financial hardship is demonstrated to the satisfaction of the Board.

2.2.5 Officers of ~~member~~Member LAFCOs shall not pay membership dues.

2.2.6 Notwithstanding the foregoing, ~~associate~~Associate member~~Member~~ annual membership dues shall be established by action of the Board~~of Directors~~.

2.3 Assessments. Assessments may be imposed on members by resolution of the Board, except that any such assessments established by the Board first must be ratified by the voting membership before becoming effective. A member, upon learning of an assessment, may avoid liability therefor by promptly resigning from membership.

2.4 Number of Members. There shall not be any limit on the number of members the Corporation may have.

2.5 Membership Book. The Corporation shall keep in any form capable of being converted in written form a membership book containing the name, address, and class of each member. The book also shall contain the fact of termination and the date on which such membership ceased. Such book shall be kept at the principal office of the Corporation and shall be subject to the rights of inspection required by law and as set forth in Section 2.6 of these Bylaws.

2.6 Inspection Rights of Members.

2.6.1 The accounting books and records and minutes of proceedings of the members, the Board, and committees of the Board shall be open to inspection upon written demand on the Corporation of any member at any reasonable time, for a purpose reasonably related to such person's interests as a member.

2.6.2 Inspection pursuant to this Section 2.6 of these Bylaws by a member may be made in person or by agent or attorney, and the right of inspection includes the right to copy and make extracts at such member's sole expense and cost.

2.6.3 If any record subject to inspection pursuant to this Section 2.6 of these Bylaws is not maintained in written form, the Corporation shall at its expense make such record available in written form.

2.6.4 Notwithstanding the foregoing, the right of a member to inspect and copy or obtain a copy of the list of names and addresses of members is as prescribed by Sections 6330 through 6338, inclusive, of the California Corporations Code ("CCC").

2.7 Certificates of Membership. The Corporation shall not issue membership certificates; however, the Corporation reserves the right to issue identity cards or similar devices

to members which serve to identify members qualifying to use the facilities or services of the Corporation.

2.8 Nonliability of Members. A member of the Corporation shall not, solely because of such membership, be personally liable for the debts, obligations, or liabilities of the Corporation.

2.9 Transferability of Membership. Neither the membership in the Corporation nor any rights in the membership may be transferred or assigned for value or otherwise.

2.10 Termination of Membership.

2.10.1 The membership and all rights of membership automatically shall terminate on the occurrence, where applicable, of any of the following:

- (A) Death.
- (B) The voluntary resignation of a member, effective as of the date notice of such resignation is either personally hand-delivered to the President or Secretary of the Corporation or deposited in United States first-class mail, postage prepaid.
- (C) The nonpayment of required dues, assessments or fees.

2.10.2 Termination of membership shall not relieve the resigning member from any obligation for charges incurred, services or benefits actually rendered, dues, assessments, or fees, arising from contract or otherwise prior to such effective date of resignation, and shall not diminish any right of the Corporation to enforce any such obligation or obtain damages for its breach.

ARTICLE III

MEETINGS OF MEMBERS

3.1 Place. Meetings of members shall be held at the principal office of the Corporation or at such location within the State of California as may be designated from time to time by the Board.

3.2 Regular Meetings. Regular meetings shall be as determined by the Board. The business to be conducted at such meetings shall include, but not be limited to:

- (1) the election to the Board ~~of Directors~~ as provided in Article IV of these Bylaws;
- (2) the written resolution of any Member LAFCO in good standing, provided such resolution was submitted to the Board at least sixty (60) days prior to such meeting; and

- (3) the written resolution of any Member LAFCO in good standing not submitted in accordance with the immediately preceding clause (2), provided not less than fifty percent (50%) of Member LAFCOs eligible to vote are present and not less than two-thirds (~~2~~³) of such present members agree to waive the 60 day prior notice requirement in the immediately preceding clause (2).

3.3 Special Meetings. Special meetings may be called by the Chairperson or by a majority of the voting ~~members~~Members LAFCOs of the Corporation for any lawful purpose.

3.4 Notice of Meetings. Notice of member meetings shall be given in writing as follows:

3.4.1 Written notice of regular and special meetings shall be given not less than thirty (30) days nor more than ninety (90) days prior to the meeting to each Member LAFCO and Associate Member of the Corporation. Such notice shall state the place, date and hour of the meeting, and in the case of the annual meeting, those matters which the Board, at the time of the mailing of the notice, intends to present for action by the members.

3.4.2 Notice of any meeting, written ballot, or report shall be given either personally, by first-class United States mail, postage prepaid, or other means of written communication, addressed to the member at the address of such member appearing on the books of the Corporation or given by the member to the Corporation for the purpose of notice; or if no such address appears or is given, at the place where the principal office of the Corporation is located. The notice, written ballot, or report shall be deemed to have been given at the time when delivered personally, deposited in the mail, or otherwise sent, as the case may be. An affidavit of mailing of any notice, written ballot, or report in accordance with the provisions of this Section 3.4.2 of these Bylaws, executed by the Secretary, shall be evidence of the giving of the notice, written ballot, or report.

3.4.3 Except as otherwise prescribed by the Board in particular instances and except as otherwise provided by applicable law, the Secretary shall prepare and give, or cause to be prepared and given, the notice of meetings and the written ballots.

3.5 Approvals. No action may be taken at a regular or special meeting unless a majority of the voting ~~members~~Member LAFCOs are present. The Corporation may act on all matters upon the majority vote of the voting ~~members~~Member LAFCOs present at the meeting. All such approvals shall be made a part of the minutes of the meeting.

3.6 Quorum.

3.6.1 A quorum at any meeting shall consist of not less than fifty (50%) of the ~~members~~Member LAFCOs entitled to vote.

3.6.2 Except where a greater vote is required by the Articles of Incorporation, these Bylaws, or applicable law, if a quorum is present, the affirmative vote of a majority of the ~~members~~Members LAFCOs present shall be the act of the members.

3.6.3 In the absence of a quorum, any meeting of members may be adjourned from time to time by the vote of a majority of the ~~members~~Member LAFCOs present, but no other business may be transacted.

3.6.4 When a meeting is adjourned to another time or place, notice need not be given of the adjourned meeting if the time and place thereof is announced at the meeting at which the adjournment is taken. The meeting shall not be adjourned for more than forty-five (45) days. At the adjourned meeting, the Corporation may transact any business which might have been transacted at the original meeting.

3.7 Voting of Membership.

3.7.1 Each Member LAFCO, in good standing, is entitled to one (1) vote on each matter submitted to a vote of the members. A Member LAFCO's vote may be cast by the Officer of a Member LAFCO designated in writing to the Executive Director or the Board by such Member LAFCO prior to or at the meeting. Members in the class of either Officer of a Member LAFCO or Associate Member are not entitled to vote on any matter submitted to a vote of the members.

3.7.2 Cumulative voting shall not be authorized for any purposes.

3.7.3 Proxies are not permitted.

3.8 Written Ballot of Members.

3.8.1 Whenever the ~~members~~Member LAFCOs are to vote on any proposal for action which could be taken at any regular or special meeting of members, the members may, in the discretion of the Board (unless a specific method of voting is prescribed by these Bylaws), vote by written ballot without a meeting pursuant to this Section 3.8 of these Bylaws.

3.8.2 A written ballot shall be mailed to every ~~member~~Member LAFCO entitled to vote on the matter pursuant to Section 3.4.2 of these Bylaws.

3.8.3 The written ballot shall set forth the time by which the ballot must be received in order to be counted and the minimum number of written ballots which must be returned to meet the quorum requirement.

3.8.4 If the vote is for other than Directors, then the written ballot shall set forth:

- (A) The proposal to be voted on, and for this purpose related proposals may be grouped as a single proposal for the written ballot.
- (B) Offer the member a choice between approval and disapproval on each such proposal.

- (C) Specify that the proposal must be approved by a majority of the written ballots voting on the proposal, provided that sufficient written ballots are returned to meet the quorum requirement.

3.8.5 Approval by written ballot shall be valid only when the number of votes cast by ballot within the time period specified equals or exceeds the quorum required to be present at a meeting authorizing the action, and the number of approvals equals or exceeds the number of votes that would be required to approve at a meeting at which the total number of votes cast was the same as the number of votes cast by ballot.

3.8.6 A written ballot may not be revoked.

3.9 Unanimous Written Consent of Members. In addition to the written ballot procedure of Section 3.8 of these Bylaws, any action required or permitted to be taken by the members may be taken without a meeting if all members individually or collectively shall consent in writing to the action. The written consent or consents shall be filed with the minutes of the proceedings of the members. The action by written consent shall have the same force and effect as the unanimous vote of the ~~members~~Member LAFCOs.

3.10 Conduct of Meetings.

3.10.1 The President of the Corporation or, in ~~his or her~~their absence, the Vice President of the Corporation, or in ~~his or her~~their absence, any other person chosen by a majority of the voting members present in person shall be Chairperson of and shall preside over the meetings.

3.10.2 The Secretary of the Corporation shall act as the Secretary of all meetings; provided that in his or her absence, the Chairperson shall appoint another person to act as secretary of the meetings.

3.10.3 The Chairperson shall decide questions of order at Member meetings subject to appeal by a majority of the quorum.

3.11 Inspectors of Election.

3.11.1 In advance of any meeting, the Board may appoint inspectors of election to act at the meeting and any adjournment thereof. If inspectors of election are not so appointed, or if any person appointed fails to appear or refuses to act, the Chairperson of any meeting may, and on the request of any ~~member~~Member LAFCO present shall, appoint inspectors of election (or persons to replace those who fail or refuse) at the meeting. The number of inspectors shall be either one or three. If appointed at a meeting on the request of one or more ~~members~~Member LAFCOs, the majority of ~~members~~Member LAFCOs present shall determine whether one or three inspectors are to be appointed.

3.11.2 The inspectors of election shall determine the number of memberships outstanding-, the number present at the meeting, the existence of a quorum, receive votes, ballots or consents, hear and determine all challenges and questions in any way arising in

connection with the right to vote, count and tabulate all votes or consents, determine when the polls shall close, determine the result and do such acts as may be proper to conduct the election or vote with fairness to all ~~members~~[Member LAFCOs](#).

3.11.3 The inspectors of election shall perform their duties impartially, in good faith, to the best of their ability and as expeditiously as is practical. If there are three inspectors of election, the decision, act or certificate of a majority is effective in all respects as the decision, act or certificate of all. Any report or certificate made by the inspectors of election is prima facie evidence of the facts stated therein.

ARTICLE IV

DIRECTORS

4.1 Number.

4.1.1 The authorized number of Directors of the Corporation shall be ~~nineteentwenty-two~~ (1922), of which ~~sixteentwenty~~ (1620) shall be voting members and elected from among the ~~Commission Members~~ Member LAFCOs (or in the case of the Regional Officers (as that term is defined below in Section 4.1.1 (5) of these Bylaws), until such time as these Bylaws are amended to permit Executive Officers to be directly elected to the Board, elected from Executive Officers from within their regions) as follows:

- (1) Four (4) Directors shall be city members or alternates of LAFCOs, of which two (2) Directors shall be elected at each annual meeting;
- (2) Four (4) Directors shall be county members or alternates of LAFCOs, of which two (2) Directors shall be elected at each annual meeting;
- (3) Four (4) Directors shall be public members or alternates of LAFCOs, of which two (2) Directors shall be elected at each annual meeting;
- (4) Four (4) Directors shall be special district members or alternates of LAFCOs, of which two (2) Directors shall be elected at each annual meeting;
- (5) Four (4) Directors shall be regional officers, elected by the Executive Officers from within their regions ("Regional Officers").

4.1.2 ~~Three~~Two (32) nonvoting Directors shall be appointed as follows:

- ~~(1) — One Director, appointed by the voting members of the Board, shall be an Executive Officer or a person functioning as executive officer of a Member LAFCO;~~
- (21) One Director, appointed by the voting members of the Board, shall be the Executive Director of the Corporation; and
- (32) One Director, appointed by the voting members of the Board, shall be a legal counsel or deputy legal counsel of a Member LAFCO.

Collectively, the Directors shall be known as the Board of Directors ("Board").

4.1.3 The State shall be divided into four (4) regions as follows for the purpose of electing Board Members: Northern, Central, Coastal and Southern. The counties in each of the four (4) regions shall be determined by the Board of Directors.

Each region shall elect four (4) Directors comprised of one city member, one county member, one public member and one special district member.

4.2 Nomination; Election; and Term.

4.2.1 Prior to the annual meeting, the Board shall appoint a recruitment committee consisting of one member from each Region, in accordance with election procedures adopted by the Board. The committee shall solicit nominations and conduct regional elections for positions on the Board, the terms of which will expire with the annual meeting. Effective with the 2026 Board elections, newly elected Board members shall begin their term on December 1 in the year of their election and be seated at the first Board meeting thereafter. Directors-elect are encouraged to attend Board and planning session meetings in the interim.

4.2.2 In the event that: (a) less than fifty (50) percent of the regions' Member LAFCOs vote, or (b) no nominations are received for an open director position in the region, then the open director position becomes at-large for one term and shall be elected at the annual meeting.

4.2.3 Nominations shall be made from the floor at the annual meeting for any at-large position described in Section 4.2.2. The nominations shall be from the same category as the open director position.

4.2.4 Only Commissioners of Member LAFCOs in good standing and whose membership dues and assessments are fully paid may be nominated to be a Director by the method of nomination authorized by the Board or by any other method authorized by law.

4.2.5 Directors shall be elected at a regular or special meeting or by written ballot as authorized by Section 3.8 of these Bylaws. Directors shall be eligible for reelection without limitation on the number of terms they may serve, unless elected to an at-large position that is not within their region.

4.2.6 Directors are elected for a term of two (2) years.

4.2.7 A vacancy occurring in the office of Director may be filled by the Board for the balance of the unexpired term and until a successor has been elected and qualified by the Board in accordance with Board-adopted election procedures.

4.2.8 Each elected Director shall hold office until the expiration of the term for which elected and until a successor has been elected and qualified.

4.2.9 The Board shall make such rules as are necessary to carry out the provisions of Section 4.2.

4.3 Vacancies on Board. A vacancy or vacancies on the Board shall exist on the occurrence of the following:

- (A) The death or resignation of any Director;
- (B) The declaration by resolution of the Board of a vacancy in the office of a Director who has been declared of unsound mind by an order of court, convicted of a felony, or found by final order of judgment of any court to have breached a duty under Article 3 of Chapter 2 of the CCC; ~~or~~
- (C) [The removal of a Director pursuant to Section 4.4; or](#)
- [\(D\)](#) The increase of the authorized number of Directors.

4.4 Resignations and Terminations of Directors. Except as provided below, any Director may resign by giving written notice to the President or the Secretary of the Board. The resignation shall be effective when the notice is given unless it specifies a later time for the resignation to become effective. The Board, in its sole discretion, may declare vacant the position of any Director who misses two (2) consecutive meetings of the Board. Such Director, however, first shall be given prior notice of such pending termination and given the opportunity to offer a reason for such absences.

4.5 Meetings of the Board.

4.5.1 Meetings of the Board shall be held at the principal office of the Corporation unless another place is stated in the notice of the meeting.

4.5.2 A special meeting of the Board may be called by the President, the Secretary, or any two Directors.

4.5.3 Notice of all regular and special meetings of the Board shall be given. A notice need not include the purpose or agenda for the meeting. The notice may be in writing and mailed at least three (3) days before the meeting. The notice may also be delivered personally or by telephone at least 48 hours before the meeting.

4.5.4 Notice of a meeting need not be given to any Director who signs a waiver of notice or a consent to holding the meeting or an approval of the minutes thereof, whether before or after the meeting, or who attends the meeting without protesting, prior thereto or at its commencement, the lack of notice to such Director. All such waivers, consents and approvals shall be made a part of the minutes of the meeting.

4.5.5 Directors may participate in a meeting through use of conference telephone or similar communications equipment, so long as all such Directors participating in such meeting can hear one another. Participation in a meeting by this means constitutes presence in person at such meeting.

4.5.6 A majority of the authorized number of voting Directors shall constitute a quorum of the Board for the transaction of business, except to adjourn. ~~A Director may give a proxy to the Executive Director solely for the purpose of constituting a quorum.~~

4.5.7 A majority of the Directors present, whether or not a quorum is present, may adjourn any meeting to another time and place. If the meeting is adjourned for more than 24 hours, notice of any adjournment to another time or place shall be given, prior to the time of the adjourned meeting, to the Directors who were not present at the time of adjournment.

4.6 Required Vote of Directors.

4.6.1 Every act or decision done or made by a majority of the voting Directors present at a meeting duly held at which quorum is present is the act of the Board. A meeting at which a quorum is initially present may continue to transact business notwithstanding the withdrawal of Directors, if any action taken is approved by at least a majority of the required quorum for such meeting.

4.7 Written Consent of Directors. Any action required or permitted to be taken by the Board may be taken without a meeting, if all Directors individually or collectively shall consent in writing to such action. Such written consent or consents shall be filed with the minutes of the proceedings of the Board. Such action by written consent shall have the same force and effect as a unanimous vote of such Directors. All members of the Board, as used in this Bylaw does not include any “interested director” as defined in Section 5233 of the CCC.

4.8 Compensation of Directors. Directors shall receive no compensation for their services.

4.9 Inspection Rights of Directors. Every Director shall have the absolute right to any reasonable time to inspect and copy all books, records and documents of every kind and to inspect the physical properties of the Corporation during normal weekday business hours. If a Director wishes to be accompanied by an attorney during such inspection, then the inspection will be scheduled at a time when the Corporation’s attorney will be present.

4.10 Interested Persons. Not more than forty-nine percent (49%) of the persons serving on the Board may be interested persons.

4.10.1 As used in this section, an “interested person” means either:

- (A) Any person currently being compensated by the Corporation for services rendered to it within the previous twelve (12) months, whether as a full- or part-time employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a Director as Director;

or

- (B) Any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of any such person.

4.10.2 The provisions of this Section 4.10 of these Bylaws shall not affect the validity or enforceability of any transaction entered into by the Corporation.

4.11 Powers of the Board.

- (1) It may call special meetings of the members whenever it deems it necessary.
- (2) It shall appoint and remove, at pleasure, all officers, agents, and employees of the Corporation and it shall prescribe their duties to the extent that they are not set out in these Bylaws.
- (3) It may appoint an executive officer or member LAFCO staff person to be a deputy Corporation executive officer.
- (4) It shall conduct and manage the affairs and business of the Corporation, and it shall make rules and regulations not inconsistent with these Bylaws for the guidance of the officers and management of the affairs of the Corporation.
- (5) It may contract with others for such staff and clerical assistance as may be necessary to perform its duties.
- (6) It shall establish, levy, and collect, in accordance with these Bylaws, annual dues and assessments and such other charges and fees necessary to carry out the purposes of the Corporation.
- (7) It may delegate any of its duties to committees to the extent not inconsistent with the Articles of Incorporation, these Bylaws, and applicable laws.
- (8) It shall possess any and all other powers not inconsistent with the Articles of Incorporation, these Bylaws, and applicable laws.

4.12 Duties of the Board.

- (1) It shall arrange and conduct an annual meeting of the Corporation and such other meetings and conferences as it determines necessary.
- (2) It shall arrange for the exchange of information among [Member](#) LAFCOs.
- (3) It shall review laws and proposed laws affecting [Member](#) LAFCOs and make such recommendations thereon as it deems appropriate.
- (4) It shall appoint such committees as are necessary to assist the Board in the performance of its duties.

- (5) It may adopt rules of procedure for the conduct of its meetings.
- (6) It shall perform such other duties as are necessary to carry out the purposes of the Corporation or as directed by the membership, all in accordance with the Articles of Incorporation, these Bylaws, and applicable laws.

ARTICLE V

OFFICERS

5.1 Number and Titles. The officers of the Corporation shall be a President or Chairperson, a Vice-President or Vice-Chairperson, ~~a Secretary~~, a Treasurer, a Secretary, an Executive Director, and such other officers with such titles and such duties as shall be determined and deemed advisable by the Board.

5.1.1 The President shall preside over all meetings of the Board and of the membership and shall sign, in such capacity, all deeds, contracts, notes, conveyances, and other papers, documents, and instruments in writing in the name of the Corporation, which have first been approved by the Board, and shall have, subject to the direction of the Board, general supervision of the business affairs of the Corporation and generally shall discharge such other duties as may be required by the Board.

5.1.2 The Vice-President shall, in the absence of the President or the inability or refusal of the President to act, carry on all duties and powers required by law or these Bylaws and ~~shall~~shall have all the powers conferred by law or these Bylaws upon the President.

[5.1.3 – REORDERED/MOVED TO SECTION 5.1.4 WITHOUT REVISION]

~~5.1.3 The Secretary shall keep or cause to be kept the minute book of the Corporation as prescribed by Section 8.1 of these Bylaws. The Secretary shall sign in the name of the Corporation, either alone or with one or more other officers, all documents authorized or required to be signed by the Secretary. If the Corporation has a corporate seal, the Secretary shall keep the seal at the Corporation's principal office and shall affix the seal to documents as appropriate or desired. The Board may by resolution authorize one or more Assistant Secretaries to perform, under the direction of the Secretary, some or all the duties of the Secretary.~~

5.1.43 The Treasurer is the chief financial officer of the corporation, and, where appropriate, may be designated by the alternate title "Chief Financial Officer". The Treasurer is responsible for the receipt, maintenance, and disbursement of all funds of the Corporation and for the safekeeping of all securities of the Corporation. The Treasurer shall keep or cause to be kept books and records of account and records of all properties of the Corporation. The Treasurer shall prepare or cause to be prepared annually, or more often if so directed by the Board or President, financial statements of the Corporation. The Board may authorize one or more Assistant Treasurers to perform, under the direction of the Treasurer, some or all the duties of the Treasurer.

5.1.4 The Secretary shall keep or cause to be kept the minute book of the Corporation as prescribed by Section 8.1 of these Bylaws. The Secretary shall sign in the name of the Corporation, either alone or with one or more other officers, all documents authorized or required to be signed by the Secretary. If the Corporation has a corporate seal, the Secretary shall keep the seal at the Corporation's principal office and shall affix the seal to documents as appropriate or desired. The Board may by resolution authorize one or more Assistant Secretaries to perform, under the direction of the Secretary, some or all the duties of the Secretary.

5.1.5 The Executive Director shall work directly with the Board in managing the day to day activities of the Corporation. The Executive Director shall be directly responsible for assisting the Board in the development of a strategic business plan to achieve greater financial performance and increased visibility, and generally be responsible for Board administration matters, education and training, communication, legislative activities, regulatory monitoring advocacy, and inter-agency communication, as may be described more fully by and at the pleasure of the Board.

5.2 Appointment and Removal of Officers.

5.2.1 The officers shall be elected by the Board.

5.2.2 Any officer elected by the Board may be removed from office at any time by the Board, with or without cause or prior notice.

5.2.3 When authorized by the Board, any elected officer may be appointed for a specific term under a contract of employment. Notwithstanding that such officer is appointed for a specified term or under a contract of employment, any such officer may be removed from office at any time pursuant to Section 5.2.2 of these Bylaws and shall have no claim against the Corporation on account of such removal other than for such monetary compensation as the officer may be entitled to under the terms of the contract of employment.

5.2.4 Any officer may resign at any time upon written notice to the Corporation without prejudice to the rights, if any, of the Corporation under any contract to which the officer is a party. Such resignation is effective upon receipt of the written notice by the Corporation unless the notice prescribes a later effective date or unless the notice prescribes a condition to the effectiveness of the resignation.

5.2.5 The same person may hold more than one appointed office, except that neither the Secretary nor the Treasurer may serve concurrently as the President. When serving as Board members, Regional Officers shall not be eligible to serve as Board Officers.

ARTICLE VI

INDEMNIFICATION

6.1 Indemnification of Directors, Officers, and Employees.

6.1.1 The Corporation may indemnify a Director, officer, or employee under the provisions of Section 5238 of the CCC, or pursuant to any contract entered into with any employee who is not an officer or Director.

6.1.2 Expenses incurred in defending any proceeding may be advanced by the Corporation as authorized in Section 5238 of the CCC prior to the final disposition of such proceeding, upon receipt of an undertaking by or on behalf of the Director, officer, or employee to repay such amount unless it shall be determined ultimately that the Director, officer, or employee is entitled to be indemnified.

6.1.3 The Corporation may purchase and maintain insurance on behalf of any Director, officer, or employee of the Corporation against any liability asserted against or incurred by the Director, officer, or employee in such capacity or arising out of the Director's officer's, or employee's status as such, whether or not the Corporation would have the power to indemnify the Director, officer, or employee against such liability under the provisions of Section 5238 of the CCC, except as provided in subdivision (I) of Section 5238 of the CCC.

ARTICLE VII

AMENDMENT

7.1 Amendment of Articles. The amendment of the Articles of Incorporation of the Corporation is provided for by California state law and generally requires the approval of the membership pursuant to these Bylaws and the filing of a certificate of amendment in the Office of the Secretary of State.

7.2 Amendment of Bylaws. The amendment of Bylaws is provided for by California state law and generally requires the approval of the membership pursuant to these Bylaws, and to the extent not inconsistent herewith:

(A) These Bylaws may be amended at a meeting of the Corporation or at any statewide, general meeting convened upon order of the Board. Bylaw amendments may be proposed by a Member LAFCO in good standing or by the Board.

(B) Proposed amendments shall be submitted to the Board in writing at least sixty days prior to the meeting at which they are to be considered. The Board shall mail copies of the proposed amendments to all Member LAFCOs in good standing at least thirty days prior to the meeting at which they are to be considered. A majority vote of the Member LAFCOs in good standing which are present and eligible to vote is required for adoption of the amendments submitted under this procedure.

(C) Written amendments to the Bylaws may be submitted and considered at a meeting of the Corporation without complying with the requirements set out in the preceding paragraph if at least fifty percent (50%) of the Member LAFCOs in good standing are present and

eligible to vote at such meeting and two-thirds (2/3) of the Member LAFCOs in good standing present and eligible to vote approve a waiver of the requirements set out in the immediately preceding subparagraph (B).

ARTICLE VIII

RECORDS

8.1 Minute Book. The Corporation shall keep or cause to be kept a minute book which shall contain:

- (A) The record of all meetings of the Board including date, place, those attending and the proceedings thereof, a copy of the notice of the meeting and when and how given, written waivers of notice of meeting, written consents to holding meeting, written approvals of minutes of meeting, and unanimous written consents to action of the Board without a meeting, and similarly as to meetings of committees of the Board established pursuant to the Bylaws and as to meetings or written consents of the incorporator of the Corporation prior to the appointment of the initial Directors.
- (B) A copy of the Articles of Incorporation and all amendments thereof and a copy of all certificates filed with the Secretary of State.
- (C) A copy of these Bylaws as amended, duly certified by the Secretary.

8.2 Annual Report.

8.2.1 Financial statements shall be prepared as soon as reasonably practicable after the close of the fiscal year. The financial statements shall contain in appropriate detail the following:

- (A) The assets and liabilities, including trust funds, of the Corporation as of the end of the fiscal year.
- (B) The principal changes in assets and liabilities, including trust funds, during the fiscal year.
- (C) The revenue or receipts of the Corporation, both unrestricted and restricted to particular purposes, for the fiscal year.
- (D) The expenses or disbursements of the Corporation for both general and restricted purposes, during the fiscal year.

8.2.2 Any report furnished to Directors of the Corporation which includes the financial statements prescribed by Section 8.2.1 of these Bylaws shall be accompanied by any report thereon of independent accountants, or, if there is no such report, the certificate of an authorized officer of the Corporation that such statements were prepared without audit from the books and records of the Corporation.

8.2.3 A report including the financial statements prescribed by Section 8.2.1 of these Bylaws shall be furnished annually to all Directors of the Corporation.

8.3 Report of Transactions and Indemnifications. The Corporation shall mail to all Directors a statement of any transaction between the Corporation and one of its officers or Directors or of any indemnification paid to any officer or Director if, and to the extent, required by Section 6322 of the CCC. The statement shall be mailed within 120 days after the close of the fiscal year. The statement required by this Section 8.3 of these Bylaws shall describe briefly:

- (A) Any covered transaction during the previous fiscal year involving more than Fifty Thousand Dollars (\$50,000), or which was one of a number of covered transactions in which the same “interested person” had a direct or indirect material financial interest, and which transactions in the aggregate involved more than Fifty Thousand Dollars (\$50,000).
- (B) The names of the “interested persons” involved in such transactions, stating such person’s relationship to the Corporation, the nature of such person’s interest in the transaction and, where practicable, the amount of such interest; provided, that in the case of a transaction with a partnership of which such person is a partner, only the interest of the partnership need be stated.
- (C) The statement shall describe briefly the amount and circumstances of any indemnifications or advances aggregating more than Ten Thousand Dollars (\$10,000) paid during the fiscal year to any officer or Director of the Corporation pursuant to Section 5233 of the CCC.

For these purposes, an “interested person” is any Director, officer, or member of the Corporation.

ARTICLE IX

MISCELLANEOUS

9.1 Bonding. All employees handling funds shall be properly bonded.

9.2 Self-Dealing. In the exercise of voting right by Directors, no Director shall vote on any issue, motion or resolution which directly or indirectly inures to his or her benefit financially, except that such Director may be counted in order to qualify a quorum and, except as the board may otherwise direct, participate in a discussion on such an issue, motion or resolution if he or she first discloses the nature of his or her interest subject to Section 5230 through, and including Section 5239 of the CCC.

+

CERTIFICATE OF SECRETARY

I, the undersigned, do hereby certify:

1. ~~That I am the duly elected and acting Secretary of California Association of Local Agency Formation Commissions, a~~ California nonprofit corporation; and

2. ~~That the foregoing Bylaws, comprising eighteen (18) pages, constitute the Bylaws of said Corporation as duly Incorporated of said Corporation, and as duly approved by the required vote of the members of said Corporation at a meeting duly held on Thursday, 10 September, 1998 and amended on 6 September, 2006.~~

~~IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Corporation this 6th day of October, 2006.~~

(Del)



Susan Vicklund-Wilson
Secretary

IN THE NEWS

Newspaper Articles

- Modesto Bee, July 18, 2025, “Stanislaus County begins 3-year project to build major expressway. What to know.”
- Westside Connect, July 18, 2025, “West Side Healthcare District Board votes on changes to virtual meetings and audit firm.”
- Patterson Irrigator, July 18, 2025, “Del Puerto Health Care District presents vision for health care campus.”
- Modesto Bee, July 23, 2025, “Can Modesto provide water to big Salida growth area? Studies to assess supply.”
- Westside Connect, July 24, 2025, “CCID’s new strategic plan charts ambitious course for water district’s future.”
- Ceres Courier, July 30, 2025, “Keyes facing whopping sewer rate increase of \$37 per month.”
- Patterson Irrigator, July 31, 2025, “New housing subdivision proposed for north-east side of Patterson”
- Westside Connect, August 6, 2025, “Supervisors to set hearing on West Stanislaus Irrigation District office project.”
- Westside Connect, August 6, 2025, “West Side Healthcare District to begin contract negotiations with UnitedSteel Workers union.”
- Ceres Courier, August 6, 2025, “Regional fire training tower dedicated on Service Road.”
- CBS News, August 11, 2025, “Stanislaus County commission approves annexing 300 acres on southeast side of Oakdale.”

This page intentionally left blank

IN THE NEWS – Modesto Bee, July 18, 2025

Stanislaus County begins 3-year project to build major expressway. What to know

By Ken Carlson

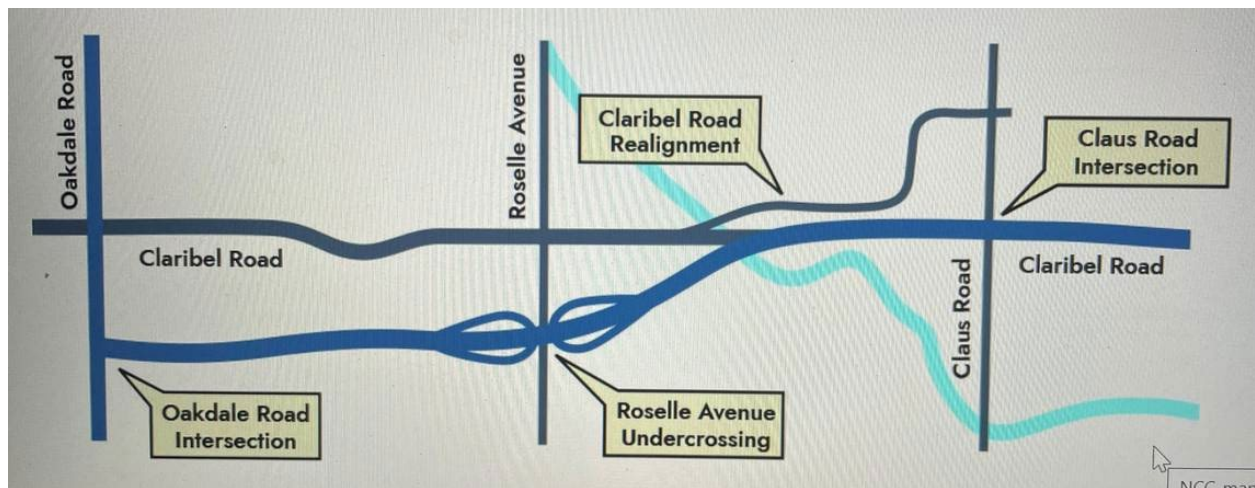
A contractor has begun work on a long-awaited project to improve traffic flow east and west across the northern area of Stanislaus County.

The 2.4-mile first phase of the North County Corridor will run between Oakdale Road and Claus Road just north of Modesto.

From the Oakdale-Claribel road intersection near Riverbank's Crossroads shopping center, the four-lane expressway will run south on Oakdale for a quarter mile and east across land to Claus Road, with overcrossings at Roselle Avenue and the Burlington Northern Santa Fe rail line and Terminal Avenue.

The three-year project will impact traffic on Oakdale, Claribel and Claus roads and also cause disruptions such as the closure of Roselle Avenue for months, county Public Works Director David Leamon said. The Roselle closure will likely begin in the fall, between Plainview Road in the south and Claribel in the north.

Drivers still will have access to the Bel Passi baseball complex on Roselle, but a route for Riverbank students going to Enochs High School will be blocked. Leamon said the closure is necessary for equipment moving dirt to build the Roselle overcrossing and interchange ramps.



Phase 1 of the North County Corridor will run generally south of the current Claribel Road between Oakdale and Claus roads, near Modesto CA. Stanislaus County Public Works

The county hopes the road closure will be less than a year. "We will try to keep it open as much as possible," Leamon said. "We have a million and a half yards of dirt to move. There's going to be so many scrapers running, it won't be safe for cars."

IN THE NEWS – Modesto Bee, July 18, 2025 - Continued

Some work has begun to move utility lines on the eastern side of the project.

In February, Stanislaus County awarded a \$144 million construction contract to Bay Cities/Myers & Sons Joint Venture to build the route, which is one phase of an 18-mile highway project to carry traffic between the Highway 99 Kiernan Avenue interchange and a link with Highway 120 east of Oakdale.

The stated benefits are reducing congestion, eliminating safety hazards at rail crossings, reducing air pollution from idling trucks and efficiently moving goods and services.

The plans are to complete the first phase in summer 2028. The second phase, from Claus to Albers Road, and the third, from Albers to Highway 120, will be built in the decade between 2030 and 2040, followed by the final phase between Tully and Oakdale roads.

Stanislaus County is responsible for construction. Once the phases are complete, it will be the new route for state Highway 108, with the state responsible for maintenance.

Mostly daytime construction

Leamon said daytime construction activity is planned in the next three years, though some work at night could be done. The county hopes to keep traffic delays to a minimum.

“To say there will be no impact would be untrue,” Leamon said. “You can’t build a project like this and not have impacts along the way.”

Leamon said the county is working to provide closure notices and updates through social media, roadside digital signs and other messaging.

The construction period is also an opportunity to fix smaller problems, including a blocked drain line at the intersection of Roselle and Claribel.

Melissa Sandoval of Riverbank has urged local officials for a few years to repair the failed drain. It causes flooding on the east side of Roselle during the rain season, damaging the house where Sandoval and her father live.

Leamon said a contractor will replace the failed drain with a new pipe.

