

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
BOARD ACTION SUMMARY

DEPT: Public Works

BOARD AGENDA: 6.C.2
AGENDA DATE: January 12, 2021

SUBJECT:

Approval of a Resolution of Application for the Divestiture of Storm Drain Services, Transfer of Funds, and Detachment of Certain Territory from County Service Area No. 10 in Salida

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2021-0012

On motion of Supervisor Withrow ----- Seconded by Supervisor B. Condit -----
and approved by the following vote,
Ayes: Supervisors: B. Condit, Withrow, Grewal, C. Condit and Chairman Chiesa -----
Noes: Supervisors: None -----
Excused or Absent: Supervisors: None -----
Abstaining: Supervisor: None -----

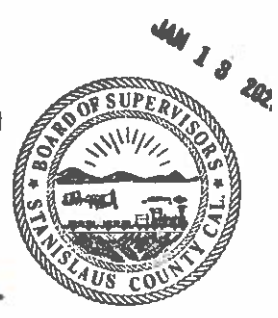
- 1) Approved as recommended
- 2) Denied
- 3) Approved as amended
- 4) Other:

MOTION:

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.
ELIZABETH A. KING
Clerk of the Board of Supervisors of the County of Stanislaus, State of California

ATTEST: Elizabeth A. King
ELIZABETH A. KING, Clerk of the Board of Supervisors

By Tatiana Gonzalez
File No. _____



**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Public Works

BOARD AGENDA:6.C.2
AGENDA DATE: January 12, 2021

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

SUBJECT:

Approval of a Resolution of Application for the Divestiture of Storm Drain Services, Transfer of Funds, and Detachment of Certain Territory from County Service Area No. 10 in Salida

STAFF RECOMMENDATION:

1. Approve a resolution of application to the Local Agency Formation Commission (LAFCO) pursuant to Government Code Sections 25217 and 56654 to commence proceedings for the following actions:
 - a. Divestiture of storm drain services from County Service Area No. 10 (CSA No. 10) and the simultaneous transfer of all systems and related infrastructure to County Service Area No. 4 (CSA No. 4).
 - b. Detachment of territory identified as Sub-Area 7 (Landmark Business Park) from CSA No. 10.
 - c. Transfer of all Public Works fund balance for the maintenance of storm drain services, systems, and related infrastructure from CSA No. 10 to CSA No. 4.
 - d. Transfer of 60.1% of CSA No. 10's administration fund to CSA No. 4.
2. Approve an amended Engineer's Report for CSA No.10 that includes changes to reflect the above recommendation.
3. Find the Engineers Report for CSA No. 4, previously submitted and approved August 11, 2020, supports these recommendations and does not need an amendment.
4. Authorize the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations.

DISCUSSION:

On August 11, 2020, the Board of Supervisors approved the initiation of proceedings for the annexation of the unincorporated community of Salida to County Service Area No. 4 (CSA No. 4) and adopted Resolution No. 2020-0415 authorizing an application to the Local Agency Formation Commission (LAFCO). A review of the annexation application by LAFCO staff resulted in the need to include additional actions related to an existing district in the area, County Service Area No. 10 (CSA No. 10), in order avoid a duplication of services.

In 1989, the County established CSA No. 4 to accommodate storm drain services for a subdivision located in the southern part of Salida. Following approval of multiple subdivisions that further expanded Salida, the County established CSA No. 10 in 1990. CSA No. 10 was originally approved to provide multiple extended governmental services, including storm drain services to these developing areas.

Following an evaluation of services that each County Service Area provides and various alternatives, County staff determined that the most equitable method of providing storm drain services to Salida area is to expand CSA No. 4 to include the entire community of Salida. The desired result is that CSA No. 4's responsibilities will be for storm drain services for the community of Salida, while CSA No. 10's responsibilities will then be limited to parks and streetscape services for those areas receiving benefits. The Board of Supervisors has initiated the first step of this process, approving a resolution of application for the annexation to CSA No. 4. The additional actions included in this request will ensure that the annexation to CSA No. 4 appropriately transfers service responsibilities from the existing CSA No. 10 and eliminates duplication of services in the Salida area.

One area of Salida, known as Sub-Area 7 (Landmark Business Park), is proposed to be detached from CSA No. 10. As identified in a map and legal description attached to this report, the Landmark Business Park area has only been receiving storm drain services within CSA No. 10. As the area does not require parks and streetscape services, it is appropriate that the territory detach from CSA No. 10 at the time of annexation to CSA No. 4.

The resolution of application prepared for LAFCO includes two requested terms and conditions. First, that as a result of the changes, CSA No. 10 will transfer fund balance for the maintenance of storm drain services, systems and related infrastructure to CSA No. 4. Additionally, CSA No. 10 will transfer 60.1% of its administration fund to CSA No. 4. Each of these is requested to occur simultaneously with the annexation to CSA No. 4 and will be subject to LAFCO's approval of the proposal.

Included with this report is an amended Engineer's Report for CSA No. 10 that has been modified to reflect the proposed divestiture of storm drain services and detachment of territory. The Engineer's Report for CSA No. 4 was submitted previously with the August 11, 2020 Board Item and is consistent with staff recommendations.

POLICY ISSUE:

State of California Government Code Section 25210 et. seq. authorizes the County's Board of Supervisors to be the governing body for CSAs within their county. A written Engineer's Report must be prepared containing a description of each parcel of real property receiving the particular extended service and the amount of the assessment for each parcel.

Pursuant to Government Code Section 56654 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the Board of Supervisors is authorized to initiate proceedings as applicant to LAFCO for annexation to CSA No. 4 and related actions to CSA No. 10.

FISCAL IMPACT:

There is no fiscal impact associated with this amendment. The project costs for the first year of operations and maintenance of \$247,940 was approved by the Board of Supervisors on August 11, 2020. The total proposed assessment for CSA 4 – Salida Storm Drain is \$168,327.

BOARD OF SUPERVISORS' PRIORITY:

The requested actions are consistent with the Board's priorities of *Delivering Efficient Public Services and Community Infrastructure* by ensuring adequate storm drainage services to the area.

STAFFING IMPACT:

Existing Public Works staff is overseeing this project.

CONTACT PERSON:

David A. Leamon, Director, Public Works

Telephone: 209-525-4151

ATTACHMENT(S):

1. Resolution for County Service Area No. 4 - Salida Storm Drain
2. Exhibit A7 - Legal Description for Sub Area 7 Landmark Business Park
3. Exhibit B7 - Boundary Map for Sub Area 7 Landmark Business Park
4. CSA - Annual Engineer's Reports FY 21-22 (Available from Clerk)

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

2021-0012

Date: January 12, 2021

On motion of Supervisor Withrow Seconded by Supervisor B. Condit
and approved by the following vote,
Ayes: Supervisors: B. Condit, Withrow, Grewal, C. Condit, and Chairman Chiesa
Noes: Supervisors: None
Excused or Absent: Supervisors: None
Abstaining: Supervisor: None

Item # 6.C.2

THE FOLLOWING RESOLUTION WAS ADOPTED:

**RESOLUTION OF APPLICATION FOR THE DIVESTITURE OF STORM DRAIN SERVICES,
TRANSFER OF FUNDS, AND DETACHMENT OF CERTAIN TERRITORY FROM COUNTY
SERVICE AREA NO. 10 IN SALIDA**

BE IT RESOLVED that the Board of Supervisors, of the County of Stanislaus, State of California, hereby finds and determines as follows:

WHEREAS, a proposal for the annexation of properties of the unincorporated area of Salida to County Service Area