West Side Healthcare District Board votes on changes to virtual meetings and audit firm

By Navtej Hundal

Following the appointment of two new board members, drastic changes will soon be made to West Side Healthcare District after its Board of Directors voted last Tuesday to not air its meetings virtually and approved a contract agreement with a new audit firm.

With meetings no longer on Zoom, in-person sessions are now the only option for district residents to provide public comment. The decision stems from the district having technical difficulties when hosting its meetings on Zoom, which has been a recurring problem. With the equipment used for virtual meetings belonging to the city of Newman, Roberta Casteel, the district's administrative service manager, said the Bluetooth device used doesn't have a consistent internet connection. This has led to her calling Mid Valley IT several times to troubleshoot the problem.

As efforts to resolve the matter have failed within the past year, Jessica Vived, an attorney from Wanger Jones Helsley PC, said the city could face a possible violation of the Brown Act if they continue holding virtual meetings. She added that if the district wants to offer teleconferences in the future, they must resolve the problem.

"If that is something the board wishes to maintain, then we just need to make sure that there is something that can be done in the near future to make sure these problems that we have been having with Zoom are resolved," Vived said.

While it's not a requirement to host virtual meetings, Assembly Bill 2449 mentions if board members or members of the public can't use the call-in option to comment on a matter during a virtual meeting, officials "shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service is restored."

Board member Robert Vargas suggested the district purchase its own equipment to combat its problems with the city's hardware. Ashley Casteel, a board member, responded to Vargas and said the equipment is expensive and not always reliable based on her experience in working in IT.

WSCHD switches audit firms

The district's contract agreement with Price Paige & Company will be for three years with annual payment of \$25,000, which is around \$8,000 more than what they've paid in audit fees with its previous audit firm, Victorium Legal Inc.

The annual payment will be capped at that annual price, District Finance Director Leo Landaverde said. He said it's uncommon to pay this amount for an audit that is extensive, adding that prices have increased within the past couple of years.

David Varnell, the board president, said the district does not have any other choice other than to go with someone else. "They don't want to take somebody like us. It's just the way it is," he said. "It's just something that, for some reason, a public agency, they don't like doing this work."

The agreement would provide for audit services for years ending June 30, 2024, 2025 and 2026. The district can renegotiate for another agreement following the three years.

During a March 17 special meeting, an Ad Hoc Committee recommended the district's board of directors decide on two options on its future: continuing its ambulance operations, but make significant changes to staffing, **IN THE**

NEWS – Westside Connect, July 18, 2025 - Continued

operations and its billing company or transition away from ambulance services to providing more broader services such as community service, education and scholarships for district residents and preventative screenings.

Landaverde told The Connect that the district's financial situation has improved after it was estimated earlier in the year that it had enough revenue to last through September. He didn't provide any specifics about the situation.

Del Puerto Health Care District presents vision for health care campus

By Timothy Benefield, Sr.

The Del Puerto Health Care District held a Townhall Meeting on Monday night, July 14, with many exciting implications for the future of healthcare for the citizens of the Patterson area. A vision was outlined of the step-by-step development of a major healthcare campus connected to downtown Patterson that includes a new ambulance center, a behavioral health clinic, senior living, a rural health center, and eventually, an acute care hospital. The CEO of the District and the Board of Directors have been moving forward vigorously in recent months to bring this vision to life. Almost all the property needed for the campus is under contract, and they fully expect to break ground on the first two facilities in early 2026. Any careful observer of the process has come to the realization that the plans are not just wishful thinking.

The CEO of the Del Puerto Health Care District, Dr. Karin Freese, started off the presentation with an outline of the journey that has been taken over the past five years to arrive at the current stage of development. Major surveys were conducted in 2021 and 2025 to assess the current health care needs for the residents of the West Side of Stanislaus County. The survey was administered by phone, mail, and online surveys. It was also offered in English and Spanish. Each year, there were over 500 community responses to the survey. The survey covered a variety of topics including health care access, use, availability, and needs. Dr. Freese said, “These insights have been critical in shaping not just what we build, but how we prioritize services on the new campus.”

The major finding of the survey was that over half of the residents within the district leave the West Side to see a doctor. This barrier to health care results in delayed care, missed appointments, and significant transportation challenges. The transportation issues are especially burdensome for seniors and low-income residents. The obvious conclusion, according to Dr. Freese, is that quality healthcare must be readily available closer to home. The survey also revealed a serious gap in access to primary care, specialty services, and mental health services. In addition to these gaps, there is a strong desire by residents for a local hospital or emergency room. In response to these survey findings, Dr. Freese said, “That’s why we’re focused on building a full spectrum of care right here in Patterson – from prevention to emergency response – so no one has to leave their community to get the care they deserve.”

Dr. Freese and the DPHCD Board of Directors are presenting the proposed 27.5-acre medical park as the response to the concerns raised in the surveys. The campus will be developed in phases over the next 10 to 15 years. The rest of 2025 will be spent wrapping up the acquisition of property and finalizing plans and designs for the first two facilities. Plans appear to be on schedule to break ground on the Del Puerto Ambulance and Administration Center and the Community Mental Health Clinic in the first half of 2026. The goal is to open the doors of those two facilities in 2028. The next major item on the timeline involves relocating the Del Puerto Health Center to the campus in 2029. An Independent Senior Living Center is planned for 2030, and a Medical Office Building in 2031. The DPHCD is working towards a Memory Care and Assisted Living Facility on the campus in 2033. The final pieces in the development of the campus would be the addition of Skilled Nursing and an Acute Care Hospital sometime between 2035 and 2040.

The total capital investment projected for the campus, excluding the hospital, is \$197.5 million. The funding of the project is expected to come from several major sources. Development Impact Fees on the construction of new homes, businesses, and warehouses are expected to provide about 56% of the funding. The other 44% will come from a combination of state and federal grants, property tax revenue, city and county contributions, and public-private partnerships.

The Del Puerto Health Care District recently announced their partnership with HDR Architecture for the planning and design of the campus. Vishal Turkar represented HDR in the town hall meeting and presented the current draft of the campus master plan. As the drawings were shown on screen in the city council chambers, a campus was revealed that evoked feelings of a peaceful oasis. Hundreds of trees lined the streets and the parking lots. A

NEWS – Patterson Irrigator, July 18, 2025 - Continued

space was reserved for several park areas on the campus itself, and the whole project is adjacent to Centennial Park that will be built in the near future in between Ward Avenue and 9th Street. Turkar described some of the design elements that will add to the tranquil atmosphere. Parking lots will be tucked toward the center of the campus and shielded from street view by the medical facilities. The flow of the campus will be laid out to make it a pleasant place to visit for health care needs.

After the presentations by Dr. Freese and Vishal Turkar, the floor was opened for community questions and comments. A couple of local residents stepped to the podium to share experiences with the district, ask questions, and provide suggestions. The Director of Behavioral Health and Recovery Services for Stanislaus County, Reuben Imperial, was present and offered some words of encouragement. The PJUSD Superintendent, Dr. Reyes Gauna, joined the town hall online and expressed the support of the school district for the new campus as being in the best interests of the students in the district. He said, "I stand before you, via Zoom, expressing our gratitude and support for this endeavor, and PJUSD is ready to collaborate in any way that we can to support this magnificent endeavor." Patterson City Manager Fernando Ulloa and Paterson Planning & Community Development Director Bryan Stice were also in attendance. Director Stice expressed support from city management. He said, "We appreciate the early level of consultation that Karin and her team have brought forth. We are committed to doing what we can to ensure a smooth and efficient and business friendly relationship with the district. The fact that they were able to secure this site for the future healthcare campus was a major feat in and of itself."

Patterson history is being made, and the West Side has much to look forward to as the new healthcare campus takes shape. Residents are encouraged to share their input with their elected representatives on the Board of Directors. You can find contact information for your representative and more information about the new campus at <https://www.dphealth.org>.

IN THE NEWS – Modesto Bee, July 23, 2025

Can Modesto provide water to big Salida growth area? Studies to assess supply

By Ken Carlson

Stanislaus County has asked Modesto to evaluate its ability to provide water service for the Salida Community Plan expansion.

The county will cover the costs for the city to oversee a consultant to assess the water supply and whether the city system can serve the 3,400-acre Salida development area.

County supervisors and Modesto City Council members approved the related consent items on Tuesday. Modesto will contract with West Yost Associates of Davis to perform the water service evaluations.

The county is working on an extensive environmental review of the Salida plan, which includes 2,000 acres of industrial and business park development, a possible 5,000 dwellings and parkland. In addition to environmental impacts, the review is considering transportation issues, infrastructure needs, a fee assessment and feasibility study on Salida incorporation as a city.

Studies will also assess the amount of groundwater and whether it's feasible for the city to serve the development area.

West Yost, a subconsultant for the county environmental studies, has been evaluating water supply capacity in the Salida area. A city staff report said Modesto can contract with West Yost, while skipping the normal bid process, because the firm has unique qualifications: It does hydraulic modeling for the city and knows Modesto's water system.

The county chief executive officer still needs to negotiate an agreement with Modesto for reimbursement of costs for the water studies. The county has agreed to cover costs of the water analyses, not to exceed \$112,400.

The county has budgeted \$1,049,000 for the programmatic environmental impact report on the Salida plan. Ascent Environmental of Sacramento is preparing the EIR under a contract with the county and a draft study could be released in early 2026.

Modesto has supplied water service to Salida homes and businesses since acquiring the Del Este Water Company in 1995. County supervisors, in a controversial 3-2 vote in 2007, approved what's called the Salida Community Plan "amendment", which extends development areas north toward the Stanislaus River and east of the existing community to Dale Road.

Some have considered it a grandiose plan that could create 27,000 jobs and push Salida's population to almost 30,000. How much of the area will be developed will depend on the economy and development demand.

"I think there will be enough water," said Supervisor Terry Withrow, whose district includes Salida. "The city has capacity, that is for sure."

Salida, with 14,500 residents, already is the largest unincorporated town in the county. A population twice the size would raise the question of whether the county should continue to govern Salida or if city incorporation would make more sense.

Interest in the long-dormant Salida Community Plan was rekindled when the Scannell warehouse project emerged in 2024, proposing 2.5 million square feet of warehouses and distribution centers at the northwest corner of Dale Road and Kiernan Avenue. County officials determined a comprehensive environmental study on the 3,400-acre Salida growth area was required before individual projects like Scannell could move forward.

NEWS – Modesto Bee, July 23, 2025 - Continued

The Scannell project also has an application for annexation to Modesto as a possible option.

Withrow said he believes other development projects in the Salida area will emerge once the programmatic EIR is completed next year. “Once that is done, depending on the economy, I think it could really take off,” Withrow said.

CCID's new strategic plan charts ambitious course for water district's future

By Sabra Stafford

Central California Irrigation District has unveiled its draft strategic plan for 2020–2025, laying out a five-year vision for operations, infrastructure, workforce, and community partnerships.

The plan, submitted to the Board of Directors on June 23 for formal review, builds on the District's long track record of service to local growers while preparing for the changing demands of water management in California.

The document offers a practical roadmap that will guide CCID's decisions across seven major focus areas: water supply and infrastructure, workforce development, finance and rates, safety and security, technology and innovation, community partnerships, and board governance. Each priority reflects CCID's grower-first mindset and commitment to reliable service, fiscal strength, and long-term sustainability.

One of the biggest goals of the plan is to secure and manage water more efficiently—especially during dry years. Projects include lining canals to conserve water, improving recharge efforts at Orestimba and Los Banos Creek, and expanding storage capacity. The District aims to deliver an extra 15,000 acre-feet of water during critical water years by 2030, protecting the rights of its growers while facing growing regulatory and climate-related pressures.

The draft also lays out plans to upgrade aging infrastructure, assess equipment needs, and better prepare for regional issues like groundwater subsidence and drainage migration. By modernizing facilities, developing new dredging strategies, and exploring partnerships on water quality, CCID seeks to boost reliability while minimizing costs.

On the workforce front, the District intends to invest heavily in employee development and succession planning. By launching training programs, refining job descriptions, and creating incentives for certifications, CCID hopes to build a future-ready staff that can carry forward institutional knowledge and drive innovation. There's also a push to enhance human resources practices, including onboarding procedures and structured internships.

Financial stability remains a cornerstone of the draft plan. CCID outlines steps to build emergency reserves, pursue grants, and limit reliance on water transfer revenue. The District wants to maintain affordable water rates by improving internal efficiencies and carefully planning long-term capital investments.

The plan also touches on improving safety and cybersecurity measures, updating internal tech systems, and strengthening outreach to growers and regional partners. The goal is to build trust, influence policy, and speak with a stronger voice on behalf of its community.

IN THE NEWS – Ceres Courier, July 30, 2025

Keyes facing whopping sewer rate increase of \$37 per month

By Jeff Benziger

Residents of Keyes are facing a whopping sewer rate increase of \$37 per month with a protest hearing scheduled for next month.

Currently residents in Keyes are paying \$64.23 per month – a rate which has been in place for about 10 years – and jumps to a proposed \$101.23.

The Keyes Community Services District provides water and sewer service to those living in Keyes and announced recently that the \$37 wastewater rate hike is “necessary due to increased operating expenses, including significantly higher treatment charges from the city of Turlock, which processes the district’s wastewater.” A letter to residents stated that the rate hike is “essential to maintain a financially stable and compliant wastewater system.”

Keyes has no wastewater treatment plant and through a contract with the city of Turlock, sends its’ effluent to the treatment plant in Turlock. The Turlock plant also accepts waste from the city of Ceres and the unincorporated town of Denair.

A protest hearing is set for 6 p.m. on Tuesday, August 26 at the Keyes Community Center, 5506 Jennie Avenue in Keyes.

Proposition 216, adopted in 1996, requires government entities in California which want to raise fees for water, sewer and solid waste to hold a protest hearing. Those protests are rarely successful because at least 50 percent plus one of voters must submit valid written protests and getting half of a community to do so is extremely difficult due to community apathy. The KCSD mailed out protest forms recently.

Only one protest form may be submitted per parcel and include the name of the person protesting, the parcel number or service address and signed by the property owner or ratepayer of record.

The news of the forthcoming increase drew flak from Keyes residents, among them Laura Angelica Ramirez who posted on social media: “Insane increase! We can barely make ends meet with living expenses rising all the time. Forty dollars is too much. Definitely a NO.”

One resident posted on social media that the district did not send out the mailers within the legally prescribed time frame. The Courier reached out to KCSD general manager Ernie Garza who refused to answer questions. Board member Jonathan Parker called back but also refused to answer questions, saying the flyer that went to residents had all the pertinent information.

New housing subdivision proposed for north-east side of Patterson

By George Galloway Mac Master

At the City of Patterson Planning Commission meeting held Thursday evening, July 24, 2025, the Commission unanimously reappointed Ron West as Chairman and Commissioner Eric Bendix as Vice Chairman. Also in attendance were Commissioners Lynn Aplan and Mike Sidhu, Community Development Director Bryan Stice, city staff, and a sizable audience of engaged community members.

The meeting was officially recorded by Justin Danner of Danner Video Services. Adding a modern touch, local resident Marco Ahumada livestreamed the meeting to his 12.8K TikTok followers under the handle “Marco Keeps Yappen.” Known for spotlighting civic issues online, Marco’s stream is believed to be the first-ever TikTok broadcast of a Patterson Planning Commission meeting, expanding public access and engagement in a new way. During public comment discussion, Marco took the podium to share questions submitted by his TikTok followers.

The central agenda item was the proposed Olive Avenue Tentative Subdivision Map, a 36.3-acre residential development submitted by local developer Skip Spearing as part of the broader Villages of Patterson initiative. The proposal includes 162 single-family residential lots, a remainder parcel reserved for future multifamily and commercial development, a 50-foot-wide central Paseo, and a full circulation and utility plan consistent with the Master Plan. Stice described the Paseo as “a series of pocket parks in linear form,” offering shaded walkways, passive recreation areas, and community gathering spaces. While a formal park is not included, the Paseo is designed to satisfy the project’s open space requirement and provide a pedestrian-friendly green corridor.

During Commission deliberations, Chairman Ron West encouraged the developer to consider widening the Paseo as it approaches higher-density and commercial zones. “People love and need open space,” he said. Commissioner Mike Sidhu raised a question about the planned roundabout at Olive and Hartley, asking whether it was being considered in place of a standard traffic signal. Stice explained that the roundabout had always been part of the Master Plan and was chosen for its ability to improve long-term traffic flow, reduce wait times, and offer safer passage for pedestrians and cyclists in residential areas.

Among the attendees was Frances Wong, former owner of the historic Frontier Hotel—also known as the Welty Hotel. As the meeting concluded, Chairman West captured the spirit of the evening with a closing remark: “Patterson is on the move. There are great things happening here.”

IN THE NEWS – Westside Connect, August 6, 2025

Supervisors to set hearing on West Stanislaus Irrigation District office project

By Sabra Stafford

WESTLEY — The Stanislaus County Board of Supervisors is expected to take the first step Tuesday toward approving a new office for the West Stanislaus Irrigation District, which serves agricultural water users in the Westside region.

At its August 5 meeting, the Board will vote on whether to set a public hearing for September 9 to consider a rezone request that would allow the district to build a 3,583-square-foot office at 116 E Street in Westley. The proposed site, located between Kern Street and Highway 33, currently includes three parcels zoned for single-family residential use. The district is seeking to rezone the land to Planned Development to accommodate the new facility.

The Stanislaus County Planning Commission unanimously recommended approval of the project at its July 17 meeting. County staff also prepared a Negative Declaration, indicating the project is not expected to have significant environmental impacts.

The irrigation district plays a key role in managing water deliveries to farms in the area. If approved, the new office would replace the district's aging administrative space and provide updated facilities for staff and public access. Tuesday's vote will not approve the project itself, but will formally schedule the September 9 hearing and authorize the Clerk of the Board to publish the required public notice.

The Board of Supervisors meets at 9 a.m. in the basement chambers at 1010 10th Street in Modesto. The full agenda is available at stancounty.com.

IN THE NEWS – Westside Connect, August 6, 2025

West Side Healthcare District to begin contract negotiations with UnitedSteel Workers union

By Navtej Hundal

West Side Healthcare District will begin contract negotiations with a local UnitedSteel Workers union after its Board Of Directors unanimously approved the move on Tuesday.

Local Union TEMSA 12-911 is proposing to increase wages and benefits for its workers.

Fernie Mirelez, the union's staff representative, said the union is made up of 1,400 individuals that work at 14 different occupations, 11 in Emergency Medical Services, two in care centers and one in hospital. The members work throughout the state from Northern California to Southern California. Mirelez said he represents roughly around 1,000 members from the union .

The union's contract expired last year in September, but was later extended through March in an effort to get Measure A passed. The bond measure, which introduced a parcel tax of \$69 per parcel to maintain and improve ambulance services, didn't pass after not receiving a two-thirds support of the overall votes from Stanislaus and Merced counties in last year's general election.

Given that the measure didn't pass, the union agreed to extend its contract until the end of September this year to give the district time to develop a backup plan. Mirelez said the union generally does a three-year contract, but it depends on the district's ability to stay viable for communities surrounding Newman, Gustine, Stevinson and Santa Nella.

"At the end of the day, the goal for the district and the workers is to provide this ambulance service to the members of the community," he said. "And that's why it was very unfortunate that the measure did not pass by the two-thirds needed."

Additionally, Mirelez said one of the proposals that was agreed upon during the first discussion of a contract extension in Sept. 2024 was getting a 16% wage increase for full-time EMTs and paramedics.

In contract negotiations, when both parties' representatives come to a proposed contract, a ratification meeting is called among union members to discuss the agreement, Mirelez said. Following discussions between members, a majority vote will decide whether to agree on the new contract or reject it.

Mirelez said he anticipates a meeting with the district representatives will happen within the next month or two. For him, the most optimal outcome is getting agreement done by Sept. 30 and the worst outcome is negotiations continuing through October.

"It would be my goal to try to get a deal by the end of September, [but] If we need to extend that another month or so, I have no objections to that, as long as things are going well." Mirelez said. "We don't want workers here at West Side disgruntled over no wage increases and then leave the district for other EMT and paramedic positions with other providers that pay a higher wage."

NEWS – Westside Connect, August 6, 2025 - Continued

Mirelez said around seven years ago, the district was struggling to stay afloat financially. To help alleviate the situation, union workers took a 10% wage decrease for one year. After the 12 months, wages went back to their original rates.

With an agreement to begin negotiations with the union, the district will have three individuals as representatives during negotiations talks, none of which are board members.

Board of Directors' President David Varnell said none of the board members should be involved during negotiations because it could be a conflict of interest. "We're the ones that ultimately decide whatever they negotiate on and come up [with] whether we accept it or don't accept it, so it could be a conflict," he said.

The district's spokespeople will speak with representatives from the California Employees Associations about how they should approach negotiations with the UnitedSteel Workers local union.

"I think before it's all over with, it'll be best for all of us [and] for them to get [done] because let's face it, they need a raise too [because] cost of living has gone up on them," Varnell said.

IN THE NEWS – Ceres Courier, August 6, 2025

Regional fire training tower dedicated on Service Road

By Jeff Benziger

A new \$1.19 million four-story tower at the Service Road fire station in Ceres for training firefighters throughout Stanislaus County was dedicated last week. The ceremony included a surprise for retiring Modesto Fire Chief Kevin Wise when it was announced that the center will be named in his honor.

The tower is situated on Ceres city property – formerly the Ceres Fire Station – but is owned and operated by a Joint Powers Authority (JPA) with all its members contributing toward its cost. A host of city, county and fire officials came out for the July 30 dedication and ribbon cutting of what is the Station 17 Fire Training Tower named in Wise's honor.

Wise is technically the fire chief of Ceres as the city has been contracting for fire service with Modesto since 2019. Modesto Deputy Fire Chief Darin Jesberg, who is in charge of both the facility and the Modesto Junior College Regional Fire Training Center, said the new tower will “provide a variety of realistic training scenarios to our firefighters, current and new firefighters.”

“This tower is a little different than the other towers we have in our system, as it offers a different types of training scenarios,” stated Jesburg.

Chief Wise said the structure is the “realization of a long standing vision.

“Years ago this site was home to a fire station but during the recession it closed, and its potential diminished with each passing year,” said Wise. “This site was literally just turned into a dumping ground for the city of Ceres. Old equipment, tumbleweeds, the station was just left and so we saw the potential for this site. We knew we had a need and we had a location. So in 2019, things began to change. We formed a partnership for a joint training agreement between multiple fire agencies. With that, we breathed new life into this property, pulling in containers, building props, and transforming it into a functional training ground. And it was with our own people who did the work, welding, building, repositioning everything by hand.”

One piece was missing, however, he said – a training tower “that could simulate the complex, high-risk environments are firefighters face in real life.”

They include apartment buildings, commercial structures and technical rescue responses.

Wise said the high rise concrete training tower at the MJC training center “couldn't give us all that we wanted.” The project was first proposed by Modesto Captain Chris Steffen and was set into motion in 2022.

“It allows our personnel to train in a realistic, challenging environment, so in the real call comes in, we are better prepared to serve our community and keep our people safe.”

Wise said the tower's use is open to all fire departments in Stanislaus County and law enforcement personnel. The four-story tactical training tower, comprised of large shipping containers, was assembled by American Fire Training Systems, Inc.

In 2019 the city of Ceres formed a three-year Memorandum of Understanding (MOU) with partners to create a new training facility at the Service Road fire station, to train firefighters from Ceres, Modesto, Salida and Stanislaus Consolidated. Later Turlock was added to a new five-year MOU.

The cities of Turlock and Modesto and the Stanislaus Consolidated Fire Protection District chipped in \$67,900 apiece, while the Yosemite Community College District (YCCD) paid \$250,000; and the Stanislaus County Regional Fire Authority to pay \$325,000.

NEWS – Ceres Courier, August 6, 2025 - Continued

Ceres had already allocated \$400,000 for the project when the council was asked by staff to approve another \$131,358 to cover contingency and construction support services. City Engineer Michael Beltran said the additional budget request was due to the city spending \$165,000 to pour the foundation for the four-story tower.

"The city of Ceres is proud to be a partner of Modesto Fire and honored to have this facility located in our community," said Ceres Mayor Javier Lopez. "And I say that with passion and pride."

He also lauded Wise as "an excellent leader."

"I think it's going to be great for all to partners to get together and conduct training," said Ceres Councilwoman Cerina Otero who also attended the event.

County Supervisor Buck Condit, who is a retiree of Stanislaus Consolidated Fire Department who spent many hours at the Service Road facility, said it is "just awesome to see the transformation and really love from all the firefighters, administrators that poured their heart into making this what it is today."

"This is what kind of things can happen when cities, counties, special districts, all collaborate together to make service here in Stanislaus County better," said Buck Condit. "It makes our firefighters safe, it makes our citizens safer."

Wise served as the Ceres Fire Chief from 2019 to 2021 and still serves as a chief through the fire contract as well as chief in other agencies.

Assistant Chief Andrew Hunter mentioned how Wise has battled multiple myeloma with his wife Tara as his key support.

"His journey is a powerful reminder of the strength to lead others," said Hunter of Wise, "often comes from the strength to overcome personal adversity. The kind of example we want to pass on to every firefighter who climbs these stairs and stretches hose lines and trains within these walls."

IN THE NEWS – CBS News, August 11, 2025

Stanislaus County commission approves annexing 300 acres on southeast side of Oakdale

By Nina Burns

The California city of Oakdale could be seeing one of its biggest expansions in years with the addition of new homes, businesses and thousands of new residents.

There is opposition to the plan, which aims to add 300 acres to the city's southwest side. However, the project, Sierra Pointe, just got the green light from the Stanislaus Local Agency Formation Commission.

It would bring close to 900 homes, more than a million square feet of shops and offices and about 2,500 new residents.

Councilman Jarod Pitassi cast the only "no" vote at City Hall, saying many people already living within that area keep livestock, which could come into conflict with city code.

Patasi also says the city isn't ready for this much growth.

"We already have a lot of traffic in town, especially peak hours of people dropping off kids, going to work," he said.

Neighbors echoed similar concerns during the commission meeting.

The developer's team says that won't happen and promises existing homes will keep their irrigation water.

Pitassi said that for him, it's about slowing down and planning ahead.

"Let's not put the cart before the horse, and if we want to grow, which is inevitable, we will and we shouldn't to an extent. But how are we doing it right? And how are we making sure that future generations aren't going to be impacted by the rush of building a ton of houses at one time?" he said.

The annexation isn't final just yet. The local agency formation commission is in a 30-day reconsideration period.

After those thirty days, they'll schedule a protest hearing where property owners can object to the annexation.

<https://www.cbsnews.com/sacramento/news/stanislaus-county-officials-approve-oakdale-annex/>



STANISLAUS LOCAL AGENCY FORMATION COMMISSION

MINUTES

July 23, 2025

1. CALL TO ORDER

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

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

Commissioners Present: Amy Bublak, Chair, City Member
Terry Withrow, Vice Chair, County Member
Vito Chiesa, County Member
Sue Zwahlen, City Member
Bill O'Brien, Public Member
Charlie Goeken, Alternate City Member
Jami Aggers, Alternate Public Member

Commissioners Absent: Mani Grewal, Alternate County Member

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

2. PUBLIC COMMENT

Milt Trierweiler spoke regarding sustainable growth and farmland protection.

3. CORRESPONDENCE

- A. Specific Correspondence.
 - 1. Letter from Willam D. Ross, Ross & Schwarz, regarding Item 6-A.
 - 2. Email from Curtis Haney, regarding Item 6-A.
- B. Informational Correspondence.
 - 1. CALAFCO U Save the Date Flier.
- C. In the News

4. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

None.

5. CONSENT ITEMS

- A. **MINUTES OF THE MAY 28, 2025, LAFCO MEETING**
(Staff Recommendation: Accept the Minutes.)
- B. **LAFCO PURCHASING CARD AUDIT (FISCAL YEAR 2021-2022)**
(Staff Recommendation: Accept the Audit Report.)
- C. **LEGISLATIVE UPDATE AND POSITION LETTER**
(Staff Recommendation: Accept the update and authorize Executive Officer to submit position letter.)
- D. **INFORMATION REGARDING IRRIGATED LANDS WITHIN STANISLAUS COUNTY**
(Staff recommendation: Accept the report.)

Motion by Commissioner Chiesa, seconded by Commissioner Zwahlen, and carried with a 5-0 vote to approve the consent items, by the following vote:

| | |
|--------------------|--|
| <i>Ayes:</i> | <i>Commissioners: Bublak, Chiesa, O'Brien, Withrow and Zwahlen</i> |
| <i>Noes:</i> | <i>Commissioners: None</i> |
| <i>Ineligible:</i> | <i>Commissioners: Aggers and Goeken</i> |
| <i>Absent:</i> | <i>Commissioners: Grewal</i> |
| <i>Abstention:</i> | <i>Commissioners: None</i> |

6. PUBLIC HEARINGS

- A. **LAFCO APPLICATION NO. 2025-02 – SIERRA POINTE CHANGE OF ORGANIZATION TO THE CITY OF OAKDALE:** The Commission will consider a request to annex approximately 304 acres into the City of Oakdale located adjacent to the City limits, south of Highway 120/108, east of Orsi Road and north of Sierra Road. The proposed annexation is for the Sierra Pointe Specific Plan and is within the Oakdale Sphere of Influence. The City, through its planning process, assumed the role of Lead Agency, pursuant to the California Environmental Quality Act (CEQA), for the project. The City prepared an addendum to a previously approved Environmental Impact Report for the Sierra Pointe Specific Plan, pursuant to Section §15164 of the CEQA Guidelines. LAFCO, as a Responsible Agency, will consider the environmental determination prepared by the City as part of its action. (Staff Recommendation: Approve the proposal and adopt Resolution No. 2025-11.)

Javier Camarena, Assistant Executive Officer, presented the item with a recommendation to approve the proposal.

Chair Bublak opened the Public Hearing at 6:15 p.m.

John Anderson, representing the City of Oakdale, Dave Romano representing the developer, and Clint Bray on behalf of the Oakdale Fire Protection District all spoke in favor of the project.

Clarence Teem, Justin Labadie, Denise Williams, Curtis Haney, Brian Moorehead and Kathy McCaskill, all residents of Oakdale, spoke against the project.

Milt Trierweiler spoke regarding farmland protection.

Chair Bublak closed the Public Hearing at 7:08 p.m.

Motion by Commissioner Withrow, seconded by Commissioner Chiesa, and carried with a 5-0 vote to approve the proposal, by the following vote:

| | |
|--------------------|--|
| <i>Ayes:</i> | <i>Commissioners: Bublak, Chiesa, O'Brien, Withrow and Zwahlen</i> |
| <i>Noes:</i> | <i>Commissioners: None</i> |
| <i>Ineligible:</i> | <i>Commissioners: Aggers and Goeken</i> |
| <i>Absent:</i> | <i>Commissioners: Grewal</i> |
| <i>Abstention:</i> | <i>Commissioners: None</i> |

7. OTHER BUSINESS

None.

8. COMMISSIONER COMMENTS

Commissioner Aggers stated that she attended the CALAFCO U Commissioner Best Practices webinar and has registered for the Brown Act- LAFCO Edition as well.

9. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON

None.

10. EXECUTIVE OFFICER'S REPORT

The Executive Officer informed the Commission of the following:

- Staff will be conducting a Protest Hearing for Sierra Pointe and will update the Commission on the outcome.
- There will be another CALAFCO U on August 7 for the Brown Act. Contact Jennifer if you would like to register.
- CALAFCO Annual Conference is October 22-24th, overlapping the October LAFCO meeting. When we receive information Staff will forward it to the Commission.
- The August 27th will include a Denair Community Services District Municipal Service Review and an Out of Boundary for Keyes Community Services District. Staff is anticipating another annexation for Keyes Community Services District and the City of Modesto in the coming months.

13. ADJOURNMENT

A. Chair Bublak adjourned the meeting at 7:26 p.m.

DRAFT

**EXECUTIVE OFFICER'S AGENDA REPORT
AUGUST 27, 2025**

TO: LAFCO Commissioners

FROM: Javier Camarena, Assistant Executive Officer

**SUBJECT: MSR NO. 2025-01, SOI UPDATE 2025-02: MUNICIPAL SERVICE REVIEW AND
SPHERE OF INFLUENCE UPDATE FOR THE DENAIR COMMUNITY SERVICES
DISTRICT**

INTRODUCTION

This proposal was initiated by the Local Agency Formation Commission in response to State mandates that require the Commission to conduct municipal service reviews and sphere of influence updates for all cities and special districts at least once every five years, as needed. The current review covers the Denair Community Services District (CSD). The previous update for this district was adopted January 22, 2020.

DISCUSSION

The District was organized under Government Code Section 61000 et. seq. to provide municipal sewer and water services to the unincorporated community of Denair. The CSD is considered registered voter district, as its board members are elected by the registered voters residing in the District's boundaries. The Denair CSD is located in the unincorporated community of Denair, east of the City of Turlock.

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 the previously approved Municipal Service Review and Sphere of Influence document to the Community Services District for comments, revisions and updated information. LAFCO Staff also reviewed the District's 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 the District. The District is presently meeting the water and sewer needs of its customers within the existing service area boundaries. No changes are being proposed for the Districts' Spheres of Influence.

ENVIRONMENTAL REVIEW RECOMMENDATION

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

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

As there are no land use changes, boundary changes, or environmental impacts associated with the Municipal Service Review and Sphere of Influence Update, a Notice of Exemption is the appropriate environmental document.

ALTERNATIVES FOR COMMISSION ACTION

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

- Option 1:** APPROVE the Municipal Service Review and Sphere of Influence Update for the Denair Community Services Districts.
- Option 2:** DENY the update.
- Option 3:** If the Commission needs more information, it should CONTINUE this matter to a future meeting (maximum 70 days).

RECOMMENDED ACTION

Approve Option 1. Based on the information presented, Staff recommends approval of Municipal Service Review and Sphere of Influence Update for the Denair Community Services District. Therefore, Staff recommends that the Commission adopt Resolution No. 2025-14, 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 Sphere of Influence for the Denair Community Services District should be affirmed as it currently exists.

Attachments:

- Exhibit 1* - Municipal Service Review and Sphere of Influence Update for the Denair Community Services District
- Exhibit 2* - Draft Resolution No. 2025-14

Exhibit 1

**Municipal Service Review &
Sphere of Influence
Update for Denair Community Services District**

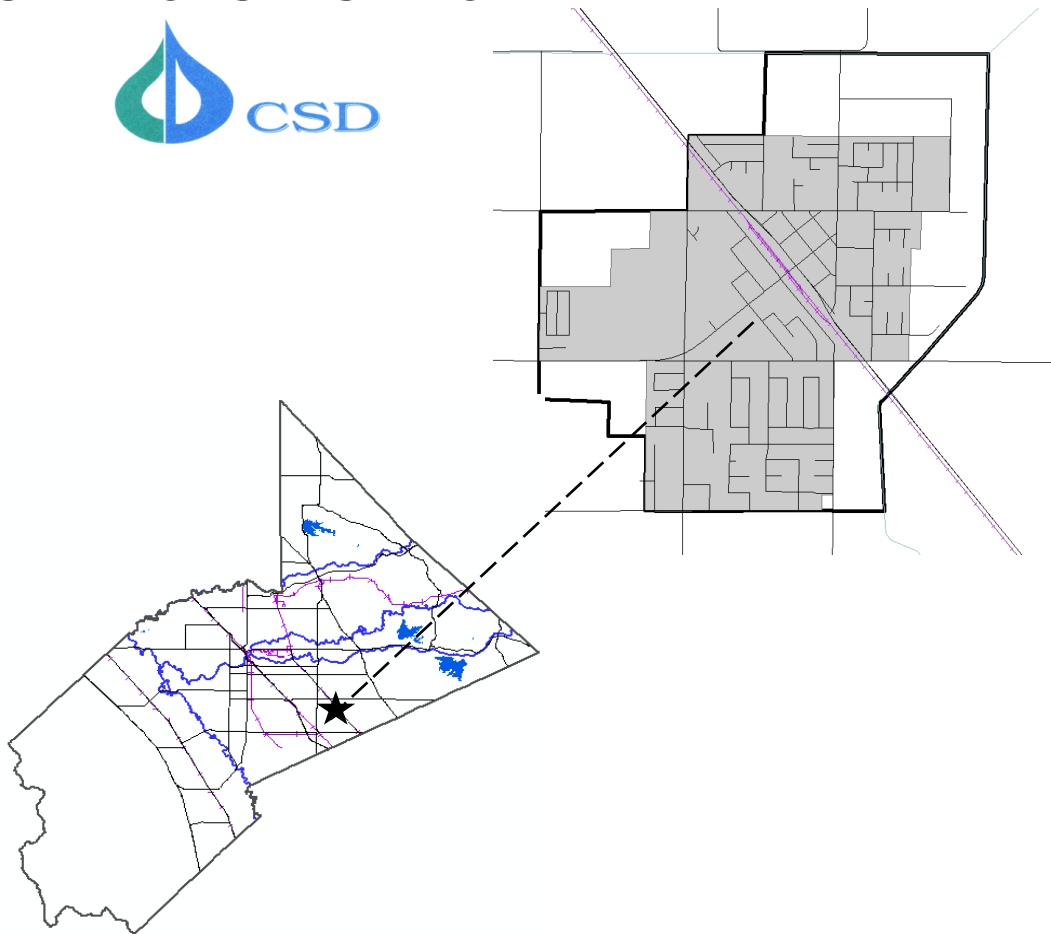
This page intentionally left blank.

DRAFT



MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR:

DENAIR COMMUNITY SERVICES 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 (Chair)
Sue Zwahlen, City Member
Vito Chiesa, County Member
Terry Withrow, County Member (Vice Chair)
Bill O'Brien, Public Member
Charlie Goeken, Alternate City Member
Mani Grewal, Alternate County Member
Jami Aggers, Alternate Public Member

STAFF

Sara Lytle-Pinhey, Executive Officer
Javier Camarena, Assistant Executive Officer
Jennifer Vieira, Commission Clerk
Shaun Wahid, Legal Counsel

TABLE OF CONTENTS

| | |
|--|----------|
| Introduction | 1 |
| Municipal Service Review Factors to be Addressed | 1 |
| Sphere of Influence Update Process | 2 |
| Sphere of Influence Determinations..... | 2 |
| Authority | 2 |
| Purpose..... | 3 |
| Classification of Services..... | 3 |

MUNICIPAL SERVICE REVIEW (MSR)

| | |
|--|-----------|
| Denair Community Services District | 4 |
| Formation | 4 |
| Services | 4 |
| Capacity | 4 |
| Location and Size | 4 |
| Sphere of Influence | 4 |
| Governance..... | 4 |
| Personnel | 5 |
| Support Agencies | 5 |
| Funding Sources | 5 |
| Municipal Service Review Determinations | 6 |
| Growth and Population Projections..... | 6 |
| Location and Characteristics of Disadvantaged Unincorporated Communities | 6 |
| Present and Planned Capacity of Public Facilities, Adequacy of Public Services | 6 |
| Financial Ability of Agencies to Provide Services..... | 7 |
| Status of, and Opportunities for, Shared Facilities | 7 |
| Accountability for Community Service Needs | 7 |
| Any Other Matter Related to Effective or Efficient Service Delivery | 7 |
| Sphere of Influence Determinations | 8 |
| Present and Planned Land Uses | 8 |
| Present and Probable Need for Public Facilities and Services..... | 8 |
| Present Capacity of Public Facilities and Adequacy of Public Services | 8 |
| Communities of Interest in the Area..... | 8 |
| Need for Public Facilities in Disadvantaged Unincorporated Communities | 8 |
| District Summary Profile - Denair Community Services District | 9 |
| Denair Community Services District Boundary & SOI Map | 10 |
| Denair Community Plan Map..... | 11 |
| References..... | 12 |

This page intentionally left blank.

Municipal Service Review and Sphere of Influence Update for the Denair Community Services District

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 Government Code 56076 as "...a plan for the probable physical boundary and service area of a local agency, as determined by the Commission." The Act further requires that a municipal service review (MSR) be conducted prior to or, in conjunction with, the update of a sphere of influence (SOI).

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

Municipal Service Review Factors to be Addressed

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

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

Sphere of Influence Update Process

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

The Sphere of Influence for the Denair Community Services District was originally adopted by the Commission in 1984. The most recent Municipal Service Review and Sphere of Influence Update, adopted in 2019, proposed no changes to the District's SOI. The current update serves to comply with Government Code Section 56425 and will reaffirm the SOI for the district.

Sphere of Influence Determinations

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

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

Authority

This review will cover the Denair Community Services District. The District was organized under Section 61000 et. seq. of the Government Code. In addition, the District is considered a "registered voter district", as the board members are elected by the registered voters residing within the district's boundaries.

Purpose

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

Classification of Services

As part of the previous municipal service review, the District provided a listing of the services provided within its boundaries. The District is authorized to provide the functions or classes of services (e.g. water and sewer) as identified in this report. In order to exercise other latent powers not currently provided, the District would have to seek LAFCO approval.

Municipal Service Review – Denair Community Services District

Formation

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

Services

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

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

Capacity

The District currently has the necessary sewer capacity from the City of Turlock to serve existing and future development within its sphere of influence. City of Turlock is currently in the process of raising its water treatment rates for the Denair CSD and Keyes CSD by 130%. The District is currently working on a Prop 218 vote to adjust rates accordingly to help pay for the increase.

With regards to domestic water, the District currently has four groundwater wells, five lift stations, and an above-ground steel water tank to serve customers within the existing District boundaries. Water produced from the District's wells has consistently met the State's Title 22 (Code of Regulations) drinking water standards. In order to accommodate significant future growth within the District's sphere of influence, installation of additional groundwater wells and/or pipelines would be necessary.

Location and Size

The District is located in the unincorporated community of Denair, east of the City of Turlock, in eastern Stanislaus County, and encompasses approximately 694 acres.

Sphere of Influence

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

Governance

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

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

Personnel

The District has 8 full-time employees. The District also contracts with outside consultants for engineering, legal, and financial (auditor) services.

Support Agencies

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

Funding Sources

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

Municipal Service Review Determinations Denair Community Services District

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

1. Growth and Population Projections for the Affected Area

The District serves the unincorporated community of Denair. The area is designated in the Stanislaus County General Plan and Denair Community Plan for residential, commercial, and industrial uses. The District currently serves an estimated population of 4,865 persons with water and sewer service.

The Denair community is expected to experience some growth. Stanislaus County has recently approved subdivision maps which are in the process of meeting conditions of approval and being recorded. Once these maps are recorded, the community will add approximately 150 lots which could increase the community population by approximately 400-500 residents.

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

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

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

The present water and sewer demand within the District's current boundaries is being met with existing facilities and infrastructure.

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

The District is finishing a 12-inch water main loop system throughout the entire community to eliminate pressure zones. The District also plans on switching the water system to a Supervisory Control and Data Acquisition (SCADA) system, which would allow staff to collect data to a central location.

The District is also planning on constructing an 8-inch fill line. The line will begin at well No. 8, located at Riopel Avenue and Zeering Road, go west along Zeering Road, south along Story Road and end at the Corp yard located at the southwest intersection of Kersey and Story Roads.

Within the next three years the District plans on installing a one million gallon water storage tank at its corporation yard in order to have sufficient water stored for the community.

4. Financial Ability of Agencies to Provide Services

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

The District is currently in the process of completing a Proposition (Prop) 218 vote to increase rates for both sewer and water. The proposed rates are to respond to a rate increase from the City of Turlock which treats wastewater for the district.

5. Status of, and Opportunities for, Shared Facilities

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

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

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

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

None.

SOI Update – Denair Community Services District

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

Determinations:

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

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

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

The District is presently meeting the water and sewer needs of its customers within its existing service area boundary. The District is planning and making improvements throughout the district to enhance efficiency, monitoring and maintenance of its infrastructure.

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

The District currently has adequate capacity to provide the necessary water and sewer services to customers within its existing service area boundary. As mentioned previously, the District has purchased sewer capacity from the City of Turlock to serve existing and future development within its sphere of influence. The District is currently working on completing a Proposition (Prop) 218 vote to adjust its rates accordingly to address City of Turlock rate increases.

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

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

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

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

DISTRICT SUMMARY PROFILE

| | |
|--------------------|---|
| District: | DENAIR COMMUNITY SERVICES DISTRICT |
| Location: | East of the City of Turlock, in the unincorporated community of Denair. |
| Service Area: | Approximately 694 acres |
| Population*: | 4,865 |
| Land Use: | Residential, commercial, and industrial |
| Date of Formation: | October 3, 1961 |
| Enabling Act: | California Government Code, Section 61000, et seq. |
| Governing Body: | 5 directors, elected by registered voters within District boundaries |
| Administration: | 7 full-time employees (8 as of July 1, 2025) |
| District Services: | Municipal water and sewer services |
| Total Revenues: | \$3,419,332.59 (Projected for Fiscal Year 2024-2025) |
| Revenue Sources: | Monthly service and connection fees; property taxes |



**Source: 2020 Decennial Census for Denair CDP*

DENAIR COMMUNITY SERVICES DISTRICT
BOUNDARY AND SPHERE OF INFLUENCE



REFERENCES

1. California Department of Water Resources. Disadvantaged Communities (DAC) Mapping Tool (<https://gis.water.ca.gov/app/dacs/>). Accessed June 6, 2025.
2. California State Controller's Office. *Special Districts Annual Report (Fiscal Year 2022-2023)*. October 30, 2025.
3. Denair Community Services District. *Adopted Budget - Fiscal Year 2024-2025*.
4. Denair Community Services District. *Audited Financial Statements June 30, 2023*.
5. Denair Community Services District. Website (<http://www.denaircsd.org>). Accessed Jun 6, 2025.
6. Stanislaus LAFCO. *Municipal Service Review and Sphere of Influence Updates for the Denair and Keyes Community Services Districts*. January 22, 2020.
7. Turlock Groundwater Basin Association. *Groundwater Management Plan*. January 17, 2008.
8. United States Census Bureau. Website (<https://www.census.gov/>). Accessed June 6, 2025.

Exhibit 2

Resolution No. 2025-14

This page intentionally left blank.

**STANISLAUS COUNTY LOCAL AGENCY
FORMATION COMMISSION**

RESOLUTION

DATE: August 27, 2025

NO. 2025-14

**SUBJECT: MSR NO. 2025-01, SOI UPDATE 2025-02: Municipal Service Review and
Sphere of Influence Update for the Denair Community Services District**

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 Denair Community Services District, in accordance with the Cortese-Knox-Hertzberg Reorganization Act of 2000;

WHEREAS, at the time and in the form and manner provided by law, the Executive Officer has given notice of the August 27, 2025 public hearing by this Commission on this matter;

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

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

WHEREAS, the Commission has duly considered the draft Municipal Service Review and Sphere of Influence Update on the Denair Community Services District and the determinations contained therein;

WHEREAS, the Denair Community Services District was established to provide public water and sewer services within its boundaries;

WHEREAS, pursuant to Government Code Section 56425(i), the range of services provided by the Denair Community Service 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 District's Sphere 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 Denair Community Services District's Sphere 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 District, unless approved by the Commission.
4. Determines, based on presently existing evidence, facts, and circumstances filed and considered by the Commission, that the Sphere of Influence for the Denair Community Services District should be affirmed as it currently exists, as more specifically described on the map 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 Denair Community Services District.

DRAFT

ATTEST:

Sara Lytle-Pinhey, Executive Officer

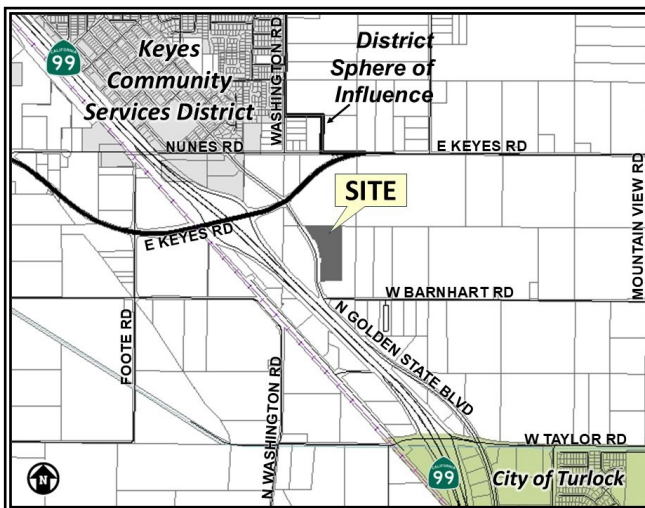
**EXECUTIVE OFFICER'S AGENDA REPORT
AUGUST 27, 2025**

**STANISLAUS LOCAL AGENCY FORMATION COMMISSION
OUT-OF-BOUNDARY SERVICE APPLICATION:
FRESHPOINT (KEYES COMMUNITY SERVICES DISTRICT - WATER)**

APPLICANT: Keyes Community Services District

LOCATION: The site consists of approximately 10 acres located at 5900 North Golden State Boulevard, between East Keyes Road and West Barnhart Road (See Exhibit A). The site includes Assessor's Parcel Number (APN) 045-052-034.

REQUEST: Water service is being requested from an existing water line adjacent to the property to provide water to the FreshPoint site, which is an existing food preparation facility. The Keyes Community Services District has provided a will-serve letter for the proposal, attached as Exhibit B.



BACKGROUND

Government Code Section 56133 requires a city or special district to apply for and obtain LAFCO approval prior to providing new or extended services outside its jurisdictional boundaries. The section describes two situations where the Commission may authorize service extensions outside a city or district's jurisdictional boundaries:

- (1) For proposals *within* a city or district sphere of influence: in anticipation of a later change of organization (e.g. annexation).
- (2) For proposals *outside* a city or district sphere of influence: to respond to an existing or impending threat to the public health or safety of the residents of the affected territory.

Stanislaus LAFCO has adopted a policy to assist in the Commission's review of out-of-boundary service requests, known as Policy 15 (see Exhibit C). Policy 15 reiterates the requirements of Government Code Section 56133 and allows the Executive Officer, on behalf of the Commission, to approve proposals to extend services in limited scenarios to respond to health and safety concerns for existing development. As the current request would serve an existing development outside of the District's Sphere of Influence, Commission approval is necessary.

DISCUSSION

State law and Commission policies generally prefer annexation to accommodate an extension of an agency's services. The current Sphere of Influence for the Keyes CSD follows Keyes Road, northwest of the FreshPoint site (as shown in Exhibit A). However, Stanislaus County's adopted Community Plan for Keyes (also included in Exhibit A) includes a slightly larger area along Golden State Boulevard, north of Barnhart Road. As new development has occurred in this area, the inconsistency between the District's Sphere of Influence and the County's

Community Plan has led to several requests for out-of-boundary service extensions, rather than annexations which are preferred by LAFCO policy.

LAFCO Staff has had discussions with Keyes CSD staff about amending the District's Sphere of Influence (SOI) to be consistent with the Keyes Community Plan boundary. An SOI amendment would include the additional development properties seeking water service, align the Keyes Community Plan with its main service provider, and allow those properties to seek annexation rather than out-of-boundary service requests.

Keyes CSD is currently in the process of amending its SOI. An environmental referral for an SOI Amendment was recently completed by the District. The District is planning on taking the proposal to its Board to consider an resolution of application to LAFCO to amend the SOI.

FreshPoint is requesting water service in advance of awaiting the process for an SOI expansion and annexation due to inadequate and contaminated groundwater. A standard condition of approval has been placed on the proposal requiring the landowner to record an agreement consenting to annex the territory into the Keyes CSD. A copy of this agreement will need to be provided to Staff prior to services being extended.

Consistency with Commission Policy 15

The Commission's Policy 15(C) describes a variety of situations where the Commission may favorably consider service extensions as an alternative to annexation. These include the following:

1. *Services will be provided to a small portion of a larger parcel and annexation of the entire parcel would be inappropriate in terms of orderly boundaries, adopted land use plans, open space/greenbelt agreements or other relevant factors.*
2. *Lack of contiguity makes annexation infeasible given current boundaries and the requested public service is justified based on adopted land use plans or other entitlements for use.*
3. *Where public agencies have a formal agreement defining service areas provided LAFCO has formally recognized the boundaries of the area.*
4. *Emergency or health related conditions mitigate against waiting for annexation.*
5. *Other circumstances which are consistent with the statutory purposes and the policies and standards of the Stanislaus LAFCO.*

For the current request, the Commission may consider the situations described in #2 and #4 to be applicable. As noted, the property is already developed with a food preparation facility is consistent with and within the Keyes Community Plan boundary, and the Keyes CSD is currently in the process of modifying its SOI which will result in future annexation.

The Keyes area is known to have issues with groundwater quality, thus increasing the demand for connection to public water services. Nearby businesses, including Interstate Truck Center / Peterbilt, located across Golden State Boulevard, have had issues with their on-site water systems exceeding Maximum Contaminant Level (MCL) for arsenic and nitrates. Recent water quality reports and samples from the FreshPoint project site have detected contaminants

including arsenic and nitrates. The applicant has indicated that the existing groundwater is inadequate to serve the site.

In 2018, the Interstate Truck Center / Peterbilt property received an out-of-boundary service approval from the Commission for water and connected to the Keyes CSD water line located along Golden State Boulevard. Top Shelf Mega Storage, located adjacent to the project site, was also approved for an out of boundary connection by the LAFCO Commission in March of this year. The FreshPoint site is proposing to connect to the same water line.

Commission Policy 15(D) further outlines criteria for those requests citing health and safety reasons for service extensions. The Policy states that service extensions outside a local agency's sphere of influence will not be approved unless the request meets one or more of the following criteria:

- 1. The lack of the service being requested constitutes an existing or impending health and safety concern.*
- 2. The property is currently developed.*
- 3. No future expansion of service will be permitted without approval from the LAFCO.*

Consistent with item #1 above, the Commission may find that the request will remedy an impending health and safety concern related to the poor groundwater quality in the area. The property is already developed and is consistent with #2 above. Last, Staff has placed a standard condition on the proposal, consistent with item #3 above, that no additional service connections may be allowed outside the District's boundary without first requesting and receiving approval from LAFCO.

Environmental Review

The proposed out of boundary service connection is exempt for purposes of the California Environmental Quality Act pursuant to Section 15301(b) of Government Code which allows for minor connections to an existing water line such as proposed.

CONCLUSION

Although annexations to cities or special districts are generally the preferred method for the provision of services, Commission policies also recognize that out-of-boundary service extensions can be an appropriate alternative. Staff believes the Commission can find that the Keyes CSD's proposal to provide water service to the FreshPoint site is consistent with Government Code Section 56133 and the Commission's Policy 15.

ALTERNATIVES FOR LAFCO ACTION

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

- APPROVE the request, as submitted.
- DENY the request without prejudice.

- CONTINUE the proposal to a future meeting for additional information.

STAFF RECOMMENDATION

Based on the discussion in this staff report and following any testimony or evidence presented at the meeting, Staff recommends that the Commission approve the proposal as submitted by the Keyes CSD and adopt Resolution No. 2025-13, which finds the request to be consistent with Government Code Section 56133 and Commission Policy 15 and includes the following standard terms and conditions:

- A. This approval allows for the extension of water service to accommodate the property located at 5900 North Golden State Boulevard only.
- B. Prior to connection to water service, the property owner shall record an agreement consenting to annex the property to the District and a copy of the agreement shall be forwarded to the LAFCO office.
- C. The District shall not allow additional service connections outside the District's boundaries without first requesting and securing approval from LAFCO.

Respectfully submitted,



Javier Camarena
Assistant Executive Officer

Attachments: Exhibit A – Project Map and Keyes Community Plan
 Exhibit B – Application & Will Serve Letter
 Exhibit C – LAFCO Policy 15
 Exhibit D – Draft LAFCO Resolution 2025-13

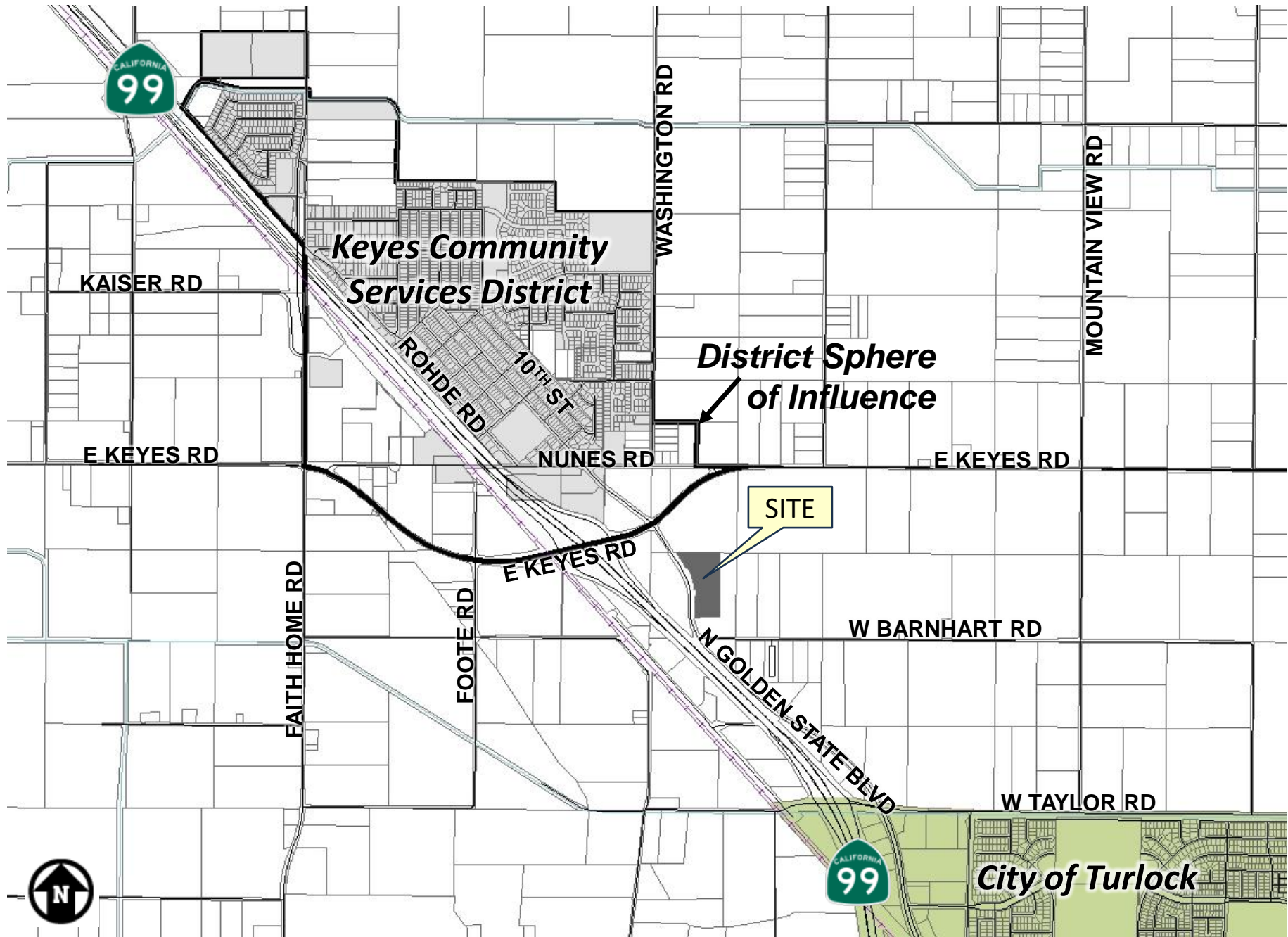
EXHIBIT A

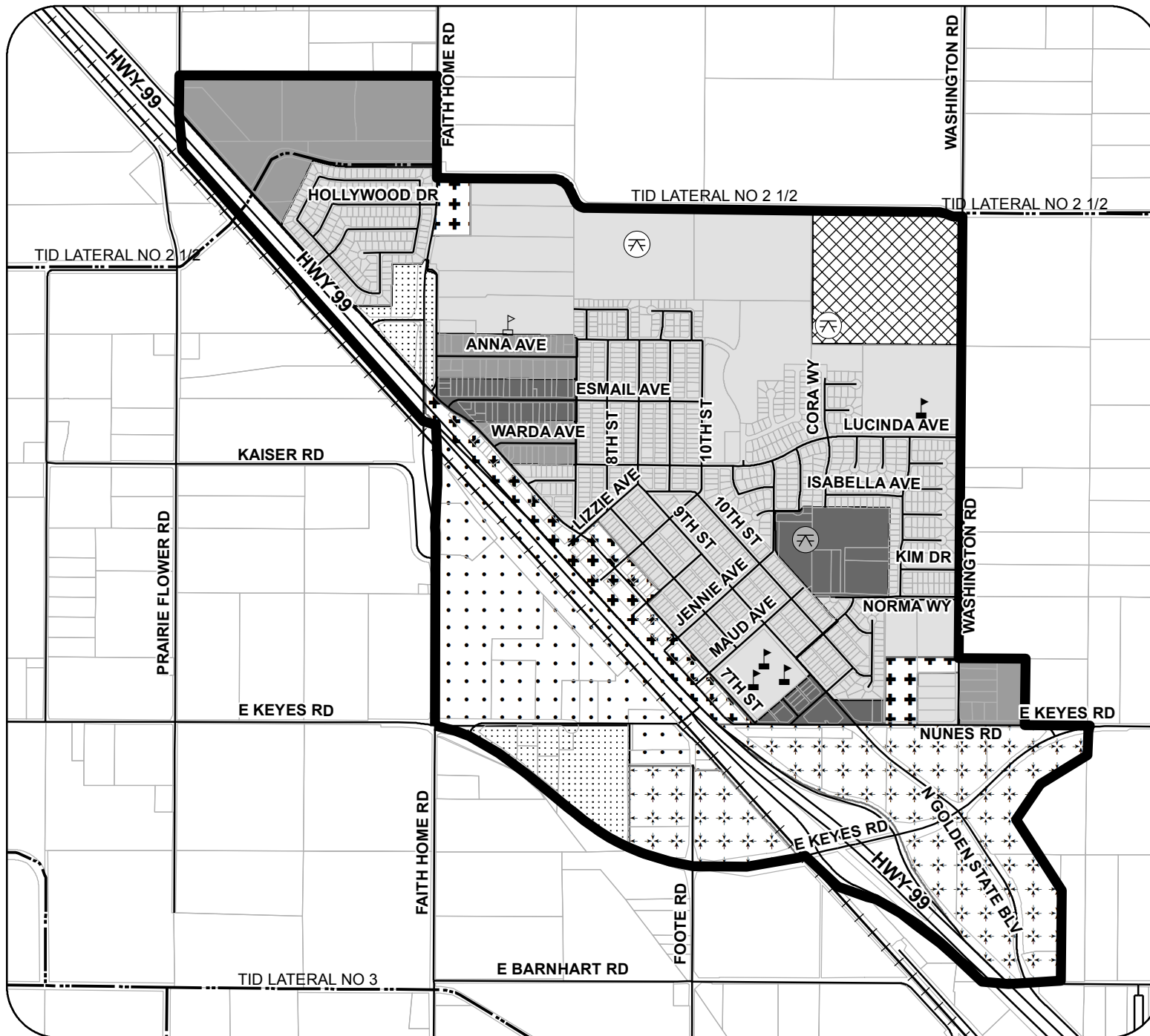
Project Map & Keyes Community Plan

This page intentionally left blank.

Out of Boundary Service Application









FreshPoint – Water Service









Keyes COMMUNITY PLAN


Land Use Designations:

-  Commercial
-  Commercial - Highway
-  Industrial
-  Planned Industrial
-  Residential - Low
-  Residential - Medium
-  Residential - Medium-High
-  Urban Transition

Parks and Schools:

-  Existing Park
-  Proposed Park
-  Existing School
-  Proposed School

Rellevant Boundaries:

-  Community Plan Boundary

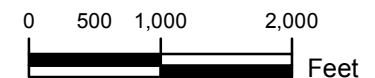


EXHIBIT B

Application & Will Serve Letter

This page intentionally left blank.

BY: [Signature]

STANISLAUS LAFCO

Stanislaus Local Agency Formation Commission

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

(209) 525-7660 ♦ FAX (209) 525-7643

www.stanislauslafco.org

OUT OF BOUNDARY SERVICE APPLICATION

AGENCY TO EXTEND SERVICE:

AGENCY NAME: Keyes Community Services District (KCSO)

CONTACT PERSON: Michelle Harris, Administrative Executive

MAILING ADDRESS: P.O. Box 699, Keyes, CA 95328

PHONE: (209) 668-8341 E-MAIL: mharris@keyescsd.org

PROPERTY OWNER (PARTY RECEIVING SERVICE):

PROPERTY OWNER NAME: FreshPoint Central California; Attn: Sean Gaffaney

SITE ADDRESS: 5900 N Golden State Blvd.

PHONE: (209) 406-4135 E-MAIL: Sean.Gaffaney@freshpoint.com

ASSESSOR PARCEL NUMBER(S): 045-052-034

ACREAGE: 10.0 acres (If multiple properties, attach a list with names, addresses and APNs.)

REQUIRED ATTACHMENTS - Please provide the following:

- ☒ Completed application and fees. (See [Schedule of Fees and Deposits](#). Please consult with LAFCO staff to determine the appropriate fee.)
- ☒ Map showing existing facilities and proposed extensions. The map should include measurements detailing how services are to be extended to the property.
- ☒ Draft service agreement or contract between the service provider and property owner OR a will-serve letter from the service provider.

PROPOSAL-SPECIFIC ATTACHMENTS – The following may also be required:

- ☐ If the proposed extension will serve new development, a copy of the environmental determination made by the Lead Agency.
- ☐ If the proposed service extension is to remedy a health and safety situation, documentation of the health and safety issue.

The following application questions are intended to obtain enough data about the proposal to allow the Commission and staff to adequately assess the service extension. By taking the time to fully respond to the questions below, you can reduce the processing time for this application. You may include any additional information that you believe is pertinent. Use additional sheets where and if necessary.

1. List type of service(s) to be extended:

Domestic water.

2. Is the service extension for new development or an existing use? Provide a complete description of the project and/or use to be served.
Approximately 120,000 SF of existing office and food preparation facilities
-
-
-

3. Is this request to address a health and safety situation? ☒ Yes ☐ No

If yes, please explain below.

Existing Groundwater inadequate to serve the site.

KCSD water line runs in front of the site and serves some surrounding uses.

4. Is the property to be served within the Agency's sphere of influence? ☐ Yes ☒ No

5. LAFCO policies generally prefer annexation rather than an extension of services outside the agency's boundary. Is annexation of the territory by your agency anticipated at a future time? ☒ Yes ☐ No

6. Please provide an explain of the Agency's preference for an out-of-boundary instead of annexation.

Annexation is preferred, but the property is currently outside of the KCSD sphere of influence.

Properties in the vicinity are working on a sphere expansion, with a target date of 2025.

7. Are there any land use entitlements involved in the project or contract? ☐ Yes ☒ No
If yes, please check the entitlements that were obtained and provide a copy of the approval:

☐ Tentative Map and Conditions

☐ Subdivision Map or Parcel Map

☐ Specific Plan

☐ General Plan Amendment

☐ Rezoning

☐ Other: _____

CERTIFICATION

I hereby certify that the statement furnished above and in the attached exhibits present the data and information required for this evaluation of service extension to the best of my ability, and that the facts, statement, and information presented herein are true and correct to the best of my knowledge and belief.

INDEMNITY AGREEMENT

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

SIGNED:



PRINTED NAME:

Michelle Harris

AGENCY:

Keyes Community Services District

DATE:

January 6, 2024

Please forward the completed form, fees, and related information to:

Stanislaus Local Agency Formation Commission
1010 10th Street, 3rd Floor
Modesto, CA 95354

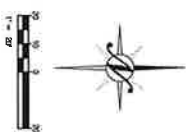
Approximate location of proposed connection to existing water service at Golden State Boulevard



BENCHMARK

ELCATION
ST-333

THE TOP OF THE LITTLE BOX OF FLUOROPOLYMER AT THE BOTTOM OF THE BOX IS USED TO CONNECT FROM THE OTHER END OF ANOTHER STREET AND SO ON AND SO FORTH FROM THE CONTINUAL OF WILD STREET.



CONTACTS

- [illegible]

SHEET INDEX

- GENERAL INFORMATION
- C1.1 COVER SHEET
- C1.2 LEGENDS AND ABBREVIATIONS
- C1.3 GENERAL NOTES AND SPECIFICATIONS
- C1.4 DETAIL AND CROSS SECTIONS
- C1.5 DETAILS AND CROSS SECTIONS
- SITE PLANS
- C2.1 TOPOGRAPHIC AND WATER PLAN
- EROSION CONTROL PLAN
- C3.1 EROSION CONTROL PLAN NOTES AND

KEYES COMMUNITY SERVICES DISTRICT
5601 7TH STREET
P O BOX 699
KEYES, CA 95328

January 15, 2025

Fresh Point Central California
5900 N. Golden State Blvd.
Turlock, CA 95382

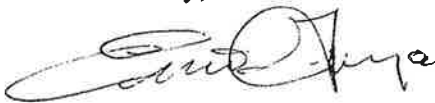
Re: Will Serve Letter Request For Property at 5900 N. Golden State Blvd, Turlock,
CA 95382
APN 045-052-034

To whom it may concern:

The Keyes Community Services District is willing to provide the requested water service on the following conditions:

1. All water service line connections must be installed to District standards and according to plans approved by the District, at the expense of the owner.
2. All applicable District connection, facilities and inspection fees must be paid upon application for connections.
3. The owner must comply with all District rules and regulations.
4. This will-serve commitment will expire on January 16, 2026 unless construction has commenced by that date.
5. This Will Service Letter is valid only upon approval by Stanislaus County Local Agency Formation Commission (LAFCO).
6. This Will Serve Letter does not officially accept and approve the Layout as submitted with your application.

Sincerely,

A handwritten signature in black ink, appearing to read "Ernie Garza", written in a cursive style.

Ernie Garza
General Manager

This page intentionally left blank.

EXHIBIT C

LAFCO Policy 15

This page intentionally left blank.

POLICY 15 - OUT-OF-BOUNDARY SERVICE CONTRACTS OR AGREEMENTS

(Amended October 23, 2024)

Government Code Section 56133 (Cortese-Knox-Hertzberg Act) specifies that a city or special district must apply for and obtain LAFCO approval before providing new or extended services outside its jurisdictional boundaries. The Commission will consider this policy in addition to the provisions of Government Code Section 56133 when reviewing out-of-boundary service extension requests.

- A. Pursuant to Government Code Section 56133(b), the Commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries, but within its sphere of influence, in anticipation of a later change of organization. The Commission may authorize a city or district to provide new or extended services outside its sphere of influence to respond to an existing or impending threat to the public health or safety of the residents of the affected territory in accordance with Government Code Section 56133(c).
- B. The Commission has determined that the Executive Officer shall have the authority to approve, or conditionally approve, proposals to extend services outside a city or district's jurisdictional boundaries but within its sphere of influence in cases where the service extension is proposed to remedy a clear health and safety concern for existing development. In addition, the Executive Officer shall have the authority to approve or conditionally approve service extensions where the services will not facilitate development or will provide water and/or sewer service to accessory dwelling units being created on lots where a single-family or multifamily dwelling unit already exists.

In cases where the Executive Officer recommends denial of such a proposed service extension or where the proposal will facilitate new development, that proposal shall be placed on the next agenda for which notice can be provided so that it may be considered by the Commission. After the public hearing, the Commission may approve, conditionally approve, or deny the proposal.

- C. Considerations for Approving Agreements: Annexations to cities and special districts are generally preferred for providing public services; however, out-of-boundary service extensions can be an appropriate alternative. While each proposal must be decided on its own merits, the Commission may favorably consider such service extensions in the following situations:
 - 1. Services will be provided to a small portion of a larger parcel and annexation of the entire parcel would be inappropriate in terms of orderly boundaries, adopted land use plans, open space/greenbelt agreements or other relevant factors.
 - 2. Lack of contiguity makes annexation infeasible given current boundaries and the requested public service is justified based on adopted land use plans or other entitlements for use.
 - 3. Where public agencies have a formal agreement defining service areas provided LAFCO has formally recognized the boundaries of the area.
 - 4. Emergency or health related conditions mitigate against waiting for annexation.

5. Other circumstances which are consistent with the statutory purposes and the policies and standards of the Stanislaus LAFCO.
- D. Health or Safety Concerns: The requirements contained in Section 56133(c) of the Government Code will be followed in the review of proposals to serve territory with municipal services outside the local agency's sphere of influence. Service extensions outside a local agency's sphere of influence will not be approved unless there is a documented existing or impending threat to public health and safety, and the request meets one or more of the following criteria as outlined below:
1. The lack of the service being requested constitutes an existing or impending health and safety concern.
 2. The property is currently developed.
 3. No future expansion of service will be permitted without approval from the LAFCO.
- E. Agreements Consenting to Annex: Whenever the affected property may ultimately be annexed to the service agency, a standard condition for approval of an out-of-boundary service extension is recordation of an agreement by the landowner consenting to annex the territory, which agreement shall inure to future owners of the property.
1. The Commission may waive this requirement on a case-by-case basis upon concurrence of the agency proposing to provide out-of-boundary services.
 2. The Commission has determined, pursuant to Government Code Section 56133(b) that the Beard Industrial Area shall not be subject to the requirement for consent-to-annex agreements, based on the historical land use of the area and its location within the Sphere of Influence of the City of Modesto.
- F. Area-wide Approvals: The Commission has recognized and approved extensions of sewer and/or water services to specific unincorporated areas, including the Bret Harte Neighborhood, Robertson Road Neighborhood, and the Beard Industrial Area. New development in these delineated unincorporated areas is considered infill and does not require further Commission review for the provision of extended sewer and/or water services. The Commission may consider similar approvals for area-wide service extensions on a case-by-case basis when it determines each of the following exists:
1. There is substantial existing development in the area, consistent with adopted land use plans or entitlements.
 2. The area is currently located within the agency's sphere of influence.
 3. The agency is capable of providing extended services to the area without negatively impacting existing users.
 4. The proposal meets one of the situations outlined in Section C of this Policy where extension of services is an appropriate alternative to annexation.
- G. In the case where a city or district has acquired the system of a private or mutual water company prior to January 1, 2001, those agencies shall be authorized to continue such

service and provide additional connections within the certificated service area of the private or mutual water company, as defined by the Public Utilities Commission or other appropriate agency at the time of acquisition, without LAFCO review or approval as outlined in Government Code Section 56133. The continuation of service connections under this policy shall not be constrained by the sphere of influence of that local agency at that time. Proposals to extend service outside this previously defined certificated area would come under the provisions of Government Code Section 56133 for the review and approval by the Commission prior to the signing of a contract/agreement for the provision of the service.

H. Exemptions: Commission approval is not required for cities or districts to provide new or extended services outside their jurisdictional boundaries if any of the following exemptions apply in accordance with Government Code Section 56133(e). The Commission encourages cities and districts to verify with the Executive Officer to determine whether statutory exemptions apply or whether the proposed extension falls within a prior approval by the Commission.

1. Two or more public agencies where the public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider.
2. The transfer of non-potable or non-treated water;
3. The provision of surplus water to agricultural lands and facilities, including but not limited to, incidental residential structures, for projects that serve conservation purposes or that directly support agricultural industries. However, prior to extending surplus water service to any project that will support or induce development, the city or district shall first request and receive written approval from the commission in the affected county.
4. An extended service that a city or district was providing on or before January 1, 2001.
5. A local publicly owned electrical utility, as defined by Section 224.3 of the Public Utilities Code, providing electrical services that do not involve the acquisition, construction, or installation of electrical distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundaries.
6. A fire protection contract, as defined in Section 56134 and Policy 15a.

This page intentionally left blank.

EXHIBIT D

Draft LAFCO Resolution No. 2025-13

This page intentionally left blank.

**STANISLAUS COUNTY LOCAL AGENCY
FORMATION COMMISSION**

RESOLUTION

DATE: August 27, 2025

NO. 2025-13

SUBJECT: OUT-OF-BOUNDARY APPLICATION: FRESHPOINT (KEYES COMMUNITY SERVICES DISTRICT - WATER)

On the motion of Commissioner _____, seconded by Commissioner _____, and approved by the following:

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

THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, the Keyes Community Services District (CSD) has submitted an out-of-boundary service application requesting to provide water service to a property located at 5900 N. Golden State Boulevard;

WHEREAS, the site is otherwise identified as Assessor's Parcel Number 045-052-034;

WHEREAS, the property is located outside the current boundary and sphere of influence of the Keyes CSD;

WHEREAS, Government Code Section 56133 states that a District may provide new or extended services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the local agency formation commission in the affected county;

WHEREAS, Government Code Section 56133 further states that the Commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries and outside its sphere of influence to respond to an existing or impending threat to the public health or safety of the affected territory;

WHEREAS, the Commission has adopted specific policies (Policy 15) to guide its evaluation of out-of-boundary service applications, consistent with Government Code Section 56133;

WHEREAS, in accordance with adopted Commission Policy 15, the current proposal has been forwarded to the Commission as it is outside of the District's Sphere of Influence;

WHEREAS, the Keyes CSD has indicated that it has the ability to serve the site with water service;

WHEREAS, proposed out of boundary service connection is exempt for purposes of the California Environmental Quality Act (CEQA) pursuant to Government Code §15301(b);

WHEREAS, the Commission, as a Responsible Agency, has considered the County's environmental determination; and,

WHEREAS, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer, consistency with California Government Code Section 56133 and the Commission's adopted policies, and all testimony and evidence presented at the meeting held on August 27, 2025.

NOW, THEREFORE, BE IT RESOLVED that this Commission:

1. Finds that the proposed extension of water service is consistent with the Commission's adopted policies and California Government Code Section 56133.
2. Finds, as a Responsible Agency, that its proposal is considered exempt for purposes of CEQA pursuant to Government Code §15301(b).
3. Authorizes the Keyes Community Services District to provide the requested water service, subject to the following terms and conditions:
 - A. This approval allows for the extension of water service to accommodate the property located at 5900 N. Golden State Boulevard.
 - B. Prior to connection to water service, the property owner shall record an agreement consenting to annex the property to the District and a copy of the agreement shall be forwarded to the LAFCO office.
 - C. The District shall not allow additional water service connections outside the District's boundary without first requesting and securing approval from LAFCO.
4. Directs the Executive Officer to forward a copy of this resolution to the Keyes Community Services District.

ATTEST:

DRAFT

Sara Lytle-Pinhey, Executive Officer

**EXECUTIVE OFFICER'S AGENDA REPORT
AUGUST 27, 2025**

TO: LAFCO Commissioners

FROM: Sara Lytle-Pinhey, Executive Officer *SLP*

SUBJECT: Selection of an Independent Auditor for the Biennial Audit

RECOMMENDATION

Authorize the Executive Officer to execute a Professional Services Agreement with Hawks & Associates CPAs for completion of the Commission's biennial audit covering fiscal years ending 2024 and 2025.

DISCUSSION

In anticipation of the Commission's audit, Staff circulated a Request for Quotes to several financial audit companies. Three quotes were received as outlined below. Each of these firms is qualified and has experience auditing local governments and special districts.

| Firm | Quote |
|------------------------------|-------------------|
| Hawks & Associates CPAs, Inc | \$11,000 - 12,000 |
| Hillberg & Company | \$13,000 |
| Fletcher & Company | \$24,430 |

Budget Appropriation & Selection

The current year's budget included approval of funding for auditing services in the amount of \$12,000. This estimate was determined based on the previous audit costs as well as a survey of other LAFCOs. Hawks & Associates CPAs provided a quote within the budgeted amount.

CONCLUSION

LAFCO audits are not required by law; however, an independent financial review provides accountability and transparency for LAFCO's operations. Upon approval by the Commission, Staff will begin working immediately with Hawks & Associates CPAs to provide needed financial documents for completion of the biennial audit.

*Attachments: Proposal for Independent Audit Services – Hawks & Associates CPAs, Inc
Draft Professional Services Agreement*

This page intentionally left blank.



Corporate HQ: 39 N. Washington St., Suite A, Sonora, CA 95370
Phone: (209)588-8760 Fax: (209) 288-2142
Modesto office: 1015 14th Street, Modesto, CA 95354
Phone: (209) 529-4060 Fax: (209) 529-2948
www.HawksCPA.com

Hawks & Associates CPAs, Inc

• think **BOLDLY** • plan **CAREFULLY** • execute **PRECISELY** •

PROPOSAL FOR INDEPENDENT AUDIT SERVICES

Monday, August 11, 2025

Governing Board and Management
Local Agency Formation Commission
1010 10th Street, Suite 3600
Modesto, CA 95354

Delivered by email to: LAFCO@stancounty.com

Ladies and Gentlemen:

We are pleased to submit this proposal to provide independent audit services for the years ended June 30, 2024 and 2025. This proposal will serve to outline the services we propose to provide and the unique qualifications of this firm.

We propose to audit the financial statements of the Stanislaus County Local Agency Formation Commission (LAFCO) as of your June 30 year-end each year. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether caused by error or fraud. Because of the concept of reasonable assurance and because we will not perform an exhaustive examination of all transactions, there is a risk that material errors, fraud or illegal acts may exist and not be detected by us. In addition, an audit is not designed to detect errors, fraud, or other illegal acts that are immaterial to the financial statements. However, we will inform you of any material error - and any fraud - that comes to our attention. We will also inform you of any illegal acts that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any other periods for which we are not engaged as auditors. These audits will be conducted in accordance with *Government Auditing Standards*, known as a “Yellow Book” audit.

The general objectives of the audit are to determine whether:

- 1) The financial statements are presented fairly in accordance with accrual basis accounting principles, in conformity with GAAP and GASB reporting standards.
- 2) There is effective control over and proper accounting for revenues, expenses, assets, and liabilities.

The audit will include tests of your accounting records and other procedures considered necessary to enable us to express an unqualified opinion that your financial statements are fairly presented, in all material respects, in conformity with generally accepted accounting principles. If the opinion is other than unqualified, we will fully discuss the reasons with you.

We will report to you our audit findings related to internal controls and accounting procedures as part of our audit. We routinely discuss these matters during the course of our audit work, and during report presentation at a board meeting. We are also available to consult with you regarding implementation of our suggestions or any potential changes contemplated by you or your staff. Such consultations would be billed at our applicable rates, outside of the proposed audit work.

We strive to provide the highest quality professional services and relevant advice to our clients through a close and cooperative working relationship. We serve many clients from individuals to corporations, partnerships, nonprofits, special district and JPA government organizations, and other entities operating in a wide variety of businesses and activities. We provide these clients with a full range of professional accounting services. The depth and breadth of our experience provides us significant opportunities for application and adaptation of best practices across our client base.

Hawks & Associates CPAs, Inc. has been involved with many local government and non-profit organizations for a significant portion of our history. We currently work with several of these organizations in a variety of capacities, primarily annual tax and compliance reporting, and advisory or consulting services.

Robert A. Hawks, Jr., CPA is the majority owner of this CPA firm, and Matthew Manafi is an Audit Manager as well as a shareholder, accordingly, Rob and Matt have authority to make representations on the part of the Firm and will be the primary representatives of the Firm for this engagement, though project management and day-to-day work may be delegated.

We appreciate the opportunity to submit this proposal to provide professional services to LAFCO. We are looking forward to a positive relationship, and opportunities to add value for the Agency. Please feel free to contact us with any questions about this proposal, the audit process, our firm, or any other matters.

Sincerely,



Hawks & Associates CPAs, Inc.
Modesto, California

FIRM PROFILE

Hawks & Associates CPAs, Inc. is a central California based CPA firm operating as a California corporation. Mr. Hawks' professional accounting career dates back to the late 1980's and the firm culture reflects this long history. The Firm operates primarily from offices located in downtown Modesto and downtown Sonora, affording easy access from Stanislaus county, Tuolumne county, and surrounding areas. Currently the staffing includes the owner, other CPAs, CPA candidates, tax preparers, bookkeepers, clerks, and support staff. Additional staffing is provided through contractual arrangements with local individuals and firms having long-standing relationships with Mr. Hawks.

Hawks & Associates CPAs, Inc. is a full service public accounting office. We provide services in tax planning and preparation, financial and compliance auditing, financial statement preparation, client accounting, bookkeeping, and management consulting. The firm provides accounting and auditing services to a number of our clients who use a wide variety of computerized accounting and management information systems. Our firm is also a QuickBooks ProAdvisor office, providing support, analysis, and training in the use of all versions of this popular software. For more information, please visit www.HawksCPA.com.

AUDIT STAFF

We conduct our auditing engagements under a team approach. Your audit will be staffed with individuals knowledgeable in audits of governmental organizations. All work prepared is reviewed by supervisors to assure efficient operation and adherence to professional quality control standards. Our complete staff roster and current rates are as follows:

Audit Staff:

Robert A. Hawks, Jr., CPA – Majority Shareholder - \$360 to \$390 per hour

Mr. Hawks bears ultimate responsibility for the engagement. It will be his responsibility to see that you receive the highest quality professional service. He has extensive experience in financial and compliance audits, income taxes, and consulting. Mr. Hawks will be involved in the day-to-day engagement activities.

Josh Bigelow, CPA - Shareholder – Tax Manager, Audit Manager - \$220 to \$240 per hour

Mr. Bigelow will perform specific testing, work paper preparation, and other audit functions as assigned. He also performs bookkeeping, write-up, payroll and tax services.

Matthew Manafi - Shareholder – Audit Manager, Tax Manager - \$210 to \$230 per hour

Mr. Manafi performs specific testing, work paper preparation, and other audit functions as assigned. He also performs bookkeeping, write-up, payroll and tax services.

Additional staff:

Jennifer K. Hawks – Shareholder, Firm Administrator - \$240 to \$270 per hour
Mrs. Hawks may assist with reports, correspondence, and project administration.

Tara Perry – Shareholder, CAS Manager - \$150 to \$170 per hour if applicable
Ms. Perry may assist with reports and QuickBooks data extraction.

Evelyn Scott, Tax Supervisor, CPA Candidate - \$180 to \$200 per hour
Ms. Scott may assist with reconciliations, reports and fieldwork.

Jared Langley, EA Staff Accountant, CPA candidate - \$140 to \$160 per hour
Ms. Sohol may assist with reconciliations, reports and fieldwork.

Sheliza Dass, Staff Accountant, CPA candidate - \$130 to \$150 per hour
Ms. Dass may assist with reconciliations, reports and fieldwork.

Judy Adamson, Tax Preparer - \$110 to \$140 per hour
Ms. Adamson is focused exclusively on income tax preparation.

Tonya Rodgers – Bookkeeper - \$100 to \$120 per hour if applicable
Ms. Rodgers may assist with reports and QuickBooks data extraction.

Hailey Danicourt – Bookkeeper - \$90 to \$110 per hour if applicable
Ms. Danicourt may assist with reports and QuickBooks data extraction.

Karen Ackley – Bookkeeper - \$110 to \$130 per hour if applicable
Ms. Ackley may assist with reports and QuickBooks data extraction.

Jen Staysa – Administrative Assistant - \$80 to \$90 per hour if applicable
Ms. Staysa assists with reporting, scheduling, and correspondence.

Kimberly Usiak – Administrative Assistant - \$60 to \$70 per hour if applicable
Ms. Usiak assists with reporting, scheduling, and correspondence.

Becky Crifasi – Administrative Assistant - \$80 to \$90 per hour if applicable
Ms. Crifasi assists with reporting, scheduling, and correspondence.

Dominique Smith - Administrative Assistant - \$60 to \$80 per hour if applicable
Ms. Smith assists with reporting, scheduling, and correspondence.

Jerry Ellman, CPA – Semi-retired - \$325 per hour, client relations and correspondence.

Dan Fitzgerald, CPA – Semi-retired - \$330 per hour, client relations and correspondence.

The following references are listed to assist you in your evaluation of our qualifications:

SELECTED CURRENT NON-PROFIT ORGANIZATION AUDIT ENGAGEMENTS

Mr. Hawks and staff have been involved in auditing non-profit organizations over many years, including human services, health and welfare, and supportive organizations. The following client contacts are provided for reference purposes:

| <u>Client</u> | <u>Contact Person</u> |
|---|---|
| American Adoptions of California Db a Family Connections Christian Adoptions 1120 Tully Road Modesto, CA 95350 (209) 524-8844 | Wayne Mott Executive Director Jaime Padilla Accountant |
| Nirvana Drug & Alcohol Treatment Prog 1100 Kansas Ave Ste B Modesto, CA 95351 (209) 579-1151 | Dane Holding Executive Director |
| Boys and Girls Clubs of Merced County 615 W 15th Street Merced, CA 95340 (209) 722-9922 | Virginia Hayward President & CEO |
| Howard Training Center (Howard Prep) (Single Audit) 1424 Stonum Road Modesto, CA 95351 (209) 538-4000 | Carla J Strong Executive Director |
| Success Capital Expansion & Development Corporation (Yellow Book Audit) 1100 14 th Street, Suite B Modesto, CA 95354 (209) 521-9372 | Marsha Carr Chief Executive Officer |
| United Samaritans Foundation 220 S. Broadway Turlock, CA 95380 (209) 668-4853 | Linda Murphy-Julien Executive Director |
| WATCH Resources, Inc. 12801 Cabezut Road Sonora, CA 95370 (209) 533-0510 | Clinton Bower Executive Director |

SELECTED CURRENT GOVERNMENTAL AUDIT ENGAGEMENTS

Mr. Hawks and staff have been involved in auditing several governmental agencies over the years, including Special Districts and JPA's. The following client contacts are provided for reference purposes:

| <u>Client</u> | <u>Contact Person</u> |
|--|-------------------------------|
| Schools Infrastructure Financing Agency | Carol Phipps Controller |
| Salida Area Public Facilities Financing Agency 426 Locust Street Modesto, CA 95351 (209) 550-3300 x5524 | Carol Phipps Controller |
| Tuolumne Fire District 18690 Main Street Tuolumne, CA 95379 (209) 928-4505 | Nick Ohler Fire Chief |
| Tuolumne Park and Recreation District P O Box 730 Tuolumne, CA 95379 (209) 928-1214 | James Wood General Manager |

ADDITIONAL AUDIT EXPERIENCE

| | |
|---|--|
| Stanislaus LAFCO | Catholic Charities/Diocese of Stockton |
| Central Region Schools Insurance Group | Keyes Community Service District |
| CSU Stanislaus Foundation | Doctors Medical Center Foundation |
| Greater Modesto Relocatable Administration Agency | Fellowship Homes/Casa de Modesto |
| Modesto City Schools (District) | Stanislaus Community Foundation |
| Central Catholic High School | Casa de Modesto |
| United Way of Stanislaus Area | |

Additional references are available upon request.

AUDIT APPROACH

Communications and day-to-day functions during the audit will be conducted as much as possible through email and telephone conversations, but on-site visits may be required in some circumstances. We will discuss specific plans for your audit prior to beginning the detailed work.

Our approach will start with the development of an understanding of your accounting systems. From this we will make a preliminary evaluation of the strengths and weaknesses of your systems. We will then modify our audit approach based upon this evaluation.

After modification of our audit program based upon our study and evaluation of internal controls, we will substantively review the financial statement. This phase of the audit includes, among other steps, confirmation with third parties, and reconciliation with accounting data, review of accounting estimates and analytical review.

Our audit approach anticipates your staff providing reference documents and assisting in the preparation of account analysis and reconciliation. Our fee is based upon this premise. Areas which we believe are compliance exceptions or reportable conditions will be discussed with management at the earliest possible time. We do this so that management's input can be obtained and corrective action, if needed, can be taken as soon as possible.

The specific work plan for the three-year audit of LAFCO is as follows:

| | |
|---|---------------------|
| Review and Update Internal Control System Understanding Owner / Staff Accountants: 4-6 hours per yr | October |
| Analytics, Preliminary Substantive Work Transaction Testing, Prior File Review Owner / Staff Accountants: 8-10 hours per yr | October |
| Substantive Testing of Financial Statements Owner / Staff Accountants: 8-10 hours per yr | October-November |
| Report Preparation, Client Discussions Owner / Staff Accountants: 4-6 hours per yr | November |
| Audit Report Delivery Owner: 2-3 hours | December or January |

COMPENSATION

We estimate that our fees for the professional audit services proposed will be in the range of \$11,000, not to exceed \$12,000 total for the two years. We bill for our time and will make every effort to avail ourselves of your assistance in an attempt to keep fees to a minimum, however, fees may be higher if unexpected circumstances are encountered or you need more guidance than anticipated. If this fee estimate varies significantly from your expectations, please contact us to ensure we have fully understood your intended scope of work. Also, feel free to contact us with any other questions.

These fees are based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. We will render invoices monthly for actual time and costs incurred. Our invoices are due upon presentation. Additional services not contemplated by this proposal will be billed at our routine hourly rates. If we encounter any unusual situations or fraud, which will require a major extension of the audit procedures beyond those normally applied, we agree to notify you at once regarding significant additional costs.

ADDITIONAL INFORMATION

We have enclosed our Firm's privacy policy, peer review report, and other background information for Hawks & Associates CPAs, Inc.

ASSURANCES

Hawks & Associates CPAs, Inc is a California licensed Certified Public Accounting firm and intends to be continuously and indefinitely into the future.

Our Firm and individuals involved meet the independence standards of the AICPA and GAO, Government Auditing Standards.

Our firm has available capacity, resources, and flexibility to carry out the proposed services in a timely manner. We have an excellent track record of on-schedule report delivery.

Our firm and individuals involved in the audit process have direct experience necessary to carry out the objectives of our audit. Specifically, we have experience with high-quality audits of local governments and non-profits with annual operating budgets ranging from tens of thousands of dollars to tens of millions of dollars.

There are not presently nor have there ever been any disciplinary actions, sanctions, or other restrictions imposed by any regulatory body or professional organization on the firm or any principals.

There are not presently nor have there ever been any lawsuits or claims of fraud or malpractice relating to this firm or any principal's governmental auditing and consulting practice, nor any other practice area.

AGREEMENT FOR PROFESSIONAL SERVICES

This Agreement for Professional Services is made and entered into by and between the Stanislaus County Local Agency Formation Commission ("LAFCO") and Hawks & Associates CPAs Inc. ("Consultant"), as of August 28, 2025 (the "Agreement").

Introduction

WHEREAS, LAFCO has a need for financial audit services;

WHEREAS, the Consultant is specially trained, experienced and competent to perform and has agreed to provide such services; and

NOW, THEREFORE, in consideration of the mutual promises, covenants, terms and conditions hereinafter contained, the parties hereby agree as follows:

Terms and Conditions

1. Scope of Work

1.1 The Consultant shall furnish to LAFCO upon execution of this Agreement or receipt of LAFCO's written authorization to proceed, those services and work set forth in **Exhibit A (Scope of Work)**, which are attached hereto and, by this reference, made a part hereof.

1.2 All documents, drawings and written work product prepared or produced by the Consultant under this Agreement, including without limitation electronic data files, are the property of the Consultant; provided, however, LAFCO shall have the right to reproduce, publish and use all such work, or any part thereof, in any manner and for any purposes whatsoever and to authorize others to do so. If any such work is copyrightable, the Consultant may copyright the same, except that, as to any work which is copyrighted by the Consultant, LAFCO reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, and use such work, or any part thereof, and to authorize others to do so. LAFCO shall defend, indemnify and hold harmless the Consultant and its officers, employees, agents, representatives, subcontractors and consultants from and against all claims, damages, losses, judgments, liabilities, expenses and other costs, arising out of or resulting from LAFCO's reuse of the documents and drawings prepared by the Consultant under this Agreement.

1.3 Services and work provided by the Consultant under this Agreement will be performed in a timely manner in accordance with a schedule of work set forth in Exhibit A. If there is no schedule, the hours and times for completion of said services and work are to be set by the Consultant; provided, however, that such schedule is subject to review by and concurrence of LAFCO.

1.4 The Consultant shall provide services and work under this Agreement consistent with the requirements and standards established by applicable federal, state, County and LAFCO laws, ordinances, regulations and resolutions. The Consultant represents and warrants that it will perform its work in accordance with generally accepted industry standards and practices for the profession or professions that are used in performance of this Agreement and that are in effect at the time of performance of this Agreement.

1.5 If the Consultant deems it appropriate to employ a consultant, expert or investigator in connection with the performance of the services under this Agreement, the Consultant will so

advise LAFCO and seek LAFCO's prior approval of such employment. Any consultant, expert or investigator employed by the Consultant will be the agent of the Consultant not LAFCO.

2. Consideration

2.1 The Consultant shall be compensated on either a time and materials basis or a lump sum basis, as provided in Exhibit A attached hereto.

2.2 Except as expressly provided in this Agreement, Consultant shall not be entitled to nor receive from LAFCO any additional consideration, compensation, salary, wages or other type of remuneration for services rendered under this Agreement, including, but not limited to, meals, lodging, transportation, drawings, renderings or mockups. Specifically, Consultant shall not be entitled by virtue of this Agreement to consideration in the form of overtime, health insurance benefits, retirement benefits, disability retirement benefits, sick leave, vacation time, paid holidays or other paid leaves of absence of any type or kind whatsoever.

2.3 The Consultant shall provide LAFCO with a monthly or a quarterly statement, as services warrant, of fees earned and costs incurred for services provided during the billing period, which LAFCO shall pay in full within 30 days of the date each invoice is approved by LAFCO. The statement will generally describe the services performed, the applicable rate or rates, the basis for the calculation of fees, and a reasonable itemization of costs. All invoices for services provided shall be forwarded in the same manner and to the same person and address that is provided for service of notices herein.

2.4 LAFCO will not withhold any Federal or State income taxes or Social Security tax from any payments made by LAFCO to Consultant under the terms and conditions of this Agreement. Payment of all taxes and other assessments on such sums is the sole responsibility of Consultant. LAFCO has no responsibility or liability for payment of Consultant's taxes or assessments.

3. Term

3.1 The term of this Agreement shall be from the date of this Agreement until completion of the agreed upon services unless sooner terminated as provided below or unless some other method or time of termination is listed in Exhibit A.

3.2 Should either party default in the performance of this Agreement or materially breach any of its provisions, the other party, at that party's option, may terminate this Agreement by giving written notification to the other party.

3.3 LAFCO may terminate this agreement upon 30 days prior written notice. Termination of this Agreement shall not affect LAFCO's obligation to pay for all fees earned and reasonable costs necessarily incurred by the Consultant as provided in Paragraph 2 herein, subject to any applicable setoffs.

3.4 Upon written notice to Consultant, LAFCO may terminate this Agreement upon the occurrence of Consultant's bankruptcy or the sale of Consultant's business.

4. Required Licenses, Certificates and Permits and Compliance with Laws

Any licenses, certificates or permits required by the federal, state, county or municipal governments for Consultant to provide the services and work described in Exhibit A must be

procured by Consultant and be valid at the time Consultant enters into this Agreement. Further, during the term of this Agreement, Consultant must maintain such licenses, certificates and permits in full force and effect. Licenses, certificates and permits may include but are not limited to driver's licenses, professional licenses or certificates and business licenses. Such licenses, certificates and permits will be procured and maintained in force by Consultant at no expense to LAFCO. Consultant shall comply with all applicable State and Federal Laws, rules and regulations.

5. Office Space, Supplies, Equipment, Etc.

Unless otherwise provided in this Agreement, Consultant shall provide such office space, supplies, equipment, vehicles, reference materials and telephone service as is necessary for Consultant to provide the services under this Agreement. The Consultant--not LAFCO--has the sole responsibility for payment of the costs and expenses incurred by Consultant in providing and maintaining such items.

6. Insurance

Coverage Required: Consultant shall obtain, and maintain at all times during the term of this Agreement, insurance coverage in the amounts and coverage specified in the attached Exhibit B.

7. Defense and Indemnification

7.1 To the fullest extent permitted by law, Consultant shall indemnify, hold harmless and defend LAFCO and its agents, officers and employees from and against all claims, damages, losses, judgments, liabilities, expenses and other costs, including litigation costs and attorneys' fees, arising out of, resulting from, or in connection with the performance of this Agreement by the Consultant or Consultant's officers, employees, agents, representatives or subcontractors. This obligation shall survive termination of the Agreement.

7.2 Consultant's obligation to defend, indemnify and hold LAFCO and its agents, officers and employees harmless under the provisions of this paragraph is not limited to or restricted by any requirement in this Agreement for Consultant to procure and maintain a policy of insurance.

7.3 Subject to the limitations in 42 United States Code section 9607(e), and unless otherwise provided in a Scope of Services approved by the parties:

(a) Consultant shall not be responsible for liability caused by the presence or release of hazardous substances or contaminants at the site, unless the release results from the negligence of Consultant or its subcontractors;

(b) No provision of this Agreement shall be interpreted to permit or obligate Consultant to assume the status of "generator," "owner," "operator," "arranger," or "transporter" under state or federal law; and

(c) At no time, shall title to hazardous substances, solid wastes, petroleum contaminated soils or other regulated substances pass to Consultant.

8. Status of Consultant

8.1 All acts of Consultant and its officers, employees, agents, representatives, subcontractors and all others acting on behalf of Consultant relating to the performance of this Agreement, shall be performed as independent contractors and not as agents, officers or

employees of LAFCO. Consultant, by virtue of this Agreement, has no authority to bind or incur any obligation on behalf of LAFCO. Except as expressly provided in Exhibit A, Consultant has no authority or responsibility to exercise any rights or power vested in LAFCO. No agent, officer or employee of LAFCO is to be considered an employee of Consultant. It is understood by both Consultant and LAFCO that this Agreement shall not be construed or considered under any circumstances to create an employer-employee relationship or a joint venture.

8.2 At all times during the term of this Agreement, the Consultant and its officers, employees, agents, representatives or subcontractors are, and shall represent and conduct themselves as, independent contractors and not employees of LAFCO.

8.3 Consultant shall determine the method, details and means of performing the work and services to be provided by Consultant under this Agreement. Consultant shall be responsible to LAFCO only for the requirements and results specified in this Agreement and, except as expressly provided in this Agreement, shall not be subjected to LAFCO's control with respect to the physical action or activities of Consultant in fulfillment of this Agreement. Consultant has control over the manner and means of performing the services under this Agreement. If necessary, Consultant has the responsibility for employing other persons or firms to assist Consultant in fulfilling the terms and obligations under this Agreement.

8.4 Consultant is permitted to provide services to others during the same period service is provided to LAFCO under this Agreement; provided, however, such services do not conflict directly or indirectly with the performance of the Consultant's obligations under this Agreement.

8.5 If in the performance of this Agreement any third persons are employed by Consultant, such persons shall be entirely and exclusively under the direction, supervision and control of Consultant. All terms of employment including hours, wages, working conditions, discipline, hiring and discharging or any other term of employment or requirements of law shall be determined by the Consultant.

8.6 It is understood and agreed that as an independent contractor and not an employee of LAFCO, the Consultant and the Consultant's officers, employees, agents, representatives or subcontractors do not have any entitlement as a LAFCO employee, and, except as expressly provided for in any Scope of Services made a part hereof, do not have the right to act on behalf of LAFCO in any capacity whatsoever as an agent, or to bind LAFCO to any obligation whatsoever.

8.7 It is further understood and agreed that Consultant must issue W-2 forms or other forms as required by law for income and employment tax purposes for all of Consultant's assigned personnel under the terms and conditions of this Agreement.

8.8 As an independent contractor, Consultant hereby indemnifies and holds LAFCO harmless from any and all claims that may be made against LAFCO based upon any contention by any third party that an employer-employee relationship exists by reason of this Agreement.

9. Records and Audit

9.1 Consultant shall prepare and maintain all writings, documents and records prepared or compiled in connection with the performance of this Agreement for a minimum of seven (7) years from the termination or completion of this Agreement. This includes any handwriting, typewriting, printing, photostatic, photographing and every other means of recording upon any tangible thing, any form of communication or representation including letters, words, pictures, sounds or symbols or any combination thereof.

9.2 The purpose of the audit workpapers is to issue an opinion on the Commission. The auditor will provide key workpapers to the client upon request.

10. Confidentiality

The Consultant agrees to keep confidential all information obtained or learned during the course of furnishing services under this Agreement and to not disclose or reveal such information for any purpose not directly connected with the matter for which services are provided.

11. Nondiscrimination

11.1. During the performance of this Agreement, Consultant and its officers, employees, agents, representatives or subcontractors shall not unlawfully discriminate in violation of any Federal, State or local law, rule or regulation against any employee, applicant for employment or person receiving services under this Agreement because of race, religious creed, color, national origin, ancestry, physical or mental disability, medical condition, genetic information, pregnancy related condition, marital status, gender/sex, sexual orientation, gender identity, gender expression, age (over 40), political affiliation or belief, or military and veteran status. Consultant and its officers, employees, agents, representatives or subcontractors shall comply with all applicable Federal, State and local laws and regulations related to non-discrimination and equal opportunity, including without limitation LAFCO's non-discrimination policy; the Fair Employment and Housing Act (Government Code sections 12900 et seq.); California Labor Code sections 1101 and 1102; the Federal Civil Rights Act of 1964 (P.L. 88-352), as amended; and all applicable regulations promulgated in the California Code of Regulations or the Code of Federal Regulations.

11.2 Consultant shall include the non-discrimination and compliance provisions of this clause in all subcontracts to perform work under this Agreement.

11.3 Consultant shall provide a system by which recipients of service shall have the opportunity to express and have considered their views, grievances, and complaints regarding Consultant's delivery of services.

12. Assignment

This is an agreement for the services of Consultant. LAFCO has relied upon the skills, knowledge, experience and training of Consultant and the Consultant's firm, associates and employees as an inducement to enter into this Agreement. Consultant shall not assign or subcontract this Agreement without the express written consent of LAFCO. Further, Consultant shall not assign any monies due or to become due under this Agreement without the prior written consent of LAFCO.

13. Waiver of Default

Waiver of any default by either party to this Agreement shall not be deemed to be waiver of any subsequent default. Waiver or breach of any provision of this Agreement shall not be deemed to be a waiver of any other or subsequent breach, and shall not be construed to be a modification of the terms of this Agreement unless this Agreement is modified as provided below.

14. Notice

Any notice, communication, amendment, addition or deletion to this Agreement, including change of address of either party during the term of this Agreement, which Consultant or LAFCO shall be required or may desire to make shall be in writing and may be personally served or, alternatively, sent by prepaid first-class mail to the respective parties as follows:

To LAFCO:

Sara Lytle-Pinhey, Executive Officer
Stanislaus LAFCO
1010 10th Street, Third Floor
Modesto, CA 95353

To Consultant:

Robert A. Hawks, Jr., CPA
Hawks & Associates CPAs, Inc
1015 14th Street
Modesto, CA 95354

15. Conflicts

Consultant agrees that it has no interest and shall not acquire any interest direct or indirect which would conflict in any manner or degree with the performance of the work and services under this Agreement.

Consultant confirms that it has not offered, given, or accepted, nor intend to give at any time hereafter any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, service to another other in connection with this Agreement. Consultant affirms that this Agreement has been arrived at independently and is awarded without collusion with anyone to obtain information or gain any favoritism that would in any way limit competition or give an unfair advantage over others in the award of this Agreement. Consultant acknowledges the following "safe harbor" provisions of Government Code Section 1097.6:

16. Severability

If any portion of this Agreement or application thereof to any person or circumstance shall be declared invalid by a court of competent jurisdiction or if it is found in contravention of any federal, state or county statute, ordinance or regulation the remaining provisions of this Agreement or the application thereof shall not be invalidated thereby and shall remain in full force and effect to the extent that the provisions of this Agreement are severable.

17. Amendment

This Agreement may be modified, amended, changed, added to or subtracted from by the mutual consent of the parties hereto if such amendment or change is in written form and executed with the same formalities as this Agreement and attached to the original Agreement to maintain continuity.

18. Entire Agreement

This Agreement supersedes any and all other agreements, either oral or in writing, between any of the parties herein with respect to the subject matter hereof and contains all the agreements between the parties with respect to such matter. Each party acknowledges that no representations, inducements, promises or agreements, oral or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not embodied herein, and that no other agreement, statement or promise not contained in this Agreement shall be valid or binding.

19. Advice of Attorney

Each party warrants and represents that in executing this Agreement, it has received independent legal advice from its attorneys or the opportunity to seek such advice.

20. Construction

Headings or captions to the provisions of this Agreement are solely for the convenience of the parties, are not part of this Agreement, and shall not be used to interpret or determine the validity of this Agreement. Any ambiguity in this Agreement shall not be construed against the drafter, but rather the terms and provisions hereof shall be given a reasonable interpretation as if both parties had in fact drafted this Agreement.

21. Governing Law and Venue

This Agreement shall be deemed to be made under, and shall be governed by and construed in accordance with, the laws of the State of California. Any action brought to enforce the terms or provisions of this Agreement shall have venue in the County of Stanislaus, State of California.

22. Authorized Signature

The person signing this Agreement ("Signatory") represents and warrants that he or she is duly authorized and has legal capacity to execute this Agreement. Signatory represents and warrants that the execution and delivery of the Agreement and the performance of Consultant's obligations hereunder has been duly authorized, and that the Agreement is a valid and legal agreement binding on Consultant and enforceable in accordance with its terms.

23. Counterparts and Electronic Signatures

This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, and all of which shall constitute but one and the same instrument. Each party agrees that this Agreement and any other documents to be delivered in connection herewith may be digitally or electronically signed, and that any digital or electronic signatures (including PDF or facsimile) appearing on this Agreement or such other documents are the same as handwritten signatures for the purposes of validity, enforceability, and admissibility.

24. Debarment

Consultant represents and warrants that neither Consultant nor any of its Principals ("Principal" means an officer, director, owner, partner, or a person having primary management or supervisory responsibilities within a business entity) is presently debarred, suspended, proposed for debarment, voluntarily excluded, or involuntarily excluded from receiving a contract from any federal, state or local government or agency, nor has it been declared ineligible for the award of contracts by any federal, state, or local government or agency, nor does it appear on any federal, state or local government's excluded parties list system. Consultant shall provide immediate written notice to LAFCO if, at any time Consultant learns that this representation was erroneous when submitted or has become erroneous by reason of changed circumstances. The representations and warranties above are a material representation of fact upon which reliance was placed when entering into this Agreement. If it is later determined that Consultant knowingly made a false representation, in addition to other remedies available to LAFCO, LAFCO may terminate this Agreement.

IN WITNESS WHEREOF, the parties or their duly authorized representatives have executed this Agreement on the day and year first hereinabove written.

**STANISLAUS COUNTY LOCAL AGENCY
FORMATION COMMISSION**

**HAWKS & ASSOCIATES CPAs, INC.
("CONSULTANT")**

By: _____
Sara Lytle-Pinhey, Executive Officer

By: _____
Robert A. Hawks, Jr., CPA

APPROVED AS TO FORM:

By: _____
Shaun Wahid, LAFCO Legal Counsel

EXHIBIT A

A. SCOPE OF WORK

The Consultant shall provide services under this Agreement as follows:

1. Audit LAFCO in each fiscal year, focusing on the fiscal years' respective funds. Each audit shall be conducted in accordance with auditing standards generally accepted in the United States of America and Government Auditing Standards, issued by the Comptroller of the United States. LAFCO's General Purpose Financial Statements (GPFS) shall be prepared by the audit firm. The GPFS will be in full compliance with GASB #34. The audit firm will render its auditor's report on the basic financial statements, which will include both Government-Wide Financial Statements and Fund Financial Statements. The audit firm will also apply limited audit procedures to Management's Discussion and Analysis (MD&A) and required supplementary information pertaining to the General Fund and each major fund of LAFCO.
2. Express an opinion on the financial statements as to whether they present fairly, in all material respects, the financial position of LAFCO and the changes in financial position and cash flows in conformity with generally accepted accounting principles (GAAP), and issue an independent auditors' report stating this opinion.
4. The Consultant shall issue a separate "management letter", if required by audit standards, that includes recommendations, if any, for improvements in internal control that are considered to be significant deficiencies or material weaknesses. LAFCO staff will provide cooperation and assistance during the audit by providing information, analysis, documentation, schedules and explanations. LAFCO staff will prepare the MD&A.
5. Test internal controls, as needed, over financial reporting and on compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters, in accordance with Government Auditing Standards and those issue by the Comptroller General of the United States, and issue an independent auditors' report on their consideration.
6. Communicate immediately and in writing all irregularities and illegal acts, or indications of illegal acts, of which the auditor becomes aware, to the appropriate level of management and/or LAFCO Board.
7. Retain, at auditor's expense, audit working papers for seven (7) years, unless the firm is notified in writing by LAFCO of the need to extend the retention period. In addition, the firm shall respond to reasonable inquiries of LAFCO and successor auditors and allow LAFCO and successor auditors to review working papers relating to matters of continuing accounting significance.

The Consultant shall be responsible for the preparation and delivery of the following financial statements in final submission form:

| Report Description: | Number of Copies: |
|----------------------------|-----------------------|
| GPFS 7/1/2023 to 6/30/2024 | 1 electronic PDF copy |
| GPFS 7/1/2024 to 6/30/2025 | 1 electronic PDF copy |

A draft copy of each financial statement should be delivered to the LAFCO Executive Officer for review approximately 30 days prior to the deadline.

B. COMPENSATION

The Consultant shall be compensated for the services provided under this Agreement as follows:

1. Consultant will be compensated in an amount not to exceed \$12,000 for services rendered under this Agreement. Consultant to submit monthly statements for payment. LAFCO shall have 30 days to submit payment to Consultant. A reserve of ten (10) percent will be retained until such time that the Consultant submits required deliverables (e.g. audited financial statements) as described in Section A, and upon acceptance of said deliverables.
2. The parties hereto acknowledge the maximum amount to be paid by LAFCO for services provided hereunder shall not exceed \$12,000 including, without limitation, the cost of any subcontractors, consultants, experts or investigators retained by the Consultant to perform or to assist in the performance of its work under this Agreement.

C. TERM

1. The term of the Agreement shall be from August 28, 2025, through February 28, 2026 unless otherwise terminated as provided in Paragraph 3 of the Agreement.

D. REPRESENTATIVES

The parties' respective Project Managers shall be:

For LAFCO:

Sara Lytle-Pinhey (or designee)
Stanislaus LAFCO
1010 10th Street, 3rd Floor
Modesto, CA 95354
(209) 525-7660
pinheys@stancounty.com

For Consultant:

Robert A. Hawks Jr., CPA (or designee)
Hawks & Associates CPAs, Inc.
1015 14th Street
Modesto, CA 95354
(209) 529-4060
rob@hawkscpa.com

EXHIBIT B

Insurance Requirements for Professional Services

Consultant shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

MINIMUM SCOPE AND LIMIT OF INSURANCE

Coverage shall be at least as broad as:

1. **Commercial General Liability (CGL):** Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than \$1,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit shall be twice the required occurrence limit.
2. **Automobile Liability:** If the Consultant or the Consultant's officers, employees, agents, representatives or subcontractors utilize a motor vehicle in performing any of the work or services under the Agreement Insurance Services Office Form Number CA 0001 covering, Code 1 (any auto), or if Consultant has no owned autos, Code 8 (hired) and 9 (non-owned), with limit no less than \$1,000,000 per accident for bodily injury and property damage.
3. **Workers' Compensation** insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than \$1,000,000 per accident for bodily injury or disease.
4. **Professional Liability (Errors and Omissions)** Insurance appropriate to the Consultant's profession, with limits not less than \$1,000,000 per occurrence or claim, \$2,000,000 aggregate.

If the Consultant maintains broader coverage and/or higher limits than the minimums shown above, LAFCO requires and shall be entitled to the broader coverage and/or higher limits maintained by the Consultant. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to LAFCO.

Application of Excess Liability Coverage

Consultants may use a combination of primary, and excess insurance policies which provide coverage as broad as ("follow form" over) the underlying primary policies, to satisfy the Required Insurance provisions.

Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions:

Additional Insured Status

LAFCO, its officers, officials, employees, agents and volunteers are to be covered as additional insureds on the CGL and the Auto policy with respect to liability arising out of work or operations performed by or on behalf of the Consultant including materials, parts, or equipment furnished in connection with such work or operations. General liability and Auto Liability coverage can be provided in the form of an endorsement to the Consultant's insurance (**at least** as broad as ISO Form CG 20 10 11 85 or **both** CG 20 10, CG 20 26, CG 20 33, or CG 20 38; **and** CG 20 37 forms if later revisions used).

Primary Coverage

For any claims related to this contract, the **Consultant's insurance coverage shall be primary** insurance primary coverage **at least** as broad as ISO CG 20 01 04 13 as respects to LAFCO, its officers, officials, employees, agents and volunteers. Any insurance or self-insurance maintained by LAFCO, its officers, officials, employees, agents or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.

Reporting: Any failure to comply with reporting provisions of the policies shall not affect coverage provided to LAFCO or its officers, officials, employee's, agents or volunteers.

Notice of Cancellation

Each insurance policy required above shall provide that coverage not be cancelled, except with notice to LAFCO in accordance with policy terms and conditions. If policy does not allow for notice, notification of cancellation shall be the responsibility of the contractor.

Waiver of Subrogation

Consultant hereby grants to LAFCO a waiver of any right to subrogation (except for Professional Liability) which any insurer of said Consultant may acquire against LAFCO by virtue of the payment of any loss under such insurance. Consultant agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not LAFCO has received a waiver of subrogation endorsement from the insurer.

Self-Insured Retentions

Self-insured retentions must be declared to and approved by LAFCO. LAFCO may require the Consultant to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention.

Acceptability of Insurers

Insurance is to be placed with California admitted insurers (licensed to do business in California) with a current A.M. Best's rating of no less than A-VII or a Standard & Poor's rating of at least BBB, however, if no California admitted insurance company provides the required insurance, it is acceptable to provide the required insurance through a United States domiciled carrier that meets the required Best's rating and that is listed on the current List of Approved Surplus Line Insurers (LASLI) maintained by the California Department of Insurance.

Claims Made Policies

If any of the required policies provide coverage on a claims-made basis:

1. The Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work.
2. Insurance must be maintained, and evidence of insurance must be provided for **at least** five (5) years after completion of the contract of work.
3. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a Retroactive Date prior to the contract effective date, the Consultant must purchase “extended reporting” coverage for a minimum of five (5) years after completion of contract work.

Verification of Coverage

Consultant shall furnish LAFCO with a copy of original certificates and amendatory endorsements, or copies of the applicable policy language effecting coverage required by this clause. **All certificates and endorsements are to be received and approved by the LAFCO before work commences.** However, failure to obtain the required documents prior to the work beginning shall not waive the Consultant’s obligation to provide them. LAFCO reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

Subcontractors

Consultant shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein, and Consultant shall ensure that LAFCO is an additional insured on insurance required from subcontractors.

Special Risks or Circumstances

LAFCO reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

Insurance Limits

The limits of insurance described herein shall not limit the liability of the Consultant and Consultant's officers, employees, agents, representatives or subcontractors. Consultant's obligation to defend, indemnify and hold LAFCO, its officers, officials, employees, agents and volunteers harmless under the provisions of this paragraph is not limited to or restricted by any requirement in the Agreement for Consultant to procure and maintain a policy of insurance.

[SIGNATURES SET FORTH ON THE FOLLOWING PAGE]

_____ Exempt from Auto – By initialing, I certify Consultant's officers, employees, agents, representatives or subcontractors will not utilize a vehicle in the performance of their work with LAFCO.

_____ Exempt from WC – By initialing, I certify Consultants is exempt from providing workers' compensation coverage as required under section 1861 and 3700 of the California Labor Code.

I acknowledge the insurance requirements listed above.

Print Name: _____ Date: _____

Signature: _____ Date: _____

Consultant Name:

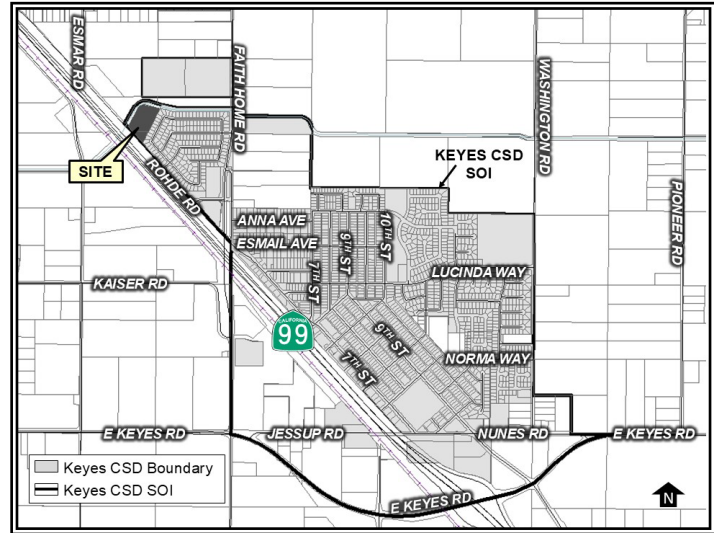
**EXECUTIVE OFFICER'S AGENDA REPORT
AUGUST 27, 2025**

**STANISLAUS LOCAL AGENCY FORMATION COMMISSION
APPLICATION NO. 2025-03
SECURED SPACE CHANGE OF ORGANIZATION TO
THE KEYES COMMUNITY SERVICES DISTRICT**

PROPOSAL

The proposed project is a request to annex 4.73 acres to the Keyes Community Services District to provide services to an existing mini-storage facility.

1. Applicant: Keyes Community Services District (Keyes CSD)
2. Location: The project site is located at 5024, 5028, and 5030 Rohde Road, between Esmar and Faith Home Roads in the Keyes area.
3. Parcels Involved and Acreage: The project site includes Assessor's Parcel Numbers (APNs) 041-059-001 and 041-059-002 totaling 4.73 acres (See Exhibit "A" Map and Legal Description).
4. Reason for Request: The annexation is being requested to provide water service for the site and fulfill a condition of approval for a General Plan Amendment and Rezone application approved by Stanislaus County.



ENVIRONMENTAL REVIEW

Stanislaus County, through its planning process, assumed the role of Lead Agency under the California Environmental Quality Act (CEQA) for the storage facility. The County approved a Mitigated Negative Declaration (Exhibit B). LAFCO, as a Responsible Agency, must consider the environmental documentation prepared by Stanislaus County. The proposed annexation will not result in a change of land use under the current zoning, which is under Stanislaus County jurisdiction.

BACKGROUND

In 2024, Stanislaus County approved General Plan Amendment and Rezone Application No. PLN2023-0031 – Secured Space Self Storage. The application amended the Community Plan designation from Medium-Density Residential to Commercial and the Zoning designation from General Agriculture (A-2-10) to Planned Development (P-D). The application was processed to allow for the operation of an existing mini-storage facility at the site. In addition to the storage facility, the site also includes seven existing residential units.

The project includes a condition of approval requiring annexation into the Keyes Community Services District. The proposed LAFCO application has been submitted in order to fulfill the

condition of approval and allow the site to connect to water services. Annexation to the District will also allow the District to provide sewer service in the future when such service is available without an additional application to LAFCO.

FACTORS

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires several factors to be considered by a LAFCO when evaluating a proposal. The following discussion pertains to the factors, as set forth in Government Code Section 56668 and 56668.3:

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

The annexation is being proposed in order to provide water service to a mini-storage facility and seven existing residential units. The site is surrounded by the Keyes Community, Highway 99, an RV sales dealership, mobile home park, residential neighborhood and vacant land.

The project site is zoned PD 370 (Planned Development) in the Stanislaus County Zoning Ordinance and is designated as Commercial in the Keyes Community Plan. The development is a legal use within the zoning district. Annexation to the District will not change or lead to a change in the zoning. The subject parcels are in Tax Code Areas: 072-001 & 011. The current total assessed value for the two parcels within the proposed annexation area is \$808,746.

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

The proposed annexation will provide water service to the approved Secured Space Storage facility. The service improvements will be installed by the developer. The Keyes CSD has indicated that the District is able to provide water service to the project site. Service and maintenance will be financed through the collection of water charges.

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

There are no social or economic communities of interest as defined by the Commission in the area. The proposal is consistent with adopted Commission policies to encourage efficient and effective delivery of governmental services.

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

The parcel is located within an area that is zoned PD 360 (Planned Development) by Stanislaus County. The approved storage facility is consistent with the County's Zoning Ordinance. The proposed annexation will provide water services to the approved development. There are no other plans to change the land uses.

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

The proposal will not result in the loss of agricultural land and will not affect the physical and economic integrity of agricultural land. The land is currently zoned PD 370 (Planned Development) by Stanislaus County.

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

The proposed boundary includes parcels 045-059-001 & 045-059-002 totaling approximately 4.67 acres. The two parcels are contiguous to the existing district boundary. The overall district boundary will be more defined as a result of the annexation. The proposal is fully within the current Sphere of Influence of the District.

g. A regional transportation plan adopted pursuant to Section 65080

The Regional Transportation Plan (RTP) is prepared and adopted by the Stanislaus Association of Governments (StanCOG) and is intended to determine the transportation needs of the region as well as the strategies for investing in the region's transportation system. The annexation will not change traffic or transportation routes for the area.

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

The proposal is consistent with both the Keyes Community Plan land use designation of "Commercial" and Stanislaus County zoning designation of PD 370 (Planned Development).

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

The territory is within the Keyes Community Services District's Sphere of Influence. The proposal is consistent with those adopted spheres of influence and Commission policies.

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

All affected agencies and jurisdictions have been notified pursuant to State law requirements and the Commission adopted policies. No comments have been received from any agencies as of the drafting of this report.

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

The Keyes Community Services District, as applicant for the proposed annexation, has indicated it is willing and able to serve the proposal. The Developer will be responsible for installing all necessary infrastructure improvements required for water connections and any future service connections. Once the site is on line, service and maintenance will be financed through the collection of monthly charges.

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

Keyes CSD has indicated that it is able to provide water service to the proposed project site. Currently, the District has four groundwater wells that provide drinking water to District customers. The District has a 600 thousand gallon storage tank, or .6 million gallons. The average water demand is about .77 million gallons per day (mgd) with a maximum day demand of 1.3 mgd. The District has indicated that it is capable of providing up to 3.175 mgd. Based on this, the District is able to provide adequate water for the project.

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

The proposed annexation will serve a storage facility seven existing residential units. The property owner is not proposing any new units at this time.

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

The owner of the project site has consented to the proposed annexation. No information or comments, other than what was provided in the application, have been received as of the drafting of this report.

o. Any information relating to existing land use designations.

The property within the proposal is zoned PD 370 (Planned Development) within the Stanislaus County Zoning Ordinance and is designated as "Commercial" in the Keyes Community Plan. The annexation will provide water service to serve a storage facility and residential units which is consistent with both designations. There are currently no plans to change the land uses.

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

As defined by Government Code §56668, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. Staff has determined that approval of the proposal would not result in the unfair treatment of any person based on race, culture or income with respect to the provision of services within the proposal area.

q. Information contained in a local mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state

responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.

According to the CEQA Initial Study, the project site has not been identified as being within a very high fire hazard severity zone. Stanislaus County has placed a condition of approval on the project requiring that development meet all Department of Environmental Resources HazMat Division and Fire District standards, as well as obtain all required permits.

DISCUSSION

Based on the information provided by the Keyes CSD, annexation of project site can be considered a logical extension of the District's boundaries. Staff has determined that the proposed annexation is consistent with Government Code and LAFCO policies.

Waiver of Protest Proceedings

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

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

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

ALTERNATIVES FOR COMMISSION ACTION

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

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

STAFF RECOMMENDATION

Approve Option 1. Based on the information and discussion contained in this staff report, and the evidence presented, it is recommended that the Commission adopt Resolution No. 2025- 12 (attached as Exhibit D), which:

- a. Certifies, as a Responsible Agency under CEQA, that the Commission has considered the environmental documentation prepared by Stanislaus County as Lead Agency;
- b. Finds the proposal to be consistent with State law and the Commission's adopted Policies and Procedures;
- c. Waives protest proceedings pursuant to Government Code Section 56662(d); and,
- d. Approves LAFCO Application 2020-12 – Secured Space Change of Organization to the Keyes Community Services District as outlined in the resolution.

Respectfully submitted,

Javier Camarena

Javier Camarena
Assistant Executive Officer

Attachments - Exhibit A: Map and Legal Description
Exhibit B: CEQA Initial Study, Mitigated Negative Declaration, Notice of Determination, and Notice of Administrative Conditions and Restrictions
Exhibit C: Resolution of Application (2024-583), Will Serve Letter & Plan for Services
Exhibit D: Draft LAFCO Resolution No. 2025-12

EXHIBIT A

Map & Legal Description

This page intentionally left blank.

LAFCO APP. NO 2025-03
SECURED SPACE
CHANGE OF ORGANIZATION TO
THE KEYES CSD

SITE

KEYES CSD
SOI

KAISER RD

E KEYES RD

ANNA AVE

ESMAIL AVE

JESSUP RD

E KEYES RD

LUCINDA WAY

NORMA WAY

NUNES RD

E KEYES RD

FAITH HOME RD

ROHDE RD

7TH ST

9TH ST

10TH ST

9TH ST

7TH ST

WASHINGTON RD

PIONEER RD



- Keyes CSD Boundary
- Keyes CSD SOI



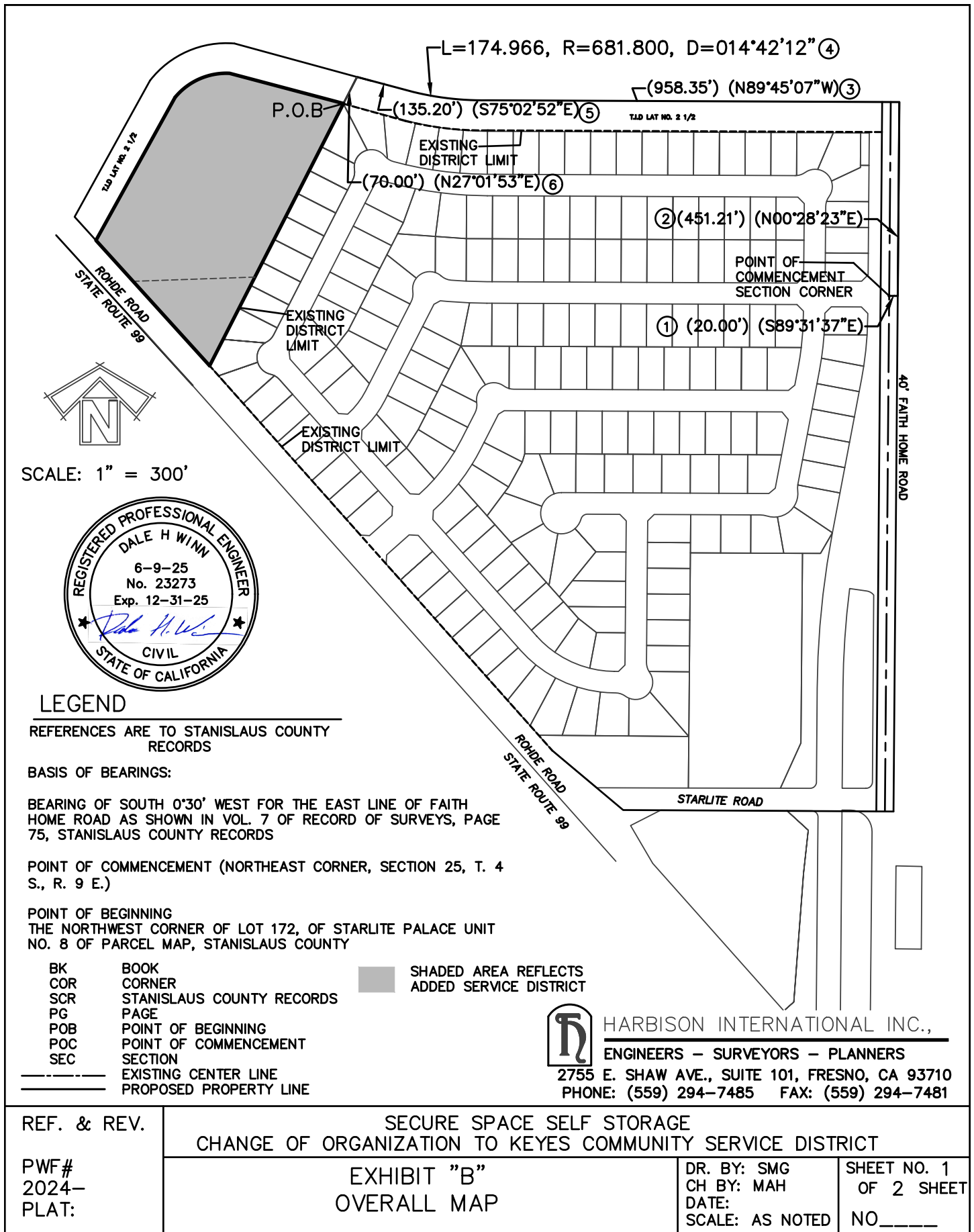
EXHIBIT "A"
LEGAL DESCRIPTION
SECURE SPACE SELF STORAGE
CHANGE OF ORGANIZATION TO THE KEYES KCSD

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

COMMENCING AT THE CORNER COMMON TO SECTION 24,25,19 AND 30 IN TOWNSHIP 4 SOUTH, RANGE 9, AND 10 EAST, MOUNT DIABLO BASE AND MERIDIAN;

- 1- THENCE SOUTH 89° 31' 37" EAST A DISTANCE 20.00 FEET TO THE EAST LINE OF FAITH HOME ROAD,
- 2- THENCE ALONG SAID EAST LINE OF FAITH HOME ROAD NORTH 0°28'23" WEST A DISTANCE 451.21 FEET TO A POINT ALONG THE EAST LINE OF FAITH HOME ROAD,
- 3- THENCE SOUTH 89° 45'07" WEST A DISTANCE 958.35 FEET, ALONG THE NORTH BOUNDARY OF TURLOCK IRRIGATION DISTRICT LATERAL NUMBER 2 2/1,
- 4- THENCE ALONG SAID CANAL NORTH LINE AT A RADIUS 681.80 FEET, AT CENTRAL ANGLE 12° 42'15", A LENGTH 174.96 FEET,
- 5- THENCE SOUTH 75° 02' 52" WEST ALONG SAID NORTH LINE OF SAID CANAL A DISTANCE 135.20 FEET,
- 6- THENCE SOUTH 27° 01'53" EAST, A DISTANCE OF 70.00 FEET TO THE NORTHWEST CORNER OF LOT 172, OF STARLITE PALACE UNIT NO. 8 OF PARCEL MAP, STANISLAUS COUNTY, AND THE SOUTH LINE OF TURLOCK IRRIGATION DISTRICT LATERAL NUMBER 2 ½, SAID **TRUE POINT OF BEGINNING**;
- 7- THENCE SOUTH 27° 02'25" W A DISTANCE OF 684.61', ALONG THE EXITING BOUNDARY OF KEYES COMMUNITY SERVICE DISTRICT,
- 8- THENCE BEARING NORTH 42°12'45" WEST A DISTANCE OF 393.86 FEET, ALONG THE NORTHEAST PROPERTY LINE OF RHODE ROAD;
- 9- THENCE BEARING NORTH 28°57'0" EAST A DISTANCE OF 380.39 FEET, ALONG THE SOUTHEAST PROPERTY LINE ALONG T.I.D. LATERAL 2-1/2;
- 10- THENCE ALONG A CURVE TO THE **RIGHT**, HAVING A RADIUS OF 154.72 FEET, A DELTA ANGLE OF 53° 12' 12", AND WHOSE LONG CHORD BEARS NORTH 61°21'36" EAST A DISTANCE OF 143.68 FEET;
- 11- THENCE BEARING SOUTH 75°02' 52" EAST A DISTANCE OF 274.25 FEET; ALONG THE SOUTH PROPERTY LINE ALONG T.I.D. LATERAL 2-1/2; TO THE WEST PROPERTY LINE OF STARLITE PALACE UNIT NO.8 OF PARCEL MAP, **TO THE POINT OF BEGINNING.**

CONTAINS APPROXIMATELY 4.73 AC





SCALE: 1" = 100'



APN: 041-059-001
A PORTION OF LOT
27,28 AND 30 OF
ESMAR TRACT AS PER
MAP FILE MARCH 15,
1904, VOL. 1 OF
MAPS PAGE 47, SCR

AREA = 206,064 SQ.FT. OR 4.73 AC

(380.39') (N28°57'00"E) ⑨

⑦(684.61') (S27°02'25"W)

(393.86') (S42°12'45"E) ⑧

283.73' N88°00'00"E

APN: 041-059-002
A PORTION OF LOT
27,28 AND 30 OF
ESMAR TRACT AS PER
MAP FILE MARCH 15,
1904, VOL. 1 OF
MAPS PAGE 47, SCR

ROHDE ROAD
STATE ROUTE 99
60' WIDE

LEGEND

265.24' S42°12'45"E
CALCULATED DISTANCE

BK BOOK
COR CORNER
SCR STANISLAUS COUNTY RECORDS
PG PAGE
POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
SEC SECTION
— EXISTING CENTER LINE
— EXISTING PROPERTY LINE



HARBISON INTERNATIONAL INC.,

ENGINEERS - SURVEYORS - PLANNERS

2755 E. SHAW AVE., SUITE 101, FRESNO, CA 93710
PHONE: (559) 294-7485 FAX: (559) 294-7481

EXISTING
DISTRICT
LIMIT

EX. TID IRG. CANAL
LATERAL NO. 2 1/2
NOT PART
(274.25') (S75°02'52"E)

P.O.B

LOT 172

LOT 173

LOT 174

LOT 175

LOT 176

LOT 177

LOT 178

LOT 179

LOT 180

LOT 181

PER STARLITE PL.
NO. 8 LOTS 172-185,
SCR (36M79)

NOT PART

REF. & REV.

SECURE SPACE SELF STORAGE
CHANGE OF ORGANIZATION TO KEYES COMMUNITY SERVICE DISTRICT

PWF#
2024-
PLAT:

EXHIBIT "C"
NEW AREA MAP 4.73 ACRES

DR. BY: SMG
CH BY: MAH
DATE:
SCALE: AS NOTED

SHEET NO. 2
OF 2 SHEET
NO _____

EXHIBIT B

CEQA Initial Study Mitigated Negative Declaration Notice of Determination & Notice of Administrative Conditions & Restrictions

This page intentionally left blank.



CEQA INITIAL STUDY

(Additional text is shown in bold and underline and deleted text in strikeout.)

Adapted from CEQA Guidelines APPENDIX G Environmental Checklist Form, Final Text, January 1, 2020

1. **Project title:** General Plan Amendment and Rezone
Application No. PLN2023-0031 – Secured
Space South Storage
SCH No. 2023090214
2. **Lead agency name and address:** Stanislaus County
1010 10th Street, Suite 3400
Modesto, CA 95354
3. **Contact person and phone number:** Kristin Doud, Deputy Director of Planning
(209) 525-6330
4. **Project location:** 5024, 5028, and 5030 Rohde Road, between
Esmar and Faith Home Roads, in the
community of Keyes. (APN: 041-059-001 &
041-059-002).
5. **Project sponsor's name and address:** Sakshi Enterprise, LLC., Biren Patel
2801 Mitchell Road, #3074
Ceres, CA 95307
6. **General Plan designation:** Planned Development
7. **Community Plan designation:** Medium Density Residential
8. **Zoning:** General Agriculture (A-2-10)
9. **Description of project:**

This is a request to amend the Community Plan designation and zoning designation of a five-acre parcel from Medium Density Residential and General Agriculture (A-2-10) to Planned Development (P-D) to allow for the operation of an existing mini-storage facility. The General Plan designation is Planned Development which is consistent with the proposed project and will remain unchanged; however, the Keyes Community Plan designation of Medium-Density Residential is not consistent with the proposed project and is proposed to be amended to Planned Development which requires an amendment to the Land Use Element of the General Plan. The site consists of 39,393 square feet of mini-storage made up of 13 buildings, nine feet three inches in height with mounted wall lighting, each containing multiple storage units ranging from 50 to 253 square feet in size. The mini-storage facility is currently operating; however, the required building permits and land use entitlements to operate were not obtained. Accordingly, land use entitlements (in the form of a general plan amendment and rezone) and building permits are required to allow continued operation of the mini-storage facility. The property is also improved with a legal non-conforming duplex and four-plex, which are proposed to remain, as well as the single-family dwelling which has been converted into an office for the mini-storage facility. Conversion of the single-family dwelling also occurred without building permits which will be required to be obtained to allow the continued use of the building as an office/apartment.

Approximately four of the five acres is currently developed with the mini-storage and residential units and the remaining one-acre of the site is vacant and unimproved. In addition to the mini-storage, office, and residential units the property

is improved with 24 parking spaces, chain link fencing with slats along the portion of road frontage where the residential units are located and wrought iron fencing with a secured access gate along the portion of road frontage where the mini-storage facility is located; a mixture of wood and metal fencing is installed along the side and rear property lines. The project proposes to install a mixture of ornamental trees and shrubs along the front of the office and residential units and a pole sign ten feet in height with a 5-foot-wide and 3.5-foot-tall sign for the mini-storage facility as well as a wall sign on the office building. The mini-storage facility has a maximum of three employees on-site per shift (one-shift per day), an average of three customers per day, and is open Monday through Friday from 9:30 a.m. to 5:30 p.m. and Saturday and Sunday from 10 a.m. to 3 p.m. The site is currently served by a private on-site well and septic systems; however, a will-serve letter has been issued by the Keyes Community Services District for water and sewer services.

- 10. Surrounding land uses and setting:** RV storage facility and mobile home park to the north; State Route 99 to the west and south; residential development and the Community of Keyes to the east and southeast.
- 11. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):** San Joaquin Valley Air Pollution Control District
Stanislaus County Department of Public Works
Stanislaus Local Agency Formation Commission
Keyes Community Services District
California Department of Toxic Substances Control
- 12. Attachments:**
1. Central California Information Center records search, dated February 10, 2023
 2. Mitigation Monitoring and Reporting Program (MMRP) for the Keyes Community Plan, adopted April 18, 2000 (MMRP Keyes)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology / Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources |
| <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature on File.

Prepared by Kristin Doud, Deputy Director

12/15/2023 (Amended February 2nd and March 25, 2024)

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, than the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration.

Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

a) Earlier Analysis Used. Identify and state where they are available for review.

b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). References to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

a) the significant criteria or threshold, if any, used to evaluate each question; and

b) the mitigation measure identified, if any, to reduce the impact to less than significant.

ISSUES

| I. AESTHETICS – Except as provided in Public Resources Code Section 21099, could the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--|---------------------------------------|---|-------------------------------------|------------------|
| a) Have a substantial adverse effect on a scenic vista? | | | X | |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | | | X | |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | | | X | |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | | X | | |

Discussion: The site itself is not considered to be a scenic resource or unique scenic vista. Approximately four of the five acres is currently developed with the mini-storage and residential units and the remaining one-acre of the site is vacant and unimproved. In addition to the mini-storage, office, and residential units the property is improved with 24 parking spaces, chain link fencing with slats along the portion of road frontage where the residential units are located and wrought iron fencing with a secured access gate along the portion of road frontage where the mini-storage facility is located; a mixture of wood and metal fencing is installed along the side and rear property lines. The project proposes to install a mixture of ornamental trees and shrubs along the front of the office and residential units and a pole sign ten feet in height with a 5-foot-wide and 3.5-foot-tall sign for the mini-storage facility as well as a wall sign on the office building.

The site is located within the Keyes Community Plan. The Keyes Community Plan, adopted by the Board of Supervisors in April of 2000, identifies the project site as a Gateway area to Keyes, visible from State Route 99, that should be designed and landscaped to improve and enhance the appearance of the site and area. There is no existing design criteria for the Keyes Community; however, the Keyes Community Plan encourages attractive and orderly development which preserves a small town atmosphere; the development of large, non-residential sites, with generous landscaping and Highway Commercial type uses along State Route 99/Keyes Road Interchange; the development of "Gateway" treatments and positive, high quality landscaped edges along State Route 99 and major roads. To meet this requirement landscaping along the project site's road frontage will be required to be installed.

The Mitigation Monitoring and Reporting Program adopted with the Keyes Community Plan requires that all existing and future exterior lighting to be shielded and be aimed downward and towards the site so as to provide adequate illumination without off-site light spillage or a glare effect to adjacent properties and that the use of reflective surfaces on new multi-story development be oriented in such a way as to reduce glare to the adjacent roadways. With these mitigation measures applied to the project, aesthetic impacts associated with the project are considered to be less than significant with mitigation included.

Mitigation:

1. New multi-story development shall minimize the use of reflective surface and have those reflective surfaces which are used to be oriented in such a manner so as to reduce glare impacts along roadways.
2. New development shall include cut-off luminaries and/or shields. All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect. Low intensity lights shall be used to minimize the visibility of the lighting from nearby areas, and to prevent "spill over" of light onto adjacent residential properties.

References: Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Public Works, dated October 20, 2023; Stanislaus County Zoning Ordinance; the Stanislaus County General Plan; and Support Documentation¹.

| II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | | | X | |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | | | X | |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | | | | X |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | | | | X |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | | | X | |

Discussion: The site is not currently in agricultural production and is not enrolled in a Williamson Act Contract. Approximately four acres of the five-acre site is currently developed with the mini-storage and residential units and the remaining one-acre of the site is vacant and unimproved. The USDA Natural Resources Conservation Service's Eastern Stanislaus County Soil Survey indicates that 55 percent of the property is made up of Hanford sandy loam (HdA), with a Story Index Rating of 95 and a Grade of 1. The remaining 45 percent of the project site is made up of Tujunga loamy sand (TuA), which has a Story Index Rating of 76 and a Grade of 2. The Grade and Story Index Ratings of the soils qualify as prime soils. However, the California Department of Conservation's Important Farmland Maps identifies the site as Urban and Built-Up Land.

An RV storage facility and mobile home park are located north of the project site; State Route 99 to the west and south; a residential development and the Community of Keyes to the east and southeast. The nearest agricultural parcel, north across the TID Lateral No. 2 ½, is 6+ acres in size and is utilized for irrigated pasture. The nearest surrounding production agricultural lands are located 1,000+ feet from the project site, across State Highway 99, to the south and east (enrolled in Williamson Act Contracts) and 1,200+ feet from the project site to the east (not under a Williamson Act Contract).

All new or expanding uses approved by discretionary permit in the A-2 zoning district or on a parcel adjoining the A-2 zoning district are required to incorporate a minimum 150-foot-wide agricultural buffer setback, or 300-foot-wide buffer setback for people-intensive uses. Public roadways, utilities, drainage facilities, rivers and adjacent riparian areas, landscaping, parking lots, and similar low people intensive uses are permitted uses within the buffer setback area. The nearest A-2 zoned property is located 300+ feet to the northeast and southwest of the project site, which meets the 300-foot agricultural buffer requirement.

A referral response received from the Turlock Irrigation District (TID) indicated that TID's Upper Lateral 2.5 is located along the northern side of the project site, which has a 70-foot-wide right-of-way. If the half width of the canal's right-of-way has not been formally dedicated, dedication will be required. TID's response also requested that a masonry wall be constructed adjacent to the canal, in conformance with TID standards. Furthermore, TID's response requires that irrigation facilities that are no longer used, which includes two irrigation side gates located behind the Apartment 1 and 2 buildings, be removed in accordance with TID standards. TID's response indicated that any improvements to the property that impacts TID facilities must meet District standards and be approved by the District. The developer will be required to submit irrigation improvement plans and enter into an Irrigation Improvement Agreement prior to completing the required irrigation facility modifications, which includes a TID Board approved time and material fee associated with the review. Additionally, any work on District irrigation facilities may only occur during the non-irrigation season which typically runs from November 1, through March 1, but can vary.

The site is located within the Keyes Community Plan. The Mitigation Monitoring Plan (MMP) included in the EIR prepared for the Keyes Community Plan required that farmland mitigation be provided to address the conversion of Prime Farmland to non-agricultural use on areas identified as "prime" or "important" farmland. The project site is identified as "urban and built up" on the California Farmland Mapping Program and Keyes EIR Farmland maps and accordingly the farmland mitigation has not been applied to the project.

Impacts to agricultural resources are considered to be less than significant with mitigation.

Mitigation: None.

References: Application materials; Referral response from Turlock Irrigation District (TID), dated September 26, 2023; Keyes Community Plan, EIR and MMRP adopted April 2000; United States Department of Agriculture NRCS Web Soil Survey; California State Department of Conservation Farmland Mapping and Monitoring Program - Stanislaus County Farmland 2018; Stanislaus County General Plan; and Support Documentation¹.

| III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | | | X | |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? | | | X | |
| c) Expose sensitive receptors to substantial pollutant concentrations? | | | X | |
| d) Result in other emissions (such as those odors adversely affecting a substantial number of people)? | | | X | |

Discussion: The proposed project is located within the San Joaquin Valley Air Basin (SJVAB) and, therefore, falls under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). In conjunction with the Stanislaus Council of Governments (StanCOG), the SJVAPCD is responsible for formulating and implementing air pollution control strategies. The SJVAPCD's most recent air quality plans are the 2007 PM₁₀ (respirable particulate matter) Maintenance Plan, the 2008 PM_{2.5} (fine particulate matter) Plan, and the 2007 Ozone Plan. These plans establish a comprehensive air pollution control program leading to the attainment of state and federal air quality standards in the SJVAB, which has been classified

as “extreme non-attainment” for ozone, “attainment” for respirable particulate matter (PM-10), and “non-attainment” for PM 2.5, as defined by the Federal Clean Air Act.

The primary source of air pollutants generated by this project would be classified as being generated from "mobile" sources. Mobile sources would generally include dust from roads, farming, and automobile exhausts. Mobile sources are generally regulated by the Air Resources Board of the California Environmental Protection Agency (EPA) which sets emissions for vehicles and acts on issues regarding cleaner burning fuels and alternative fuel technologies. As such, the District has addressed most criteria air pollutants through basin wide programs and policies to prevent cumulative deterioration of air quality within the Basin. The project will increase traffic in the area and, thereby, impacting air quality.

Construction activities associated with new development can temporarily increase localized PM10, PM2.5, volatile organic compound (VOC), nitrogen oxides (NOX), sulfur oxides (SOX), and carbon monoxide (CO) concentrations a project's vicinity. The primary source of construction-related CO, SOX, VOC, and NOX emission is gasoline and diesel-powered, heavy-duty mobile construction equipment. Primary sources of PM10 and PM2.5 emissions are generally clearing and demolition activities, grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed surfaces. No construction is proposed, but if construction were to occur in the future all applicable Air District permits would be required to be obtained and all District standards will be required to be met.

The project was referred to SJVAPCD, who did not respond. The SJVAPCD's Small Project Analysis Level (SPAL) Analysis indicates that the minimum threshold of significance for industrial projects is 1,506 trips per day. The mini-storage facility has a maximum of three employees on-site per shift (one-shift per day), an average of three customers per day, and is open Monday through Friday from 9:30 a.m. to 5:30 p.m. and Saturday and Sunday from 10 a.m. to 3 p.m. Accordingly, the project will create an average of 12 round trips per day, which is below the District's thresholds of significance for emissions.

The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included several mitigation measures regarding air impacts associated with construction and the operation of projects developed within the Keyes Community Plan to ensure Air District standards are met. However, the mitigation measures identified in the Keyes Community Plan MMRP are already required to be met through applicable Air District permitting and through enforcement of the California Building Code. Accordingly, Air Quality requirements are not applied as mitigation, but instead will be applied as development standards applicable to the project, which require that all applicable Air District permits be obtained, and that California Green Building Code be met.

An early consultation referral response received from the Department of Public Works indicated that a grading, drainage, and erosion/sediment control plan for the project will be required, subject to Public Works review, Standards, and Specifications. The project will be required to meet all applicable air district standards and to obtain all applicable Air District permits. Both requirements will be incorporated into the project as development standards.

Air impacts associated with the project are considered to be less-than significant.

Mitigation: None.

References: Application materials; Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Public Works, dated October 20, 2023; San Joaquin Valley Air Pollution Control District - Regulation VIII Fugitive Dust/PM-10 Synopsis; www.valleyair.org; and the Stanislaus County General Plan; and Support Documentation¹.

| IV. BIOLOGICAL RESOURCES -- Would the project: | | | | |
|--|--------------------------------|--|------------------------------|-----------|
| | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | | X | | |

| | | | | |
|---|--|---|---|--|
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | | | X | |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | | | X | |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | | | X | |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | | | X | |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | | X | | |

Discussion: The project is located within the Ceres Quad of the California Natural Diversity Database (CNDDB). There are nine animal species which are state or federally listed, threatened, or identified as species of special concern or a candidate of special concern within the Ceres CNDDB Quad. Animal species include Swainson's hawk (SWHA), tricolored blackbird, burrowing owl, riffle sculpin, hardhead, chinook salmon - Central Valley fall / late fall-run ESU, valley elderberry longhorn beetle, and Townsend's big-eared bat. CNDDB data shows a record of obscure bumble bee .64 miles northwest of the site, heartscale 2 miles southeast of the site, and two Swainson hawk records (one 3.5 miles southeast and the other is located 3.3 miles north of the project site).

An EIR was prepared for the Keyes Community Plan Update, which was adopted by the Board of Supervisors on April 18, 2000. A Mitigation Monitoring and Reporting Program for the Keyes Community Plan includes mitigation measures related to biological resources; specifically, regarding potential impacts to wetlands, valley elderberry longhorn beetle (VELB), Swainson's hawk and other raptors, oak trees, and special status species associated with valley grassland habitats. Based on the location and lack of suitable habitat on-site, the likelihood for special status species to exist on-site are very low. However, mitigation measures, as recommended by the survey and applicable mitigation measures as incorporated into the Mitigation Monitoring and Reporting Program of the Keyes Community Plan are incorporated below. An early consultation referral response was sent to the California Department of Fish and Game (CDFG); however, no response has been received to date. The project will not conflict with a Habitat Conservation Plan, a Natural Community Conservation Plan, or other locally approved conservation plans. Impacts to biological resources are considered to be less than significant with mitigation.

Mitigation:

3. Pre-construction surveys for Valley Elderberry Longhorn Beetle (VELB) on the site shall be conducted by a qualified biologist, in accordance with any applicable United States Fish and Wildlife protocols. Prior to the removal of any elderberry shrubs, the applicant shall obtain concurrence from US Fish and Wildlife Service regarding removing the shrubs. Prior to securing concurrence to remove the blue elderberry shrubs, the shrubs shall be protected with a no-disturbance buffer extending 10 feet from the driplines of the shrubs. Construction in the vicinity of the blue elderberry shrubs should occur between June 15 and April 15. During this time period, VELB (if present) would be within the interior portion of the stems of the shrubs and would not move (i.e., fly or walk) into the construction area.
4. If ground disturbing activity or construction commences between March 1 and September 15, pre-construction surveys for nesting Swainson's hawks (SWHA) shall be conducted by a qualified biologist. SWHA surveys shall be conducted a maximum of 10 days prior to the onset of grading or construction activities, within 0.5 miles of the project site area, in accordance with protocol developed by the Swainson's Hawk Technical Advisory Committee (SWHA TAC, 2000). If active nests are found, a qualified biologist, in consultation with the California Department of Fish and Wildlife (CDFW), shall determine the need (if any) for temporal restrictions on construction, including

but not limited to a minimum no-disturbance buffer of 0.5 miles to be maintained around active nests prior to and during any ground-disturbing activities until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. If take cannot be avoided, take authorization through the issuance of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA. The determination shall utilize criteria set forth by CDFW (CDFG, 1994).

5. If construction commences between February 1 and August 31, pre-construction surveys for burrowing owls on the site shall be conducted. If occupied burrows are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction. The determinations shall be pursuant to criteria set forth by CDFW (CDFG, 2012).
6. Trees, shrubs, and grasslands in the site could be used by other birds protected by the Migratory Bird Treaty Act of 1918. If vegetation removal or construction commences during the general avian nesting season (March 1 through July 31), a pre-construction survey for nesting birds shall be completed. If active nests are found, work in the vicinity of the nest shall be delayed until the young fledge.
7. All oak trees over four inches in diameter shall be preserved to the maximum extent practical. Final development plans shall depict all oak trees proposed for removal. If oak trees four inches in diameter or more exist on the project site, the applicant shall submit a tree preservation plan to the Stanislaus County Planning Division for review and approval. The tree preservation plan shall include the following:
 - Any removed oak trees shall be replaced at a two to one tree replacement ratio.
 - The tree preservation plan shall include the location, number, species, and size of proposed replacement plantings.
 - The tree preservation plan shall include monitoring provisions for watering and landscaping to ensure survival and health of planted oak trees.
 - Replacement trees shall be monitored for a period not less than 5-years after replacement trees have been planted; Dead or dying trees shall be replaced.

References: Application materials; California Department of Fish and Wildlife's Natural Diversity Database Quad Species List; Keyes Community Plan, EIR and MMRP adopted April 2000; Stanislaus County General Plan; and Support Documentation¹.

| V. CULTURAL RESOURCES -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to in § 15064.5? | | | X | |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? | | | X | |
| c) Disturb any human remains, including those interred outside of formal cemeteries? | | | X | |

Discussion: As this project is a General Plan Amendment it was referred to the tribes listed with the Native American Heritage Commission (NAHC), in accordance with SB 18, for a 90-day review period. Tribal notification of the project was not referred to any tribes in conjunction with AB 52 requirements, as Stanislaus County has not received any requests for consultation from the tribes listed with the NAHC. No responses from the tribal contacts were received. A records search conducted by the Central California Information Center (CCIC) indicated that there are no historical, cultural, or archeological resources recorded on-site and that the site has a low sensitivity for the discovery of such resources. A development standard will be added to the project which requires if any cultural or tribal resources are discovered during project-related

activities, all work is to stop, and the lead agency and a qualified professional are to be consulted to determine the importance and appropriate treatment of the find. Cultural Impacts are considered to be less-than significant.

Mitigation: None.

References: Application materials; Central California Information Center Report for the project site, dated February 10, 2023; Stanislaus County General Plan; and Support Documentation¹.

| VI. ENERGY. -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--|---------------------------------------|---|-------------------------------------|------------------|
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | | | X | |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | | | X | |

Discussion: The CEQA Guidelines Appendix F states that energy consuming equipment and processes, which will be used during construction or operation such as energy requirements of the project by fuel type and end use, energy conservation equipment and design features, energy supplies that would serve the project, total estimated daily vehicle trips to be generated by the project, and the additional energy consumed per-trip by mode, shall be taken into consideration when evaluating energy impacts. Additionally, the project's compliance with applicable state or local energy legislation, policies, and standards must be considered.

The project was referred to SJVAPCD, who did not respond. The SJVAPCD's Small Project Analysis Level (SPAL) Analysis indicates that the minimum threshold of significance for industrial projects is 1,506 trips per day. The mini-storage facility has a maximum of three employees on-site per shift (one-shift per day), an average of three customers per day, and is open Monday through Friday from 9:30 a.m. to 5:30 p.m. and Saturday and Sunday from 10 a.m. to 3 p.m. Accordingly, the project will create an average of 12 round trips per day, which is below the District's thresholds of significance for emissions.

The site is proposed to be served by the Turlock Irrigation District (TID) for electrical services. The project was referred to TID and they responded with no comments specific to on-site electric facilities.

No construction is proposed, but if construction were to occur in the future all applicable Air District permits would be required to be obtained and all Districts standards will be required to be met. Additionally, any future construction must meet California Green Building Standards Code (CALGreen Code), which includes mandatory provisions applicable to all new residential, commercial, and school buildings. The intent of the CALGreen Code is to establish minimum statewide standards to significantly reduce the greenhouse gas emissions from new construction. The Code includes provisions to reduce water use, wastewater generation, and solid waste generation, as well as requirements for bicycle parking and designated parking for fuel-efficient and carpool/vanpool vehicles in commercial development. It is the intent of the CALGreen Code that buildings constructed pursuant to the Code achieve at least a 15 percent reduction in energy usage when compared to the State's mandatory energy efficiency standards contained in Title 24. The Code also sets limits on VOCs (volatile organic compounds) and formaldehyde content of various building materials, architectural coatings, and adhesives.

Senate Bill 743 (SB743) requires that the transportation impacts under the California Environmental Quality Act (CEQA) evaluate impacts by using Vehicle Miles Traveled (VMT) as a metric. Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by-case basis for evaluation under CEQA. However, the State of California - Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. One of the guidelines, presented in the December 2018 document Technical Advisory on Evaluating Transportation Impacts in CEQA, states that locally serving retail would generally redistribute trips from other local uses, rather than generate new trips. The proposed project fits this description of locally serving retail and therefore is presumed to create a less-than significant transportation impact related to VMT.

The site is located within the Keyes Community Plan. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included several mitigation measures regarding impacts to air quality during construction and operation of projects developed within the Keyes Community Plan to ensure Air District standards are met. However, the mitigation measures identified in the Keyes Community Plan MMRP are already required to be met through applicable Air District permitting and through enforcement of the California Building Code. Accordingly, Air Quality requirements are not applied as mitigation, but instead will be applied as development standards applicable to the project, which require that all applicable Air District permits be obtained and that California Green Building Code be met.

The project will be required to meet all applicable Air District standards and to obtain all applicable Air District permits. The proposed project would be consistent with all applicable renewable energy or energy efficiency requirements. Impacts related to Energy are considered to be less-than significant.

Mitigation: None.

References: Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response from Turlock Irrigation District (TID), dated September 26, 2023; Referral response received from the Department of Public Works, dated October 20, 2023; 2016 California Green Building Standards Code Title 24, Part 11(Cal Green); 2016 California Energy Code Title 24, Part 6; State of California - Office of Planning and Research (OPR) guidelines regarding VMT significance under CEQA; Stanislaus County General Plan; and Support Documentation¹.

| VII. GEOLOGY AND SOILS -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | | | X | |
| ii) Strong seismic ground shaking? | | | X | |
| iii) Seismic-related ground failure, including liquefaction? | | | X | |
| iv) Landslides? | | | X | |
| b) Result in substantial soil erosion or the loss of topsoil? | | | X | |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | | | X | |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? | | | X | |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | | | X | |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | | | X | |

Discussion: Approximately four of the five-acre site is currently developed with the mini-storage and residential units and the remaining one-acre of the site is vacant and unimproved. The USDA Natural Resources Conservation Service's Eastern Stanislaus County Soil Survey indicates that 55 percent of the property is made up of Hanford sandy loam (HdA) and the remaining 45 percent of the project site is made up of Tujunga loamy sand (TuA). As contained in Chapter 5 of the General Plan Support Documentation, the areas of the County subject to significant geologic hazard are located in the

Diablo Range, west of Interstate 5; however, as per the California Building Code, all of Stanislaus County is located within a geologic hazard zone (Seismic Design Category D, E, or F) and a soils test may be required at building permit application. Results from the soils test will determine if unstable or expansive soils are present. If such soils are present, special engineering of the structure will be required to compensate for the soil deficiency. This will be evaluated with the building permit process which is required as a development standard applied to the project.

The Department of Public Works reviewed the project and responded that a grading and drainage plan shall be submitted for review and approval which includes drainage calculations that verify compliance with the current State of California National Pollutant Discharge Elimination System (NPDES) General Construction Permit. The project proposes to connect to the Keyes Community Services District for public sewer services, and to maintain storm drainage on-site through a storm drain basin. When the site connects to Keyes CSD the existing on-site well and septic systems are required to be destroyed in accordance with DER standards.

The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding the preparation of geotechnical reports and regarding septic systems prior to construction to ensure that they are developed appropriately based on the project site's soil type. Although the project has received a will-serve letter from the Keyes CSD for public sewer services, a referral response received from DER indicated that if the project is unable to connect to the public sewer system the site would be subject to installing a Measure X septic system that would be required to meet all DER standards, including LAMP setbacks. DER's requirements will be applied to the project as a development standard, not a mitigation measure, as the requirements are regulatory.

Impacts to Geology and Soils associated with the project are considered to be less than significant.

Mitigation: None.

References: Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Public Works, dated October 20, 2023; Referral response received from the Department of Environmental Resources, dated September 26, 2023; Will-serve letter received from the Keyes Community Services District, dated January 3, 2022; Title 24 California Code of Regulations; Stanislaus County General Plan; and Support Documentation¹.

| VIII. GREENHOUSE GAS EMISSIONS -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | | | X | |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | | | X | |

Discussion: The principal Greenhouse Gases (GHGs) are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H₂O). CO₂ is the reference gas for climate change because it is the predominant greenhouse gas emitted. To account for the varying warming potential of different GHGs, GHG emissions are often quantified and reported as CO₂ equivalents (CO₂e). In 2006, California passed the California Global Warming Solutions Act of 2006 (Assembly Bill [AB] No. 32), which requires the California Air Resources Board (ARB) design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020. Two additional bills, SB 350 and SB32, were passed in 2015 further amending the states Renewables Portfolio Standard (RPS) for electrical generation and amending the reduction targets to 40 percent of 1990 levels by 2030.

The project was referred to SJVAPCD, who did not respond. The SJVAPCD's Small Project Analysis Level (SPAL) Analysis indicates that the minimum threshold of significance for industrial projects is 1,506 trips per day. The mini-storage facility has a maximum of three employees on-site per shift (one-shift per day), an average of three customers per day, and is open

Monday through Friday from 9:30 a.m. to 5:30 p.m. and Saturday and Sunday from 10 a.m. to 3 p.m. Accordingly, the project will create an average of 12 round trips per day, which is below the District's thresholds of significance for emissions.

No construction is proposed, but if construction were to occur in the future all applicable Air District permits would be required to be obtained and all Districts standards will be required to be met. Additionally, any future construction must meet California Green Building Standards Code (CALGreen Code), which includes mandatory provisions applicable to all new residential, commercial, and school buildings. The intent of the CALGreen Code is to establish minimum statewide standards to significantly reduce the greenhouse gas emissions from new construction. The Code includes provisions to reduce water use, wastewater generation, and solid waste generation, as well as requirements for bicycle parking and designated parking for fuel-efficient and carpool/vanpool vehicles in commercial development. It is the intent of the CALGreen Code that buildings constructed pursuant to the Code achieve at least a 15 percent reduction in energy usage when compared to the State's mandatory energy efficiency standards contained in Title 24. The Code also sets limits on VOCs (volatile organic compounds) and formaldehyde content of various building materials, architectural coatings, and adhesives.

Senate Bill 743 (SB743) requires that the transportation impacts under the California Environmental Quality Act (CEQA) evaluate impacts by using Vehicle Miles Traveled (VMT) as a metric. Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by-case basis for evaluation under CEQA. However, the State of California - Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. One of the guidelines, presented in the December 2018 document Technical Advisory on Evaluating Transportation Impacts in CEQA, states that locally serving retail would generally redistribute trips from other local uses, rather than generate new trips. The proposed project fits this description of locally serving retail and therefore is presumed to create a less-than significant transportation impact related to VMT.

The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included several mitigation measures regarding air quality impacts from construction and operation of projects developed within the Keyes Community Plan to ensure Air District standards are met. However, the mitigation measures identified in the Keyes Community Plan MMRP are already required to be met through applicable Air District permitting and through enforcement of the California Building Code. Accordingly, Air Quality requirements are not applied as mitigation, but instead will be applied as development standards applicable to the project, which require that all applicable Air District permits be obtained and that California Green Building Code be met.

The project will be required to meet all applicable Air District standards and to obtain all applicable Air District permits. Impacts associated with Greenhouse Gas Emissions are expected to have a less-than significant impact.

Mitigation: None.

References: Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Public Works, dated October 20, 2023; 2016 California Green Building Standards Code Title 24, Part 11(Cal Green); 2016 California Energy Code Title 24, Part 6; State of California - Office of Planning and Research (OPR) guidelines regarding VMT significance under CEQA; Stanislaus County General Plan; and Support Documentation¹.

| IX. HAZARDS AND HAZARDOUS MATERIALS -- Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--|---------------------------------------|---|-------------------------------------|------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | | | X | |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | | X | | |

| | | | | |
|---|--|--|---|---|
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | | | X | |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | | | X | |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | | | | X |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | | | X | |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | | | X | |

Discussion: The project was referred to the DER Hazardous Materials (Haz Mat) Division who responded saying they had no comments. Per the application, the operation will not include or generate any hazardous wastes associated with the project. No dumping or maintenance will occur on-site. If hazardous materials were to be stored on-site, the project would be required to obtain all applicable permits through Haz Mat. The applicant is required to use, store, and dispose of any hazardous materials in accordance with all applicable federal, state, and local regulations. These requirements will be applied to the development standards for the project.

Pesticide exposure is a risk in areas located in the vicinity of agriculture. Sources of exposure include contaminated groundwater, which is consumed, and drift from spray applications. Application of sprays is strictly controlled by the Agricultural Commissioner and can only be accomplished after first obtaining permits. Agricultural buffers are intended to reduce the risk of spray exposure to surrounding people. The nearest agricultural parcel, north across the TID Lateral No. 2 ½, is 6+ acres in size and is utilized for irrigated pasture. However, the ministorage facility is located 300+ feet from this agricultural parcel which meets the County's agricultural buffer distance for people intensive uses, which this project is not. The project was referred to the Stanislaus County Agricultural Commissioner and no comments have been received to date. The project site is not listed on the EnviroStor database managed by the CA Department of Toxic Substances Control or within the vicinity of any airport. The project does not interfere with the Stanislaus County Local Hazard Mitigation Plan, which identifies risks posed by disasters and identifies ways to minimize damage from those disasters. The site is located in a Local Responsibility Area (LRA) for fire protection and is served by Keyes Fire Protection District. The project was referred to the District, however no response was received.

The Mitigation Monitoring and Reporting Program for the Keyes Community Plan included several mitigation measures that were specific to hazards and hazardous materials. However, only the non-regulatory mitigation measure to stop work in the event previously unidentified contamination is discovered during construction has been applied to the project as a mitigation measure as the other mitigation measure regarding a Phase 1 or 2 study is based on regulatory requirements. **As a responsible agency, the California Department of Toxic Substances Control has been included as an "Other Responsible Agency" on the Mitigation Monitoring and Reporting Program for this mitigation measure.**

Project impacts related to Hazards and Hazardous Materials are considered to be less-than significant impact with mitigation.

Mitigation:

- Construction contracts shall include a stop-work provision in the event previously unidentified contamination is discovered during construction so that appropriate actions can be taken to reduce potential human health and environmental hazards.

References: Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Environmental Resources, dated September 26, 2023; Referral response received from the Department of Environmental Resources – Hazardous Materials Division, dated September 20, 2023; California Department of Toxic Substance Control's EnviroStor database; Stanislaus County General Plan; and Support Documentation¹.

| X. HYDROLOGY AND WATER QUALITY - Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? | | | X | |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | | | X | |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: | | | X | |
| (i) result in substantial erosion or siltation on – or off-site; | | | X | |
| (ii) substantially increase the rate of amount of surface runoff in a manner which would result in flooding on- or off-site; | | | X | |
| (iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or | | | X | |
| (iv) impede or redirect flood flows? | | | X | |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | | | X | |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | | | X | |

Discussion: The project proposes to hook up to the Keyes CSD for water and sewer services and to maintain storm drainage on-site through a storm drain basin. Keyes CSD provided a will-serve letter that states the project site can hook up to the District for water provided they meet all Keyes CSD standards and obtain annexation approval from the Stanislaus Local Agency Formation Commission. When the site connects to Keyes CSD the existing on-site well and septic systems are required to be destroyed in accordance with DER standards. The project site is located within the West Turlock Subbasin and is covered by the Turlock Subbasin Groundwater Sustainability Management Agency. The Keyes CSD is required to meet any applicable state or regional Groundwater Sustainability Agency requirements. A referral response received from the Department of Environmental Resources (DER) indicating that if the project does not connect to public sewer, that any on-site septic system is required to meet Measure X and LAMP standards for on-site private waste systems. DER reviews and approves septic systems through the building permit process, which takes setbacks, soil type, and water table depth into consideration within the specific design requirements. All of these requirements will be incorporated into the project as development standards.

This project was referred to the Regional Water Quality Control Board (RWQCB) which responded with a list of permitting programs that the project maybe subject to. The Department of Public Works reviewed the project and responded with a request that a grading and drainage plan be submitted for review and approval which includes drainage calculations that verify compliance with the current State of California National Pollutant Discharge Elimination System (NPDES) General Construction Permit. A referral response received from the Turlock Irrigation District (TID) indicated that TID's Upper Lateral 2.5 is located along the northerly side the project site, which has a 70-foot-wide right-of-way. If the half width of the canal's

right-of-way has not been formally dedicated, dedication will be required. TID's response also requested that a masonry wall be constructed adjacent to the canal, in conformance with TID standards. Furthermore, TID's response requires that irrigation facilities that are no longer used, which includes two irrigation side gates located behind the Apartment 1 and 2 buildings, be removed in accordance with TID standards. TID's response indicated that any improvements to the property that impacts TID facilities must meet District standards and be approved by the District. The developer will be required to submit irrigation improvement plans and enter into an Irrigation Improvement Agreement prior to completing the required irrigation facility modifications, which includes a TID Board approved time and material fee associated with the review. Additionally, any work on District irrigation facilities may only occur during the non-irrigation season which typically runs from November 1 through March 1, but can vary. These requirements will be applied to the development standards required for project implementation. Additionally, a development standard will be applied to the project that requires the landscaping plans comply with the California State Water Model Ordinance.

Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act (FEMA). Run-off is not considered an issue because of several factors which limit the potential impact. These factors include the relatively flat terrain of the subject site, and relatively low rainfall intensities in the Central Valley. Areas subject to flooding have been identified in accordance with the Federal Emergency Management Act. The project site itself is located in Zone X (outside the 0.2 percent floodplain) and, as such, exposure to people or structures to a significant risk of loss/injury/death involving flooding due to levee/dam failure and/or alteration of a watercourse, at this location is not an issue with respect to this project. Flood zone requirements are enforced through the building permit process. The Building Permits Division also reviews building permits and determines if geotechnical reports are required with submission of building permits. A requirement to obtain all applicable building permits will be incorporated into the project's development standards.

The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding hydrology and water quality and to ensure septic systems are developed appropriately based on the project site's soil type; however, the mitigation measures are all covered by regulatory requirements which will be enforced through the review of grading and building permits required to be obtained as development standards required to be met for project implementation.

As a result of the development standards required for this project, impacts associated with drainage, water quality, and runoff are expected to have a less-than significant impact.

Mitigation: None.

References: Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Public Works, dated October 20, 2023; Referral response from Turlock Irrigation District (TID), dated September 26, 2023; Referral response received from the Department of Environmental Resources, dated September 26, 2023; Referral response received from the Regional Water Quality Control District, dated September 26, 2023; Will-serve letter received from the Keyes Community Services District, dated January 3, 2022; Stanislaus County General Plan; and Support Documentation¹.

| XI. LAND USE AND PLANNING - Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a) Physically divide an established community? | | | X | |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | | | X | |

Discussion: This is a request to amend the Community Plan designation and zoning designation of a five-acre parcel from Medium Density Residential and General Agriculture (A-2-10) to Planned Development (P-D) to allow for the operation of an existing mini-storage facility. The General Plan designation is Planned Development which is consistent with the proposed project and will remain unchanged; however, the Keyes Community Plan designation of Medium-Density Residential is not consistent with the proposed project and is proposed to be amended to Planned Development which requires an amendment to the Land Use Element of the General Plan. The site consists of 39,393 square feet of mini-

storage made up of 13 buildings, nine feet three inches in height with mounted wall lighting, each containing multiple storage units ranging from 50 to 253 square feet in size. The mini-storage facility is currently operating; however, the required building permits and land use entitlements to operate were not obtained. Accordingly, land use entitlements (in the form of a general plan amendment and rezone) and building permits are required to allow continued operation of the mini-storage facility. The property is also improved with a legal non-conforming duplex and four-plex, which are proposed to remain, as well as the single-family dwelling which has been converted into an office for the mini-storage facility. Conversion of the single-family dwelling also occurred without building permits which will be required to be obtained to allow the continued use of the building as an office/apartment.

The Land Use Element describes the Planned Development designation as a designation intended for land which, because of demonstrably unique characteristics, may be suitable for a variety of uses without detrimental effects on other property. To approve a Rezone, the Planning Commission must find that it is consistent with the General Plan. Pursuant to the General Plan, the Planned Development zoning designation is consistent with the Planned Development General Plan Land Use designation.

Policy 26 and 27 of the Land Use Element of the Stanislaus County General Plan requires city support of projects located within a city sphere of influence (SOI) and consultation with cities when a project is located within one mile of a city SOI and within the City's General Plan area. Though the project does not meet either requirement for city referral, the project does propose to hook up to Keyes CSD for public sewer services which is provided with support from the City of Turlock. Accordingly, the project was referred to the City of Turlock for comment. A referral response received from the City of Turlock indicated they had no comments on the project.

The project is located within the Keyes Community Plan; the Mitigation Monitoring and Reporting Program for the Keyes Community Plan included mitigation measures addressing lighting, air quality, hydrology, hazardous materials, noise, biological resources, agricultural resources, traffic, public facilities, fire and school fees, and geology and soils. All of the mitigation measures applicable to the project, that are not already covered by regulatory programs or permitting, which will be required through the application of development standards, have been applied to the project. Those mitigation measures have been incorporated into the Aesthetics, Biological Resources, Hazards and Hazardous Materials, Noise, and Transportation Sections of this initial study. Additionally, requirements of the Keyes Community Plan regarding frontage landscaping and a reservation for a future pedestrian and biking path adjacent to the TID Lateral 2 ½ will also be incorporated into the project requirements.

The project will not physically divide an established community nor conflict with any habitat conservation plans. Project impacts related to land use and planning are considered to be less than significant.

Mitigation: None.

References: Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the City of Turlock, dated September 14, 2023; Referral response received from the Stanislaus Local Agency Formation Commission (LAFCO), dated September 20, 2023; Will-serve letter received from the Keyes Community Services District, dated August 21, 2023; Stanislaus County General Plan; and Support Documentation¹.

| XII. MINERAL RESOURCES - Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--|---------------------------------------|---|-------------------------------------|------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | | | X | |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | | | X | |

Discussion: The location of all commercially viable mineral resources in Stanislaus County has been mapped by the State Division of Mines and Geology in Special Report 173. There are no known significant resources on the site, nor is the project site located in a geological area known to produce resources.

No significant impacts related to Mineral Resources have been identified.

Mitigation: None.

References: Application materials; Stanislaus County General Plan; and Support Documentation¹.

| XIII. NOISE - Would the project result in: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | | X | | |
| b) Generation of excessive groundborne vibration or groundborne noise levels? | | | X | |
| c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | | | | X |

Discussion: The mini-storage facility has a maximum of three employees on-site per shift (one-shift per day), an average of three customers per day, and is open Monday through Friday from 9:30 a.m. to 5:30 p.m. and Saturday and Sunday from 10 a.m. to 3 p.m. Accordingly, the project will create an average of 12 round trips per day. The Stanislaus County General Plan Noise Element identifies daytime (7:00 a.m. to 10:00 p.m.) maximum allowable average noise exposure for stationary noise sources to be an hourly average of 55 decibels and maximum level of 75 decibels, and nighttime (10:00 p.m. to 7:00 a.m.) to be an hourly average of 45 decibels and maximum of 65 decibels, measured at residential or other noise-sensitive land use on neighboring properties. The Stanislaus County General Plan identifies noise levels up to 75 dB Ldn (or CNEL) as the normally acceptable level of noise environment for industrial, manufacturing, utilities, and agriculture uses. The site itself is impacted by the noise generated from State Route 99. No construction is proposed, but if construction were to occur in the future noise associated with the construction work would be required to meet the noise ordinance and Noise Element standards.

The Mitigation Monitoring and Reporting Program for the Keyes Community Plan included several mitigation measures that were specific to noise. Those mitigation measures applicable to the project which have to do with mitigating potential noise impacts during construction have been applied to the project.

The site is not located within an airport land use plan. Noise impacts are considered to be less-than significant with mitigation included.

Mitigation:

9. Hours of construction on the project site shall be limited to 7:00 a.m. to 6:00 p.m. Monday thru Friday, with no construction allowed on holidays.
10. Any noisy construction equipment shall be located away from sensitive receptors, and, if necessary, temporary noise barriers shall be constructed between noise sources and sensitive receptors. All construction equipment shall be fitted with properly functioning mufflers.

References: Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Stanislaus County Noise Control Ordinance, General Plan, and Support Documentation¹.

| XIV. POPULATION AND HOUSING - Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--|---------------------------------------|---|-------------------------------------|------------------|
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | | | X | |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | | | X | |

Discussion: The property is improved with a legal non-conforming duplex and four-plex, which are proposed to remain. The site is not included in the vacant sites inventory for the 2016 Stanislaus County Housing Element, which covers the 5th cycle Regional Housing Needs Allocation (RHNA) for the County and will therefore not impact the County's ability to meet their RHNA. No population growth will be induced, nor will any existing housing be displaced as a result of this project.

Impacts related to Population and Housing are considered to be less-than significant.

Mitigation: None.

References: Application materials; Stanislaus County General Plan; and Support Documentation¹.

| XV. PUBLIC SERVICES - Would the project result in: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--|---------------------------------------|---|-------------------------------------|------------------|
| a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | X | |
| Fire protection? | | | X | |
| Police protection? | | | X | |
| Schools? | | | X | |
| Parks? | | | X | |
| Other public facilities? | | | X | |

Discussion: The project site is served by the Keyes Fire District for fire protection services, the Keyes Union and Turlock Unified school districts for school services, the Stanislaus County Sheriff Department for police protection, the Keyes Community Services District for public water and sewer, Stanislaus County Parks and Recreation Department for parks facilities, and the Turlock Irrigation District (TID) for power. County adopted Public Facilities Fees, as well as fire and school fees are required to be paid based on the development type prior to issuance of a building permit. Payment of the applicable district fees will be required prior to issuance of a building permit.

The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding the payment of applicable fire, parks, and public facility fees. Development standards regarding the payment of public facility and fire fees will be applied to the project. Residential subdivisions are required to pay park in lieu fees or to dedicate parkland based on the policies included in the State of California's Quimby Act and the Stanislaus County's Conservation and Open Space Element. However, as a highway commercial use the proposed development will only be responsible for paying the parks fees identified in the public facility fee schedules adopted by the Board of Supervisors. Development standards will also require that TID standards be met for the connection to electrical services.

A referral response received from the Turlock Irrigation District (TID) indicated that TID's Upper Lateral 2.5 is located along the northerly side the project site, which has a 70-foot-wide right-of-way. If the half width of the canal's right-of-way has not been formally dedicated, dedication will be required. TID's response also requested that a masonry wall be constructed adjacent to the canal, in conformance with TID standards. Furthermore, TID's response requires that irrigation facilities that are no longer used, which includes two irrigation side gates located behind the Apartment 1 and 2 buildings, be removed in accordance with TID standards. TID's response indicated that any improvements to the property that impacts TID facilities must meet District standards and be approved by the District. The developer will be required to submit irrigation improvement plans and enter into an Irrigation Improvement Agreement prior to completing the required irrigation facility modifications, which includes a TID Board approved time and material fee associated with the review. Additionally, any work on District irrigation facilities may only occur during the non-irrigation season which typically runs from November 1, through March 1, but can vary.

The project proposes to hook up to the Keyes CSD for water and sewer services and to maintain storm drainage on-site through a storm drain basin. Keyes CSD provided a will-serve letter that states the project site can hook up to the District for water and sewer provided they first obtain LAFCO approval to annex into the District and provided they meet all Keyes CSD standards. A referral response received from the Department of Environmental Resources (DER) indicated that if the project site was unable to connect to Keyes CSD for sewer services, any on-site septic system would be required to meet Measure X and LAMP standards for on-site private waste systems. When the site connects to Keyes CSD the existing on-site well and septic systems are required to be destroyed in accordance with DER standards. All of these requirements will be incorporated into the project as development standards.

The project is not anticipated to have any significant adverse impact on public services.

Mitigation: None.

References: Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Environmental Resources, dated September 26, 2023; Referral response from Turlock Irrigation District (TID), dated September 26, 2023; Referral response received from the Department of Public Works, dated October 20, 2023; Referral response received from the Stanislaus Local Agency Formation Commission (LAFCO), dated September 20, 2023; Will-serve letter received from the Keyes Community Services District, dated August 21, 2023; Stanislaus County General Plan; and Support Documentation¹.

| XVI. RECREATION - Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | | | X | |
| b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | | | X | |

Discussion: This project does not include any recreational facilities and is not anticipated to increase demands for recreational facilities, as such impacts typically are associated with residential development.

The Mitigation Monitoring and Reporting Program for the Keyes Community Plan included a mitigation measure regarding the payment of a fair share towards parks. Non-residential development pays parks fees through the payment of public facilities fees, which are collected during the issuance of a building permit. This requirement will be incorporated into the project as a development standard.

No significant impacts related to Recreation were identified.

Mitigation: None.

References: Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Stanislaus County General Plan; and Support Documentation¹.

| XVII. TRANSPORTATION - Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | | X | | |
| b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? | | | X | |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | | X | | |
| d) Result in inadequate emergency access? | | | X | |

Discussion: The mini-storage facility has a maximum of three employees on-site per shift (one-shift per day), an average of three customers per day, and is open Monday through Friday from 9:30 a.m. to 5:30 p.m. and Saturday and Sunday from 10 a.m. to 3 p.m. Accordingly, the project will create an average of 12 round trips per day.

A response received from the Department of Public Works indicated that an encroachment permit is required to be obtained for any work in the County road right-of-way and that the developer is required to install or pay for the installation of any signage or marking determined to be needed. Additionally, Public Work's response stated that all gates shall have a storage depth adequate for all vehicles coming off the road and shall not block any travel lane or shoulder. Parking, loading, or unloading in the County road right-of-way associated with the project is prohibited. A grading, drainage, and erosion/sediment control plan for the project site shall be submitted that includes drainage calculations and enough information to verify that runoff from the project will not flow onto adjacent properties or Stanislaus County road right-of-way and is in compliance with the current State of California National Pollutant Discharge Elimination System (NPDES) General Construction Permit. All of these requirements will be applied to the project as development standards.

Senate Bill 743 (SB743) requires that the transportation impacts under the California Environmental Quality Act (CEQA) evaluate impacts by using Vehicle Miles Traveled (VMT) as a metric. Stanislaus County has currently not adopted any significance thresholds for VMT, and projects are treated on a case-by-case basis for evaluation under CEQA. However, the State of California - Office of Planning and Research (OPR) has issued guidelines regarding VMT significance under CEQA. One of the guidelines, presented in the December 2018 document Technical Advisory on Evaluating Transportation Impacts in CEQA, states that locally serving retail would generally redistribute trips from other local uses, rather than generate new trips. The proposed project fits this description of locally serving retail and therefore is presumed to create a less-than significant transportation impact related to VMT.

The project site is located within the Keyes Community Plan. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding the payment of a traffic mitigation fee for roadway projects identified in the Keyes Community Plan. This has been applied to the project as a mitigation measure. Public Facility Fees, which includes funding for the Regional Transportation Impact Fee (RTIF) that provides funding for identified County road projects throughout the County, will be required to be paid prior to issuance of a building permit. Additionally, requirements of the Keyes Community Plan regarding frontage landscaping and a reservation for a future pedestrian and biking path adjacent to the TID Lateral 2 1/2 will also be incorporated into the project requirements.

Impacts associated with Transportation are expected to have a less than significant impact with mitigation included.

Mitigation:

11. Prior to issuance of a building permit, the applicant shall pay the Keyes Community Plan Mitigation Funding Program fees for the proposed land uses per the Keyes Community Plan fee program adopted on April 18, 2000 at the time of building permit issuance. **Based on a rate of \$862 per square-foot, a total of \$33,956.77 is required to be**

~~paid prior to issuance of a building permit. These fees are adjusted for inflation using the Engineering News-Record construction cost index and shall be paid prior to building permit issuance.~~

References: Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Public Works, dated October 20, 2023; Stanislaus County General Plan; and Support Documentation¹.

| XVIII. TRIBAL CULTURAL RESOURCES - Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California native American tribe, and that is: | | | X | |
| i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | | | X | |
| ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set for the in subdivision (c) of Public Resource Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | | | X | |

Discussion: As this project is a General Plan Amendment it was referred to the tribes listed with the Native American Heritage Commission (NAHC), in accordance with SB 18. No tribes responded with a request for consultation or with any project comments. Tribal notification of the project was not referred to any tribes in conjunction with AB 52 requirements, as Stanislaus County has not received any requests for consultation from the tribes listed with the NAHC. A records search conducted by the Central California Information Center (CCIC) indicated that there are no historical, cultural, paleontological, or archeological resources recorded on-site and that the site has a low sensitivity for the discovery of such resources. A development standard will be added to the project which requires if any cultural or tribal resources are discovered during project-related activities, all work is to stop, and the lead agency and a qualified professional are to be consulted to determine the importance and appropriate treatment of the find. Cultural Impacts are considered to be less-than significant.

Mitigation: None.

References: Application materials; Central California Information Center Report for the project site, dated February 10, 2023; County General Plan and Support Documentation¹.

| XIX. UTILITIES AND SERVICE SYSTEMS – Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|--|---------------------------------------|---|-------------------------------------|------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | | | X | |

| | | | | |
|---|--|--|---|--|
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? | | | X | |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | | | X | |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | | | X | |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | | | X | |

Discussion: Limitations on providing services have not been identified. The project proposes to hook up to the Keyes CSD for water and sewer services and to maintain storm drainage on-site through a storm drain basin. Keyes CSD provided a will-serve letter that states the project site can hook up to the District for water and sewer provided they first obtain LAFCO approval to annex into the District and provided they meet all Keyes CSD standards. A referral response received from the Department of Environmental Resources (DER) indicated that if the project site was unable to connect to Keyes CSD for sewer services, any on-site septic system would be required to meet Measure X and LAMP standards for on-site private waste systems. When the site connects to Keyes CSD the existing on-site well and septic systems are required to be destroyed in accordance with DER standards. All of these requirements will be incorporated into the project as development standards.

A referral response received from the Turlock Irrigation District (TID) indicated that TID's Upper Lateral 2.5 is located along the northerly side the project site, which has a 70-foot-wide right-of-way. If the half width of the canal's right-of-way has not been formally dedicated, dedication will be required. TID's response also requested that a masonry wall be constructed adjacent to the canal, in conformance with TID standards. Furthermore, TID's response requires that irrigation facilities that are no longer used, which includes two irrigation side gates located behind the Apartment 1 and 2 buildings, be removed in accordance with TID standards. TID's response indicated that any improvements to the property that impacts TID facilities must meet District standards and be approved by the District. The developer will be required to submit irrigation improvement plans and enter into an Irrigation Improvement Agreement prior to completing the required irrigation facility modifications, which includes a TID Board approved time and material fee associated with the review. Additionally, any work on District irrigation facilities may only occur during the non-irrigation season which typically runs from November 1, through March 1, but can vary.

The Mitigation Monitoring and Reporting Program (MMRP) prepared for the April 2000 update to the Keyes Community Plan included mitigation measures regarding stormwater, water supply and quality, and regarding the preparation of geotechnical reports prior to installation of an on-site septic system. The water supply and sewer services will be provided by Keyes CSD which makes the mitigation regarding on-site well inapplicable. The remaining mitigation measures are being met through the grading and building permit review process, which will be incorporated into the project as a requirement per the development standards applied to the project.

The project is not anticipated to have a significant impact to utilities and service systems.

Mitigation: None.

References: Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Referral response received from the Department of Public Works, dated October 20, 2023; Referral response from Turlock Irrigation District (TID), dated September 26, 2023; Referral response received from the Department of Environmental Resources, dated September 26, 2023; Referral response received from the Stanislaus Local Agency Formation Commission (LAFCO), dated September 20, 2023; Will-serve letter received from the Keyes Community Services District, dated August 21, 2023; Stanislaus; Stanislaus County General Plan; and Support Documentation¹.

| XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | | | X | |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | | | X | |
| c) Require the installation of maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | | | X | |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | | | X | |

Discussion: The Stanislaus County Local Hazard Mitigation Plan identifies risks posed by disasters and identifies ways to minimize damage from those disasters. With the Wildfire Hazard Mitigation Activities of this plan in place, impacts to an adopted emergency response plan or emergency evacuation plan are anticipated to be less-than significant. The terrain of the site is relatively flat, and the site has access to a County-maintained road. The site is located in a Local Responsibility Area (LRA) for fire protection and is served by Keyes Fire Protection District. The project was referred to the District, but no response was received. California Building Code establishes minimum standards for the protection of life and property by increasing the ability of a building to resist intrusion of flame and embers. All construction is required to meet fire code, which will be verified through the building permit review process. A grading and drainage plan will be required and all fire protection, and emergency vehicle access standards met. These requirements will be applied as development standards for the project.

The Mitigation Monitoring and Reporting Program for the Keyes Community Plan included a mitigation measure regarding the payment of fire district fees. Fire fees are collected prior to the issuance of a building permit. This requirement will be incorporated into the project as a development standard.

Wildfire risk and risks associated with postfire land changes are considered to be less-than significant.

Mitigation: None.

References: Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; California Building Code Title 24, Part 2, Chapter 7; Stanislaus County Local Hazard Mitigation Plan; Stanislaus County General Plan; and Support Documentation¹.

| XXI. MANDATORY FINDINGS OF SIGNIFICANCE - | Potentially Significant Impact | Less Than Significant With Mitigation Included | Less Than Significant Impact | No Impact |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | | | X | |

| | | | | |
|---|--|--|----------|--|
| b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) | | | X | |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | | | X | |

Discussion: The site is currently located along Rhode Road between Moore Road (which is the city limit for the City of Ceres) to the north and Faith Home Road to the south, within the unincorporated community of Keyes, parallel to State Highway 99. The site has a General Plan designation of Planned Development, a Keyes Community Plan designation of Medium Density Residential, and a zoning designation of General Agriculture (A-2-10). There is an existing RV sales facility located adjacent to the project site to the north and a residential subdivision adjacent to the south. There is property zoned general agriculture located northeast of the project site, including a 6.44-acre site that is owned by the property owner who also owns the RV sales site to the north and a 21-acre mobile home park; the mobile home park is the northern boundary for the Keyes Community Plan. A rezone was approved for highway commercial development and another use permit was recently approved for a private truck parking facility southeast of the site within the Keyes Community Plan. Additionally, there are several rezone applications being processed proposing highway commercial development on vacant parcels located southeast of the project site, within the Keyes Community Plan boundary. Agricultural property located outside of the Keyes Community Plan exists to the west, across State Highway 99 and to the northeast past the mobile home park. There are several use permit application requests to establish truck parking operations in the General Agricultural (A-2) zoning districts located southwest across Highway 99 and to the north of the project site. Further development of the Keyes area outside of the existing Community Plan boundary would be subject to what is permitted in their various zoning district or to an amendment of the Keyes Community Plan, which would require environmental review, including a cumulative impact analysis.

The site is developed with 39,393 square feet of mini-storage made up of 13 buildings which were developed without building permits or land use permits being obtained. A rezone is required to change the zoning designation from A-2-10 to Planned Development in order to approve development of the site with non- agricultural uses. A general plan amendment to change the Community Plan designation from Medium Density Residential to Planned Development to allow for commercial uses is also required to allow for continued operation of the ministorage facility. If the land use entitlement request is approved, building and grading permits will be required to be obtained. The property is also improved with a legal non-conforming duplex and four-plex, which are proposed to remain, as well as the single-family dwelling which has been converted into an office for the mini-storage facility. Conversion of the single-family dwelling also occurred without building permits which will be required to be obtained to allow the continued use of the building as an office/apartment.

The project is proposed to be served with public water and sewer by the Keyes Community Services District (CSD). They have received a will-serve letter and will be required to get LAFCO approval, meet all Keyes CSD standards, and pay all applicable connection fees prior to connecting to the system for services. All stormwater will be maintained on-site which will be required to meet Public Works standards, which will be verified through the building/grading permit process.

The Mitigation Monitoring and Reporting Program for the Keyes Community Plan included mitigation measures addressing lighting, air quality, hydrology, hazardous materials, noise, biological resources, agricultural resources, traffic, public facilities, fire and school fees, and geology and soils. All of the mitigation measures applicable to the project, that are not already covered by regulatory programs or permitting, which will be required through the application of development standards have been applied to the project. Those mitigation measures have been incorporated into the Aesthetics, Biological Resources, Hazards and Hazardous Materials, Noise, and Transportation Sections of this initial study.

Review of this project has not indicated any potential for cumulative impacts which might significantly impact the environmental quality of the site and/or the surrounding area.

Mitigation: None.

References: Application materials; Keyes Community Plan, EIR and MMRP adopted April 2000; Initial Study; Stanislaus County General Plan; and Support Documentation¹.

Stanislaus County General Plan; and Support Documentation¹ adopted in August 23, 2016, as amended. **Housing Element** adopted on April 5, 2016.



MITIGATED NEGATIVE DECLARATION

NAME OF PROJECT: General Plan Amendment and Rezone Application No. PLN2023-0031 - Secured Space Self Storage

LOCATION OF PROJECT: 5024, 5028, and 5030 Rohde Road, between Esmar and Faith Home Roads, in the community of Keyes

PROJECT DEVELOPER: Sakshi Enterprise, LLC., Biren Patel

DESCRIPTION OF PROJECT: This is a request to amend the Community Plan designation from Medium-Density Residential to Commercial and the zoning designation from General Agriculture (A-2-10) to Planned Development (P-D) to allow for the operation of an existing mini-storage facility on a 4.67± acre parcel.

Based upon the Amended Initial Study, dated **December 15, 2023, as amended on February 2, 2024**, the Environmental Coordinator finds as follows:

1. This project does not have the potential to degrade the quality of the environment, nor to curtail the diversity of the environment.
2. This project will not have a detrimental effect upon either short-term or long-term environmental goals.
3. This project will not have impacts which are individually limited but cumulatively considerable.
4. This project will not have environmental impacts which will cause substantial adverse effects upon human beings, either directly or indirectly.

The aforementioned findings are contingent upon the following mitigation measures (if indicated) which shall be incorporated into this project:

1. New multistory development shall minimize the use of reflective surface and have those reflective surfaces which are used to be oriented in such a manner so as to reduce glare impacts along roadways.
2. New development shall include cut-off luminaries and/or shields. All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect. Low intensity lights shall be used to minimize the visibility of the lighting from nearby areas, and to prevent "spill over" of light onto adjacent residential properties.
3. Pre-construction surveys for Valley Elderberry Longhorn Beetle (VELB) on the site shall be conducted by a qualified biologist, in accordance with any applicable United States Fish and Wildlife protocols. Prior to the removal of any elderberry shrubs, the applicant shall obtain concurrence from US Fish and Wildlife Service regarding removing the shrubs. Prior to securing concurrence to remove the blue elderberry shrubs, the shrubs shall be protected with a no-disturbance buffer extending 10 feet from the driplines of the shrubs. Construction in the vicinity of the blue elderberry shrubs should occur between June 15 and April 15. During this time period, VELB (if present) would be within the interior portion of the stems of the shrubs and would not move (i.e., fly or walk) into the construction area.

4. If ground disturbing activity or construction commences between March 1 and September 15, pre-construction surveys for nesting Swainson's hawks (SWHA) shall be conducted by a qualified biologist. SWHA surveys shall be conducted a maximum of 10 days prior to the onset of grading or construction activities, within 0.5 miles of the project site area, in accordance with protocol developed by the Swainson's Hawk Technical Advisory Committee (SWHA TAC, 2000). If active nests are found, a qualified biologist, in consultation with the California Department of Fish and Wildlife (CDFW), shall determine the need (if any) for temporal restrictions on construction, including but not limited to a minimum no-disturbance buffer of 0.5 miles to be maintained around active nests prior to and during any ground-disturbing activities until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. If take cannot be avoided, take authorization through the issuance of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA. The determination shall utilize criteria set forth by CDFW (CDFG, 1994).
5. If construction commences between February 1 and August 31, pre-construction surveys for burrowing owls on the site shall be conducted. If occupied burrows are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction. The determinations shall be pursuant to criteria set forth by CDFW (CDFG, 2012).
6. Trees, shrubs, and grasslands in the site could be used by other birds protected by the Migratory Bird Treaty Act of 1918. If vegetation removal or construction commences during the general avian nesting season (March 1 through July 31), a pre-construction survey for nesting birds shall be completed. If active nests are found, work in the vicinity of the nest shall be delayed until the young fledge.
7. All oak trees over four inches in diameter shall be preserved to the maximum extent practical. Final development plans shall depict all oak trees proposed for removal. If oak trees four inches in diameter or more exist on the project site, the applicant shall submit a tree preservation plan to the Stanislaus County Planning Division for review and approval. The tree preservation plan shall include the following:
 - Any removed oak trees shall be replaced at a two-to-one tree replacement ratio.
 - The tree preservation plan shall include the location, number, species, and size of proposed replacement plantings.
 - The tree preservation plan shall include monitoring provisions for watering and landscaping to ensure survival and health of planted oak trees.
 - Replacement trees shall be monitored for a period no less than 5 years after replacement trees have been planted; Dead or dying trees shall be replaced.
8. Construction contracts shall include a stop-work provision in the event previously unidentified contamination is discovered during construction so that appropriate actions can be taken to reduce potential human health and environmental hazards.
9. Hours of construction on the project site shall be limited to 7:00 a.m. to 6:00 p.m. Monday thru Friday, with no construction allowed on holidays.
10. Any noisy construction equipment shall be located away from sensitive receptors, and, if necessary, temporary noise barriers shall be constructed between noise sources and sensitive receptors. All construction equipment shall be fitted with properly functioning mufflers.



11. Prior to issuance of a building permit, the applicant shall pay the Keyes Community Plan Mitigation Funding Program fees for the proposed land uses per the Keyes Community Plan fee program adopted at the time of building permit issuance. These fees are adjusted for inflation using the Engineering News-Record construction cost index and shall be paid prior to building permit issuance.

The Amended Initial Study and other environmental documents are available for public review at the Department of Planning and Community Development, 1010 10th Street, Suite 3400, Modesto, California.

Initial Study prepared by: Kristy Doud, Deputy Director

Submit comments to: Stanislaus County
Planning and Community Development Department
1010 10th Street, Suite 3400
Modesto, California 95354



STANISLAUS COUNTY CLERK
CEQA FILING COVER SHEET

Mail to: Stanislaus County
Name: Department of Planning and
Community Development
Address: 1010 10th Street Suite 3400
City, State, Zip: Modesto, CA 95354

50-2024-062

FILED

April 18, 2024
DONNA LINDER

STANISLAUS COUNTY
CLERK-RECORDER

By: M O L
Deputy Clerk

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Project Title

General Plan Amendment and Rezone Application NO.
PLN2023-0031-Secured Space^{self} Storage.

Check Document being Filed:

- ☐ Environmental Impact Report (EIR)
☒ Mitigated Negative Declaration (MND) or Negative Declaration (ND)
☐ Notice of Exemption (NOE)
☐ Other (Please fill in type):

| | |
|---------------------------------------|---------------------------|
| FILED IN THE OFFICE OF THE STANISLAUS | |
| COUNTY CLERK ON <u>04/18/2024</u> | |
| Posted <u>04/18/2024</u> | Removed <u>05/22/2024</u> |
| Returned to agency on _____ | |
| DEPUTY <u>M O L</u> | |

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

STANISLAUS COUNTY
DEPARTMENT OF PLANNING AND
COMMUNITY DEVELOPMENT
1010 10th Street, Suite 3400
Modesto, California 95354

NOTICE OF DETERMINATION

Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code

Project Title: General Plan Amendment and Rezone Application No. PLN2023-0031 – Secured Space Self Storage

Applicant Information: Sakshi Enterprise, LLC., Biren Patel, 2801 Mitchell Road, #3074, Ceres, CA 95307, (209) 485-5166

Project Location: 5024, 5028, and 5030 Rohde Road, between Esmar and Faith Home Roads, in the Keyes area, Stanislaus County APNs: 041-059-001 and 041-059-002.

Description of Project: Request to amend the Community Plan designation from Medium-Density Residential to Commercial and the zoning designation from General Agriculture (A-2-10) to Planned Development (P-D) to allow for the operation of an existing mini-storage facility on a 4.67 ± acre parcel.

Name of Agency Approving Project: Stanislaus County Board of Supervisors

Lead Agency Contact Person: Kristy Doud, Deputy Director

Telephone: (209) 525-6330

This is to advise that the Stanislaus County Board of Supervisors on **April 16, 2024** has approved the above described project and has made the following determinations regarding the above described project:

1. The project **will not** have a significant effect on the environment.
2. A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

The **Mitigated Negative Declaration** and record of project approval may be examined at:
Stanislaus County Department of Planning and Community Development
1010 10th Street, Suite 3400
Modesto, California 95354

3. Mitigation measures **were** made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan **was** adopted for this project.
5. A statement of Overriding Considerations **was not** adopted for this project.
6. Findings **were** made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the Negative Declaration, is available to the General Public at <http://www.stancounty.com/planning/agenda/agenda-min-2024.shtm>.

Dated

4/17/24


Kristy Doud
Deputy Director



State of California - Department of Fish and Wildlife
2024 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

Print

StartOver

Save

RECEIPT NUMBER:

50-04/18/2024-044

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

STANISLAUS COUNTY DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

LEAD AGENCY EMAIL

DATE

04/18/2024

COUNTY/STATE AGENCY OF FILING

STANISLAUS COUNTY

DOCUMENT NUMBER

50-2024-062

PROJECT TITLE

GENERAL PLAN AMENDMENT AND REZONE APPLICATION NO. PLN2023-0031 - SECURED SPACE SELF STORAGE

PROJECT APPLICANT NAME

SAKSHI ENTERPRISES, LLC., BIREN PATEL

PROJECT APPLICANT EMAIL

PHONE NUMBER

(209) 485-5166

PROJECT APPLICANT ADDRESS

2801 MITCHELL RD, #3074

CITY

CERES

STATE

CA

ZIP CODE

95307

PROJECT APPLICANT (Check appropriate box)

☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☒ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR) \$ 4,051.25 \$ _____
☒ Mitigated/Negative Declaration (MND)(ND) \$ 2,916.75 \$ 2,916.75
☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW \$ 1,377.25 \$ _____

☐ Exempt from fee
 ☐ Notice of Exemption (attach)
 ☐ CDFW No Effect Determination (attach)
☐ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only) \$ 850.00 \$ _____
☒ County documentary handling fee \$ 57.00 \$ 57.00
☐ Other \$ _____

PAYMENT METHOD:

☐ Cash ☐ Credit ☒ Check ☐ Other 6821

TOTAL RECEIVED \$ 2,973.75

SIGNATURE

X *Romeo Mora*

AGENCY OF FILING PRINTED NAME AND TITLE

Romeo Mora Deputy Clerk



State of California - Department of Fish and Wildlife
2024 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- ☐ Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- ☐ Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- ☐ Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))

- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

RECEIPT NUMBER

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.

Mail to:

California Department of Fish and Wildlife
Accounting Services Branch
P.O. Box 944209
Sacramento, California 94244-2090

Donna Linder
Stanislaus
County Clerk-Recorder
1021 "I" Street
Modesto, CA 95354
(209) 525-5279

Public

Receipt No.: RPT20240000020635

Finalization No.: 2024204925

Cashier: moraro

Register: CHLSZV2

Date/Time: 04/18/2024 12:17 PM

| Description | Fee |
|---|------------|
| Mitigated Negative Declaration (MND) | |
| Filing Time: | 12:17 PM |
| Filing Fee: | \$2,916.75 |
| Filing Total: | \$2,916.75 |
| <hr/> | |
| Administration Fee | |
| Filing Time: | 12:17 PM |
| Filing Fee: | \$57.00 |
| Filing Total: | \$57.00 |
| <hr/> | |
| Total Amount Due: | \$2,973.75 |
| <hr/> | |
| Total Paid | |
| Check Tendered: | \$2,973.75 |
| #6821 | |
| Amount Due: | \$0.00 |

THANK YOU

PLEASE KEEP FOR REFERENCE

Donna Linder
Stanislaus
County Clerk-Recorder
1021 "I" Street
Modesto, CA 95354
(209) 525-5279

Public

Receipt No.: RPT20240000022810

Finalization No.: 2024207046

Cashier: JAC

Register: CHKQZV2

Date/Time: 04/30/2024 03:10 PM

| Description | Fee |
|------------------|--------------|
| Basic Recording | |
| Document No.: | 2024-0019659 |
| Recording Time: | 03:10 PM |
| Recording Fee: | No Fee |
| Recording Total: | No Fee |

Total Amount Due:

Total Paid

No Fee

Amount Due: \$0.00

THANK **5** YOU
PLEASE KEEP FOR REFERENCE

Recording Requested By And For The Benefit Of
And, When Recorded, Mail To:



County of Stanislaus
Department of Planning and
Community Development
1010 Tenth Street, Suite 3400
Modesto, CA 95354



Stanislaus County Recorder
Donna Linder, County Clerk-Recorder
DOC- 2024-0019659

Tuesday, April 30, 2024 15:10:33

Customer: Public

Total Paid: No Fee

Receipt #: 2024207046

JAC/CHKQZV2/1-9

Space Above Reserved for Recorder's Use

NOTICE OF ADMINISTRATIVE CONDITIONS AND RESTRICTIONS

PLEASE TAKE NOTICE that the COUNTY OF STANISLAUS approved the land use development described below subject to administrative conditions and restrictions, copies of which are attached to this notice and incorporated herein by reference. The conditions and restrictions affect development of the property or parcels described below and are binding upon the named landowners and their successors in interest.

Property Owner(s): Sakshi Enterprise, LLC., Biren Patel

Project Site Address: 5024, 5028, and 5030 Rohde Road, between Esmar and Faith
Home Roads, in the Keyes area.

Assessor's Parcel Number(s): 041-059-001 and 041-059-002

General Plan Designation: Planned Development

Zoning District: A-2-10 (General Agriculture)

Community Plan Designation: Medium-Density Residential

Project Name/Description: **General Plan Amendment and Rezone Application No. PLN2023-0031 – Secured Space Self Storage** – Request to amend the Community Plan designation from Medium-Density Residential to Commercial and the zoning designation from General Agriculture (A-2-10) to Planned Development (P-D) to allow for the operation of an existing mini-storage facility on a 4.67 ± acre parcel.

The undersigned duly authorized officer of Stanislaus County declares that the foregoing is true and correct under penalty of perjury under the laws of the State of California.

4/30/2024
Dated

Kristy Doud
Kristy Doud, Deputy Director
Stanislaus County
Planning and Community Development

ATTACHMENTS:

1. Development Standards and Mitigation Measures/Development Schedule
2. Project Area Map (For Illustrative Purposes Only)

Handwritten mark resembling a stylized 'C' or 'X'.

DEVELOPMENT STANDARDS AND MITIGATION MEASURES

GENERAL PLAN AMENDMENT AND REZONE APPLICATION NO. PLN2023-0031 SECURED SPACE SELF STORAGE

Department of Planning and Community Development

1. Use(s) shall be conducted as described in the application and supporting information (including the plot plan) as approved by the Board of Supervisors and in accordance with other laws and ordinances.
2. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2014), the applicant is required to pay a California Department of Fish and Wildlife (formerly the Department of Fish and Game) fee at the time of filing a "Notice of Determination." Within five (5) days of approval of this project by the Planning Commission or Board of Supervisors, the applicant shall submit to the Department of Planning and Community Development a check for **\$2,973.75**, made payable to **Stanislaus County**, for the payment of California Department of Fish and Wildlife and Clerk-Recorder filing fees.

Pursuant to Section 711.4 (e) (3) of the California Fish and Game Code, no project shall be operative, vested, or final, nor shall local government permits for the project be valid, until the filing fees required pursuant to this section are paid.

3. The Department of Planning and Community Development shall record a Notice of Administrative Conditions and Restrictions with the County Clerk-Recorder's Office within 30 days of project approval. The Notice includes: Development Standards and Schedule; any adopted Mitigation Measures; and a project area map.
4. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The fees shall be payable at the time of issuance of a building permit for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.
5. The applicant/owner is required to defend, indemnify, or hold harmless the County, its officers, and employees from any claim, action, or proceedings against the County to set aside the approval of the project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
6. No operations shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke, vibration, or electrical interference detectable off the site.
7. During the construction phases of the project, if any human remains, significant or potentially unique, are found, all construction activities in the area shall cease until a qualified archeologist can be consulted. Construction activities shall not resume in the area until an on-site archeological mitigation program has been approved by a qualified

archeologist. The Central California Information Center shall be notified if the find is deemed historically or culturally significant.

8. The applicant/business owner shall obtain a valid Stanislaus County Business License prior to final of any tenant improvement and/or Certificate of Occupancies. A valid Business License shall be maintained by the occupants at all times.
9. The applicant will be required to contact and coordinate with the SJVAPCD to obtain any required permits and to conduct any studies required by the District prior to operation.
10. Pursuant to Section 404 of the Clean Water Act, prior to construction, the developer shall be responsible for contacting the US Army Corps of Engineers to determine if any "wetlands," "waters of the United States," or other areas under the jurisdiction of the Corps of Engineers are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from the Corps, including all necessary water quality certifications, if necessary.
11. Pursuant to the federal and state Endangered Species Acts, prior to construction, the developer shall be responsible for contacting the US Fish and Wildlife Service and California Department of Fish and Game to determine if any special status plant or animal species are present on the project site and shall be responsible for obtaining all appropriate permits or authorizations from these agencies, if necessary.
12. Building Permits for all unpermitted onsite improvements, including but not limited to the mini storage buildings and the residential conversion to an office, shall be obtained through the Stanislaus County Building Permits Division in conformance with the approved Development Schedule.
13. Prior to issuance of any building permit, a photometric lighting plan shall be submitted for review and approval by the Planning Department. All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include, but not be limited to, the use of shielded light fixtures to prevent skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties). The height of any freestanding lighting fixtures should not exceed 15 feet above grade.
14. A landscaping plan, including a mixture of ornamental trees and shrubs along the front of the office and along the road frontage, shall be submitted for review and approval prior to issuance of any building permit. In conformance with the Planned Industrial zoning ordinance (Chapter 21.42) landscaping shall cover a minimum of 5% of the developed portion of the site. Landscape plans shall meet current State of California water use requirements at the time of submittal. The review of the landscape plan shall be subject to applicable County landscape review and inspection fees in effect at the time of review and inspection. Landscaping shall be installed and inspected prior to final of grading or building permit.
15. All landscaped areas, fences, and walls shall be maintained in an attractive condition and in compliance with the approved final landscape and irrigation plan. The premises shall be kept free of weeds, trash, and other debris. Dead or dying plants shall be replaced

with materials of equal size and similar variety within 30 days, at the property owner's expense.

16. A final sign plan for all proposed on-site signs indicating the location, height, area of the sign(s), and message shall be approved by the Planning Director and shall be limited to one monument sign, a maximum of six feet in height and located along the road frontage, and one wall sign located on the office building. The area of the monument sign shall not exceed twelve square feet and the face of the wall sign shall not exceed 5-feet by 3.5-feet-in size. Signage shall be non-flashing, non-animated, and nonmoving. Directional signs are permitted as needed.
17. A fencing/wall plan shall be submitted to the Planning Department for review and approval prior to issuance of a building permit. All fencing/walls shall be installed prior to issuance of a certificate of occupancy. A masonry wall shall be installed along the portions of the property abutting residential development and the Turlock Irrigation District's (TID) Lateral No. 2 ½. The masonry wall abutting residential uses shall be eight feet in height. The masonry wall located along TID Lateral No. 2 ½ shall meet the TID's standards. The existing fencing along the road frontage of the site may remain, provided it meets setback, vision clearance, and storage depth requirements.
18. Onsite parking shall meet the standards described in Chapter 21.76 – Off-Street Parking. The mini-storage facility shall meet the County's parking standards for Manufacturing or assembly plants or wholesale warehouses, and the residential uses shall meet the County's parking standards for Dwellings. Parking spaces shall be designed and improved in accordance with the County Department of Public Works Standards and Specifications.
19. All driveways, drive aisles, including truck drive aisles, truck parking areas, and customer and employee vehicle parking areas shall be paved. Pavement and parking spaces shall be installed in accordance with all applicable Stanislaus County standards.
20. Trash bins shall be kept in trash enclosures constructed of materials compatible with the architecture of the development. Trash enclosures shall be placed in locations as approved by the refuse collecting agency and the Planning Director. Location and design shall be approved prior to issuance of any building permit.
21. Development Standards not specified, including but not limited to setbacks, height limits, and lot coverage limits, shall be in conformance with Chapter 21.42 – Planned Industrial of the Stanislaus County Zoning Ordinance.
22. If the two Assessor Parcel Numbers included in the project description are determined to be separate legal parcels, a Merger shall be completed prior to issuance of a building permit.

Department of Public Works

23. No parking, loading or unloading of vehicles will be permitted within the County road right-of-way.

24. The developer will be required to install or pay for the installation of any signs and/or markings, if warranted.
25. An Encroachment Permit shall be obtained for driveway approaches at all points of ingress and egress on the project site and any other work done within the County right of way. Driveway Approaches shall be installed per Stanislaus County Public Works Standards and Specifications Plate 3-G3, Commercial Driveways.
26. The storage depth outside of any gate shall be adequate for vehicles coming off the road. The entry vehicles shall not block any travel lane or shoulder. If the storage depth is inadequate, it may require that the fence be moved further into the property.
27. A grading, drainage, and erosion/sediment control plan for the project site shall be submitted for any building permit that will create a larger or smaller building footprint. The grading and drainage plan shall include the following information:
 - a. The plan shall contain drainage calculations and enough information to verify that runoff from project will not flow onto adjacent properties and Stanislaus County road right-of-way. Public Works will review and approve the drainage calculations.
 - b. For projects greater than one acre in size, the grading drainage and erosion/sediment control plan shall comply with the current State of California National Pollutant Discharge Elimination System (NPDES) General Construction Permit. A Waste Discharge Identification Number (WDID) and a copy of the Notice of Intent (NOI) and the project's Storm Water Pollution Prevention Plan (SWPPP) shall be provided prior to the approval of any grading, if applicable.
 - c. The applicant of the grading permit shall pay the current Stanislaus County Public Works weighted labor rate for review of the grading plan.
 - d. The applicant of the grading permit shall pay the current Stanislaus County Public Works weighted labor rate for all on-site inspections. The Public Works inspector shall be contacted 48 hours prior to the commencement of any grading or drainage work on-site.

Department of Environmental Resources

28. Prior to building permit final, the applicant(s) shall demonstrate and secure any necessary permits for the destruction of all onsite wastewater treatment systems (OWTS) and/or water wells impacted or proposed by this project, under the direction of the Stanislaus County Department of Environmental Resources (DER).
29. All applicable County Local Agency Management Program (LAMP) standards and required setbacks are to be met.

Building Permits Division

30. Building permits are required and the project must conform with the California Code of Regulations, Title 24. Building permits shall be obtained within the timeframe specified in the Development Schedule.

Keyes Community Services District

31. All water service line connections must be installed to District standards and according to plans approved by the District, at the expense of the owner.
32. All applicable District connections, facilities and inspection fees must be paid upon application for connections.
33. The applicant/operator shall comply with all District rules and regulations.
34. A new will-serve letter is required if connection is not initiated before August 22, 2024.
35. Prior to connection Local Agency Formation Commission (LAFCO) approval is required.
36. Water and sewer connection plans shall be submitted to and approved by the District.

Turlock Irrigation District (TID)

37. Prior to issuance of a building permit, the applicant shall consult with the district to determine if additional right-of-way is required to be dedicated for District Lateral No. 2 ½. The District's Upper Lateral 2.5 has a 70-foot wide right of way.
38. Concurrent with any building permit a masonry wall shall be constructed along the portions of the site that abut the District's Lateral No. 2 ½. District standards require that developments adjoining District canals shall construct a masonry or concrete wall adjacent to the canal per CS 166. It will be necessary for the developer to submit plans detailing the existing and proposed site improvements relative to the District's canal, in order for the District to determine specific impacts and requirements along the canal. District requirements shall be implemented into the construction and maintenance of the wall.
39. There are two side gates in the canal that serve(d) the subject parcels. One is located behind the Apartment 1& 2 building, and the other is adjacent to the undeveloped area of the parcel. District standards require that irrigation facilities that are no longer used shall be removed. Prior to issuance of a building permit, the Developer shall remove the side gates from the canal per District requirements. The developer will need to provide irrigation improvement plans and enter into an Irrigation Improvements Agreement for the required irrigation facility modifications. There is a District Board approved time and material fee associated with this review.
40. Any improvements to this property which impact irrigation facilities shall be subject to the District's approval and meet all District standards and specifications.
41. Work on irrigation facilities shall only be performed during the non-irrigation season which typically runs from November 1, thru March 1, but can vary. Approval from TID to work on facilities shall be obtain in advance of any work occurring.

Local Agency Formation Commission (LAFCO)

42. LAFCO approval of an annexation must be obtained prior to the extension of sewer and water services by the Keyes Community Services District.

Mitigation Measures

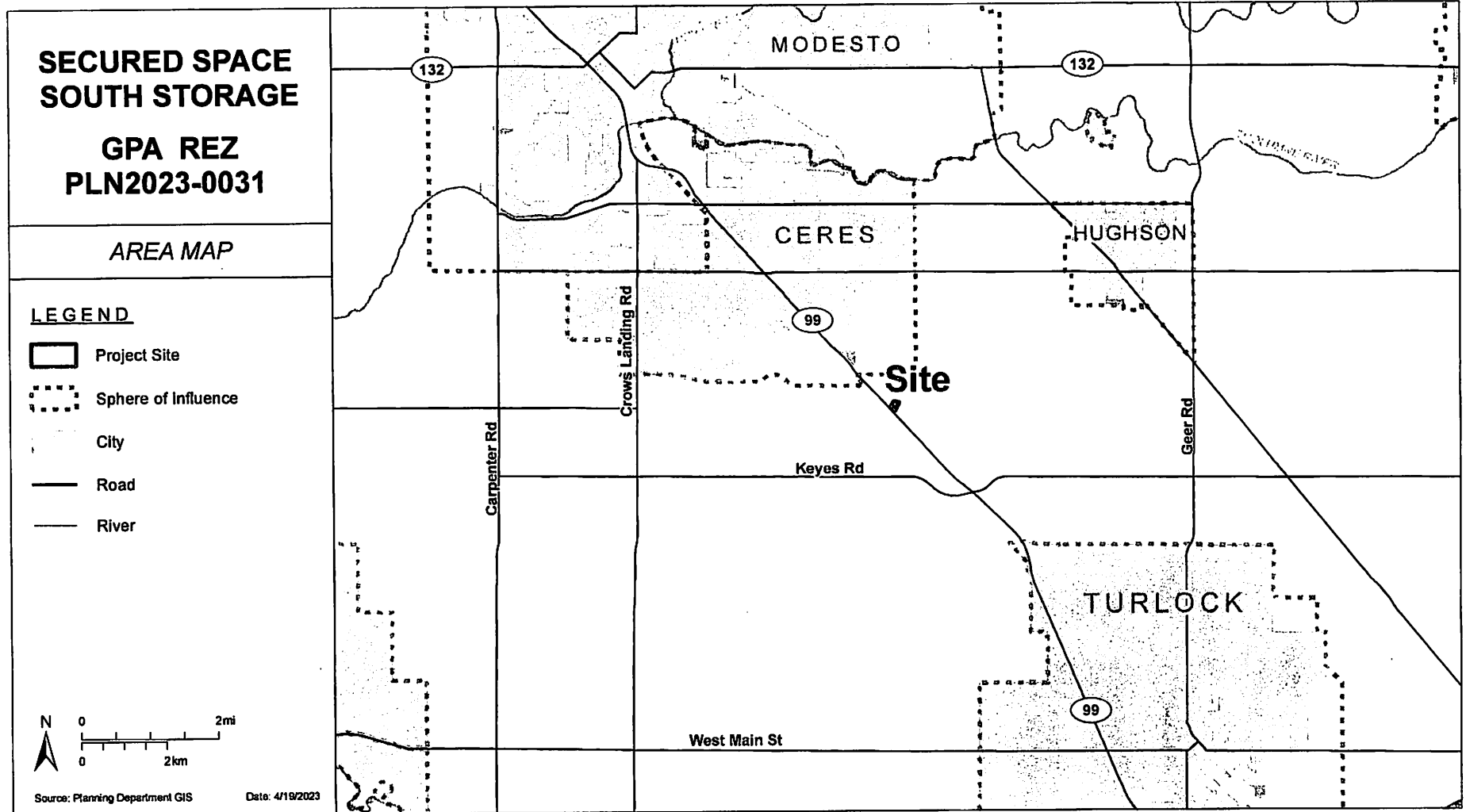
43. New multistory development shall minimize the use of reflective surface and have those reflective surfaces which are used to be oriented in such a manner so as to reduce glare impacts along roadways.
44. New development shall include cut-off luminaries and/or shields. All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect. Low intensity lights shall be used to minimize the visibility of the lighting from nearby areas, and to prevent "spill over" of light onto adjacent residential properties.
45. Pre-construction surveys for Valley Elderberry Longhorn Beetle (VELB) on the site shall be conducted by a qualified biologist, in accordance with any applicable United States Fish and Wildlife protocols. Prior to the removal of any elderberry shrubs, the applicant shall obtain concurrence from US Fish and Wildlife Service regarding removing the shrubs. Prior to securing concurrence to remove the blue elderberry shrubs, the shrubs shall be protected with a no-disturbance buffer extending 10 feet from the driplines of the shrubs. Construction in the vicinity of the blue elderberry shrubs should occur between June 15 and April 15. During this time period, VELB (if present) would be within the interior portion of the stems of the shrubs and would not move (i.e., fly or walk) into the construction area.
46. If ground disturbing activity or construction commences between March 1 and September 15, pre-construction surveys for nesting Swainson's hawks (SWHA) shall be conducted by a qualified biologist. SWHA surveys shall be conducted a maximum of 10 days prior to the onset of grading or construction activities, within 0.5 miles of the project site area, in accordance with protocol developed by the Swainson's Hawk Technical Advisory Committee (SWHA TAC, 2000). If active nests are found, a qualified biologist, in consultation with the California Department of Fish and Wildlife (CDFW), shall determine the need (if any) for temporal restrictions on construction, including but not limited to a minimum no-disturbance buffer of 0.5 miles to be maintained around active nests prior to and during any ground-disturbing activities until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. If take cannot be avoided, take authorization through the issuance of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA. The determination shall utilize criteria set forth by CDFW (CDFG, 1994).
47. If construction commences between February 1 and August 31, pre-construction surveys for burrowing owls on the site shall be conducted. If occupied burrows are found, a qualified biologist should determine the need (if any) for temporal restrictions on construction. The determinations shall be pursuant to criteria set forth by CDFW (CDFG, 2012).
48. Trees, shrubs, and grasslands in the site could be used by other birds protected by the Migratory Bird Treaty Act of 1918. If vegetation removal or construction commences during the general avian nesting season (March 1 through July 31), a pre-construction survey for nesting birds shall be completed. If active nests are found, work in the vicinity of the nest shall be delayed until the young fledge.

49. All oak trees over four inches in diameter shall be preserved to the maximum extent practical. Final development plans shall depict all oak trees proposed for removal. If oak trees four inches in diameter or more exist on the project site, the applicant shall submit a tree preservation plan to the Stanislaus County Planning Division for review and approval. The tree preservation plan shall include the following:
- Any removed oak trees shall be replaced at a two-to-one tree replacement ratio.
 - The tree preservation plan shall include the location, number, species, and size of proposed replacement plantings.
 - The tree preservation plan shall include monitoring provisions for watering and landscaping to ensure survival and health of planted oak trees.
 - Replacement trees shall be monitored for a period no less than 5 years after replacement trees have been planted; Dead or dying trees shall be replaced.
50. Construction contracts shall include a stop-work provision in the event previously unidentified contamination is discovered during construction so that appropriate actions can be taken to reduce potential human health and environmental hazards.
51. Hours of construction on the project site shall be limited to 7:00 a.m. to 6:00 p.m. Monday thru Friday, with no construction allowed on holidays.
52. Any noisy construction equipment shall be located away from sensitive receptors, and, if necessary, temporary noise barriers shall be constructed between noise sources and sensitive receptors. All construction equipment shall be fitted with properly functioning mufflers.
53. Prior to issuance of a building permit, the applicant shall pay the Keyes Community Plan Mitigation Funding Program fees for the proposed land uses per the Keyes Community Plan fee program adopted on April 18, 2000 at the time of building permit issuance. **Based on a rate of \$862 per square-foot, a total of \$33,956.77 is required to be paid prior to issuance of a building permit.** ~~These fees are adjusted for inflation using the Engineering News-Record construction cost index and shall be paid prior to building permit issuance.~~
54. **Applicant shall pay all applicable taxes that would have been due since the establishment of the mini-storage facility, as required by law.**

*Please note: If Conditions of Approval/Development Standards are amended by the Planning Commission or Board of Supervisors, such amendments will be noted in the upper right-hand corner of the Conditions of Approval/Development Standards; new wording is in **bold**, and deleted wording will have a ~~line through it~~.*

For Illustrative Purpose Only

ATTACHMENT 2



This page intentionally left blank.

EXHIBIT C

**Resolution of Application (2024-583)
Will Serve Letter &
Plan for Services**

This page intentionally left blank.

KEYES COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2024-583

RESOLUTION AUTHORIZING APPLICATION TO THE STANISLAUS LOCAL AGENCY FORMATION
COMMISSION TO ANNEX APPROXIMATELY 5 ACRES OF PROPERTY LOCATED ALONG RHODE RD,
CERES CA TO THE KEYES COMMUNITY SERVICES DISTRICT

WHEREAS, the Keyes Community Services District ("District"), Stanislaus County, California, is a political subdivision of the State of California, duly organized and existing under the Community Services District Law (California Government Code Sections 61000, et seq.);

WHEREAS, the District has received a written request from Sakshi Enterprise LLC. ("Applicant") to initiate annexation of the Property to the District under the Cortese-Knox-Hertzberg Local Reorganization Act of 2000, Government Code sections 56000, et seq.; and

WHEREAS, the District desires a change of organization to annex approximately 5 acres (Assessor's parcel Numbers: 041-059-01 and 045-059-02) already located within the District's Sphere of Influence into its boundaries to accommodate the operation of an existing mini-storage facility; and

WHEREAS, the proposed annexation of the northern parcels into the District provide for a coordinated and logical development plan for adjacent properties under the same ownership and a more efficient land use proposal and plan for services as set forth in Exhibit "B,"; and

WHEREAS, this Resolution Authorizing Application is proposed pursuant to Government Code sections 56654 and 56700; and

NOW, THEREFORE, be it resolved by the Board of Directors of the District as follows:

1. The above recitals are true and correct and incorporated as part of this Resolution.
2. This Resolution of Application is being made pursuant to Sections 56654 and 56700 of the California Government Code and is requesting Stanislaus County Local Agency Formation Commission to undertake change of organization proceedings pursuant to the Cortese/Knox/Hertzberg Reorganization Act of 2000.
3. The intention of the change of organization requested by this Resolution of Application is to annex approximately 5 acres of land into the boundaries of the District.
4. The lands proposed to be annexed are attached to this Resolution as EXHIBIT "B" and incorporated herein.
5. The District desires to complete such a change of organization to include within the District boundaries all lands that currently receive benefits from the District's operations.
6. The boundaries of the expanded District are shown on the map attached as EXHIBIT "C" to this Resolution.
7. The District hereby adopts the Plan for Providing Services attached to this Resolution as EXHIBIT "D".

BE IT FURTHER RESOLVED that the Board of Directors of the Keyes Community Services District hereby directs and authorized the District's General Manager, or his designee, to submit this Resolution of Application as well as the plan for services required by Government Code 56653 to LAFCo as well as any additional materials deemed necessary by LAFCo to process this Resolution of Application and to represent the District at LAFCo hearings.

PASSED AND ADOPTED by the Board of Directors of Keyes Community Services District at a regular meeting thereof held on December 17, 2024 by the following vote:

AYES: Parker, Knee, Reforma, Chavez
NOES: _____
ABSTENTION: _____
ABSENT: Vasquez

Keyes Community Service District

By 

Johnathon Parker,

Board Chair

Attest:



Michelle Harris, Secretary

CERTIFICATION

I, MICHELLE H ARRIS, Secretary of Keyes Community Services District, do hereby certify that the foregoing is a full, true and correct copy of a resolution of the Keyes Community Services District duly passed and adopted at a meeting of the Board of Directors thereof held on the 17th day of December, 2024

A handwritten signature in cursive script, reading "Michelle Harris", is positioned above a solid horizontal line.

Michelle Harris, Secretary

Keyes Community Services District

**KEYES COMMUNITY SERVICES DISTRICT
5601 7TH STREET
P O BOX 699
KEYES, CA 95328**

August 21, 2023

Sakshi Enterprise LLC
2801 Mitchell Rd #3074
Ceres, Ca 95307

Re: Will Serve Letter Request For Property at 5024, 5028, & 5030 Rhode Road, Ceres
Ca 95307
APN #'s 041-059-001, 041-059-002

To whom it may concern:

The Keyes Community Services District is willing to provide the requested water service on the following conditions:

1. All water service line connections must be installed to District standards and according to plans approved by the district, at the expense of the owner.
2. All applicable District connection, facilities and inspection fees must be paid upon application for connections.
3. The owner must comply with all District rules and regulations.
4. This will-serve commitment will expire on August 22, 2024 unless construction has commenced by that date.
5. This Will Service Letter is valid only upon approval by Stanislaus County Local Agency Formation Commission (LAFCO).
6. This Will Serve Letter does not officially accept and approve the Layout as submitted with your application.

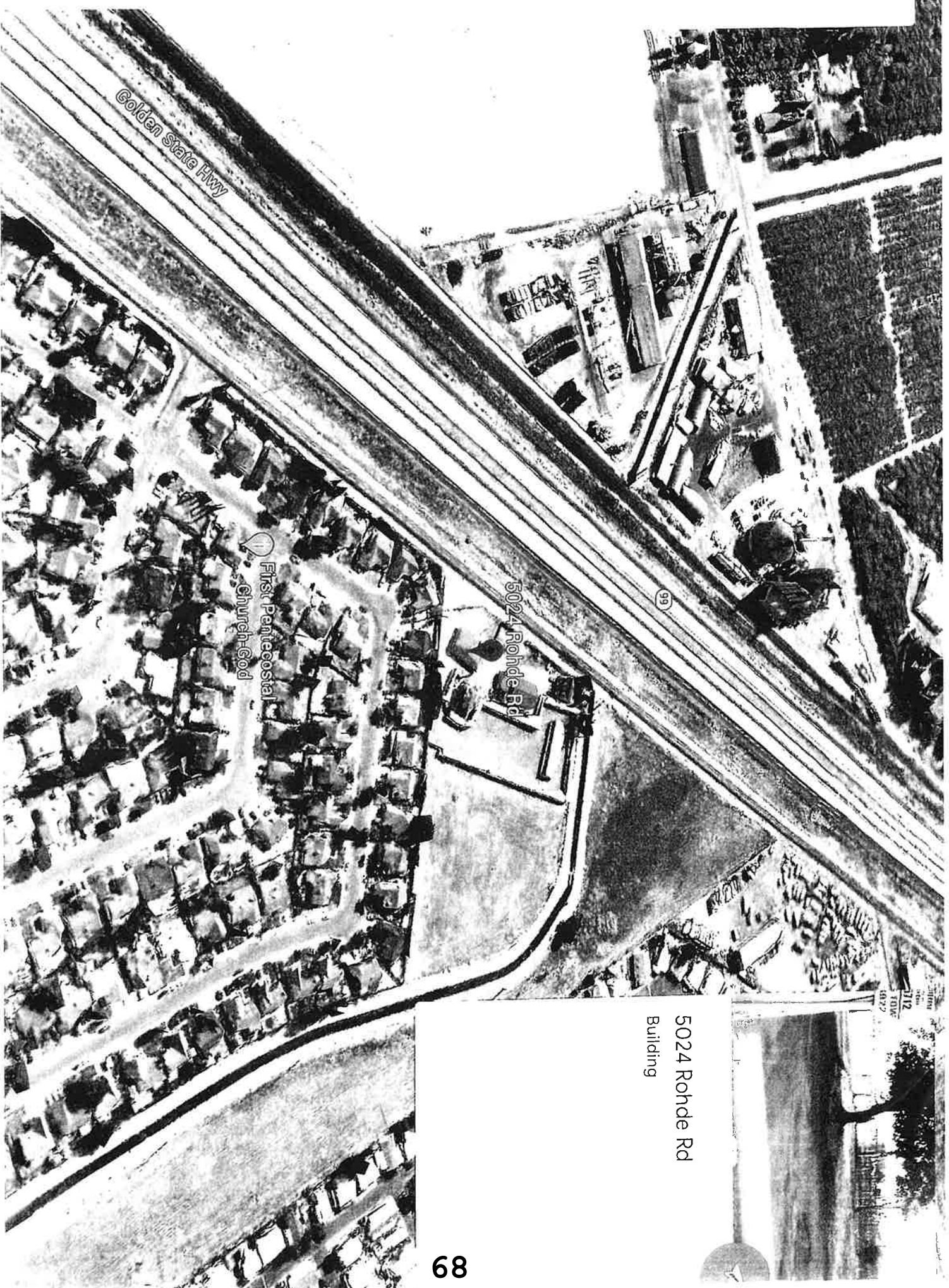
Sincerely,

Ernie Garza
General Manager
By: Michelle Harris

Exhibit B

– Map showing area to annex into Boundary

5024 Rohde Rd
Building

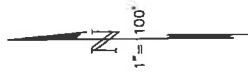


POR. SE 1/4 SEC. 24 & NE 1/4 SEC. 25 T.4S. R.9E. M.D.B.& M.

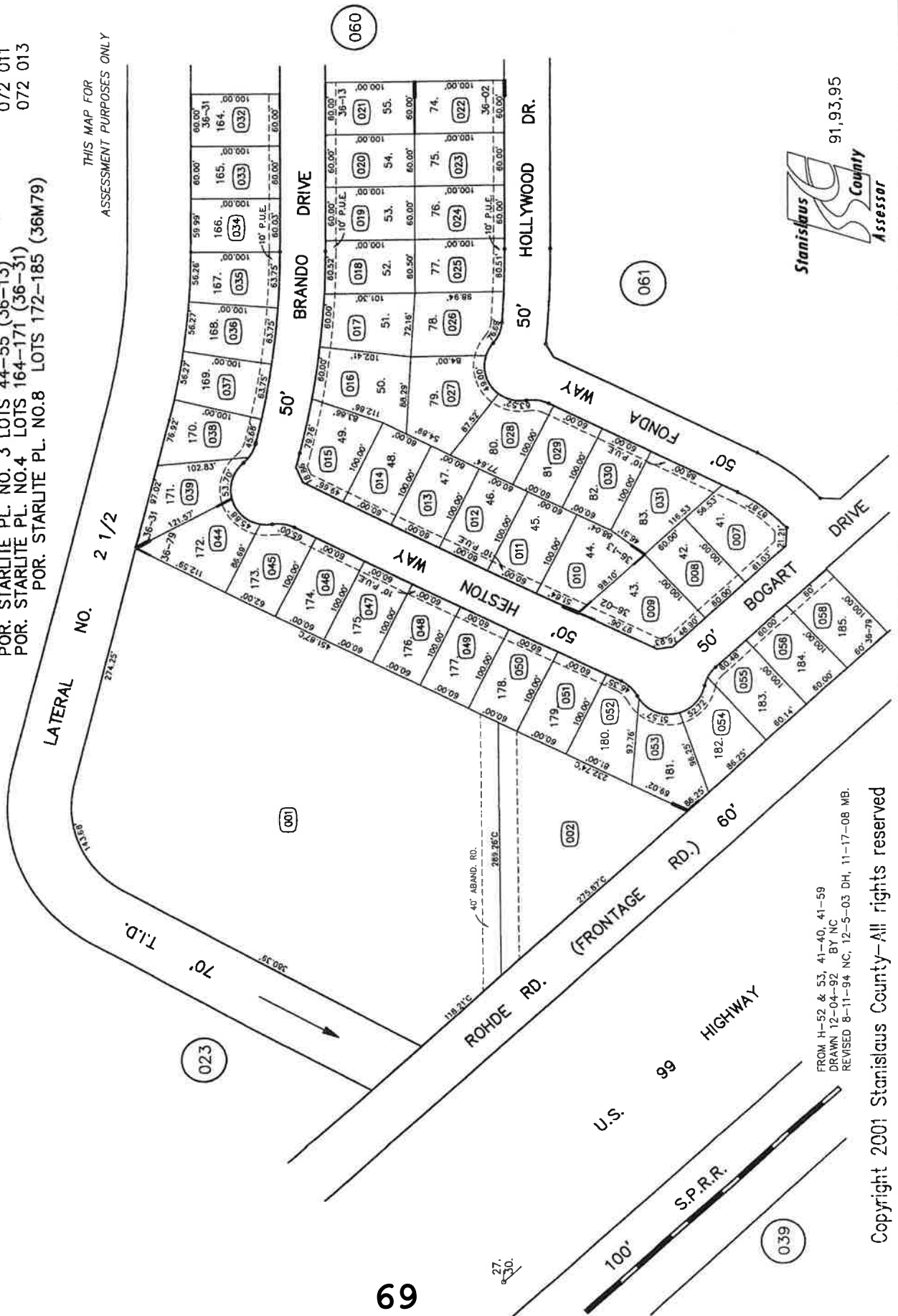
041 - 059

POR. ESMAR TR.-POR LOTS. 27, 28, & 30 (1-47)
 POR. STARLITE PL. NO. 2 LOTS 41-43, 74-83 (36-2)
 POR. STARLITE PL. NO. 3 LOTS 44-55 (36-13)
 POR. STARLITE PL. NO. 4 LOTS 164-171 (36-31)
 POR. STARLITE PL. NO. 8 LOTS 172-185 (36M79)

072 001
 072 008
 072 011
 072 013



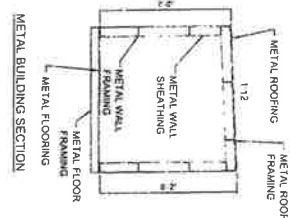
THIS MAP FOR
 ASSESSMENT PURPOSES ONLY



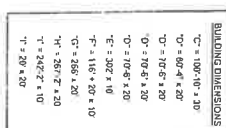
FROM H-52 & 53, 41-40, 41-59
 DRAWN 12-04-92 BY NC
 REVISED 8-11-94 NC, 12-5-03 DH, 11-17-08 WB.

91,93,95

041 - 059



EXISTING SITE PLAN
SCALE: $\frac{1}{4}" = 10'$



NORTH

SP1

[illegible]

BILL NICHOLSON
209-404-0304
bill@accurateillustrations.com

CUSTOM DESIGNS | ADDITIONS | REMODELS
accurateillustrations.com

SUBMITTAL STATUS

☒ FOR CONSTRUCTION
☐ FOR APPROVAL
☐ FOR PERMIT ONLY
☐ FOR PRELIMINARY

EXISTING SITE PLAN

5024 & 5030 ROHDE ROAD
CERES, CA 95307
A.P.N. 041-059-001 & 041-059-002

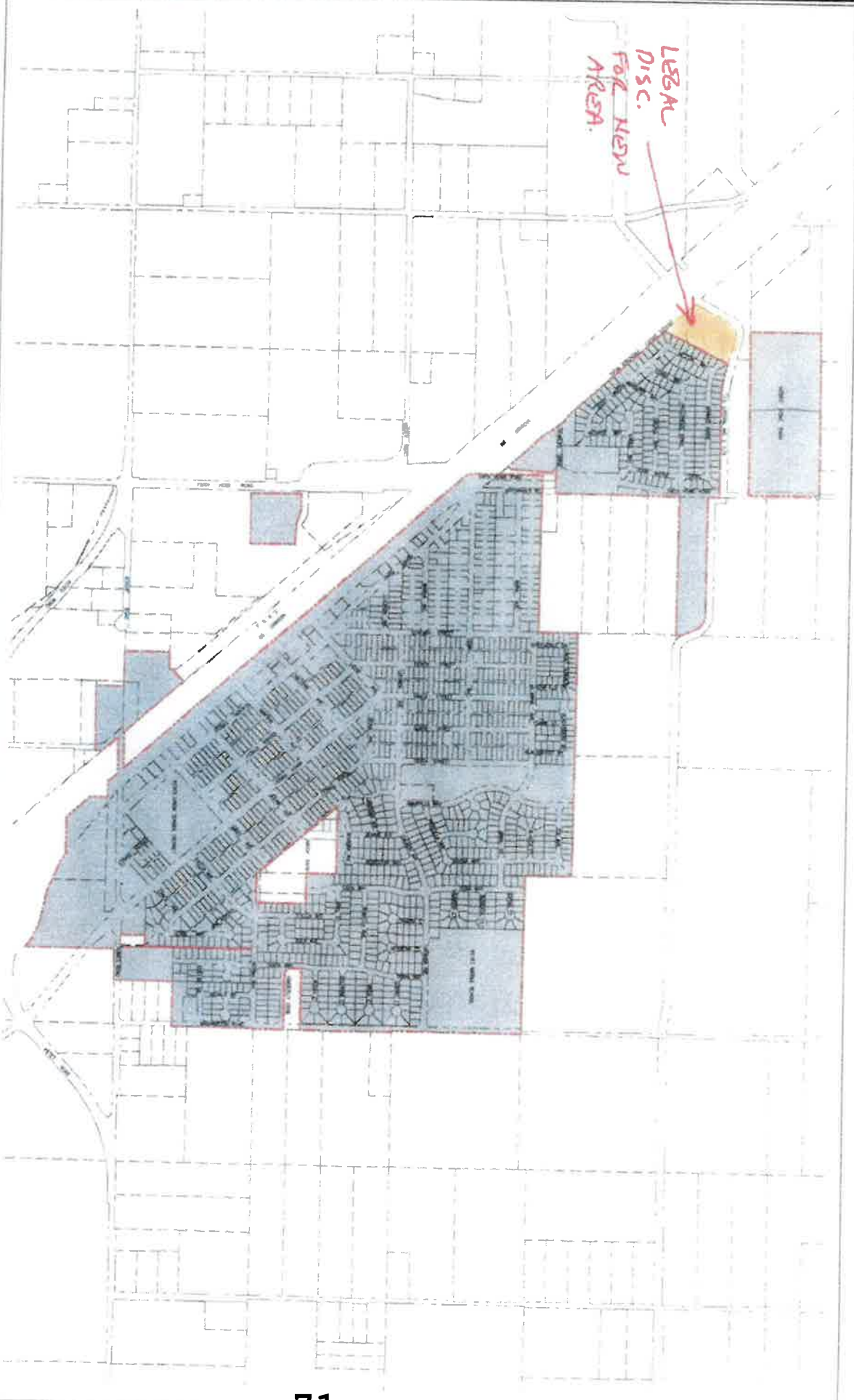


District Boundary Map

Keyes, California

July, 2024

Geomatics Engineering, Inc. • 4880 State Street • Oceanside, California 92052 • (760) 964-3300



MAP CERTIFICATION

I, the undersigned, being a duly qualified and licensed Professional Engineer, do hereby certify that the foregoing is a true and correct copy of the original map as filed in my office.

LEGEND

City Boundary
District Boundary
City of Keyes

Exhibit D – Plan for Providing Services

1. Service Territory. An enumeration and description of the services currently provided or to be extended to the affected territory.

Extension of water services to the two parcels outside the CSD boundaries

(APNs: 041-059-01 and 045-059-02), but within the SOI.

2. Service Level. The level and range of those services.

Per the signed Agreement for Cost Reimbursement Related to Annexation, Engineering and Feasibility Determination, the applicant agrees that water service provided by the district to the property will be the exclusive source of water conveyed through the user improvements. Upon connection to the district's water distribution system, the applicant also agrees that any individual water system previously providing water service to the Property will cease to exist, and that any other source of water, including existing wells, will be destroyed or permanently disconnected from the user Improvements.

3. Service Extension. An indication of when those services can feasible be extended to the affected territory, inf new services are proposed.

The CSD has indicated that the properties can be served by existing District service (see attached Will Serve Letter dated August 21, 2023). Once all development approvals are in place, including building permits with detailed utility plans, the property owner/applicant intends to move forward.

4. Service management. An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed. Per the Agreement for Cost Reimbursement Related to Annexation, Engineering and Feasibility Determination, the applicant shall submit to the District's General Manager the plans and specification s for any public improvements (i.e., all improvements concerning service connections to District mains and/or laterals) upon which construction is to be based and obtain the written approval of said plans and specifications from the District's General Manager.

5. Service Financing. Information with respect to how those services will be financed.

All cost related to the extension of uti9lities to serve the annexed properties will be the responsibility of the property owner who is the applicant for the proposed development project.

EXHIBIT D

Draft LAFCO Resolution No. 2025-12

This page intentionally left blank.

**STANISLAUS COUNTY LOCAL AGENCY
FORMATION COMMISSION**

RESOLUTION

DATE: August 27, 2025

NO. 2025-12

SUBJECT: LAFCO Application No. 2025-03 – Secured Space Change of Organization to Keyes Community Services District

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, the applicant has requested to annex acreage to the Keyes Community Services District located at 5024, 5028 and 5030 Rohde Road, between Esmar and Faith Home Roads in the Keyes area;

WHEREAS, the Keyes Community Services District has provided a “Will Serve Letter” stating that the District is willing to provide water service to the project site;

WHEREAS, the territory is considered uninhabited as it contains less than 12 registered voters;

WHEREAS, the territory is within the current sphere of influence of the Keyes Community Services District;

WHEREAS, the purpose of the proposal is to allow the subject territory to receive water services from the Keyes Community Services District;

WHEREAS, Stanislaus County, as Lead Agency, prepared and subsequently approved Mitigated Negative Declarations for the proposal in compliance with the California Environmental Quality Act (CEQA);

WHEREAS, in the form and manner provided by law pursuant to Government Code Sections 56153 and 56157, the Executive Officer has given notice of the public hearing by the Commission on this matter;

WHEREAS, the Commission has conducted a public hearing to consider the proposal on August 27, 2025, and notice of said hearing was given at the time and in the form and manner provided by law; and

WHEREAS, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer, which included determinations and factors set forth in Government Code Sections 56668 and 56668.3, and any testimony and evidence presented at the meeting held on August 27, 2025.

NOW, THEREFORE, BE IT RESOLVED that the Commission:

1. Certifies, in accordance with CEQA, as a Responsible Agency, that it has considered the Mitigated Negative Declarations prepared by Stanislaus County.
2. Determines that: (a) the subject territory is within the Keyes Community Services District's Sphere of Influence; (b) approval of the proposal is consistent with all applicable spheres of influence, overall Commission policies and local general plans; (c) there are less than twelve (12) registered voters within the territory and it is considered uninhabited; (d) all the owners of land within the subject territory have given their written consent to the annexation; (e) no subject agencies have submitted written protest to a waiver of protest proceedings; and (f) the proposal is in the interest of the landowners within the territory.
3. Approves the proposal subject to the following terms and conditions:
 - a. The applicant shall pay State Board of Equalization fees, pursuant to Government Code Section 54902.5.
 - b. The applicant agrees to defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding brought against any of them, the purpose of which is to attack, set aside, void or annul LAFCO's action on a proposal or any action relating to or arising out of such approval, and provide for the reimbursement or assumption of all legal costs in connection with that approval.
 - c. In accordance with Government Code Sections 56886(t) and 57330, the subject territory shall be subject to the levying and collection of all previously authorized charges, fees, assessments or taxes of the Keyes Community Services District.
 - d. The effective date of the change of organization shall be the date of recordation of the Certificate of Completion.
 - e. The application submitted has been processed as a change of organization consisting of annexation to the Keyes Community Services District.
4. Designates the proposal as the "Secured Space Change of Organization to the Keyes Community Services District".
5. Waives the protest proceedings pursuant to Government Code Section 56662(d) and orders the change of organization subject to the requirements of Government Code Section 57200 et. seq.

6. Authorizes and directs the Executive Officer to prepare and execute a Certificate of Completion in accordance with Government Code Section 57203, upon receipt of a map and legal description prepared pursuant to the requirements of the State Board of Equalization and accepted to form by the Executive Officer, subject to the specified terms and conditions.

DRAFT

ATTEST:

Sara Lytle-Pinhey
Executive Officer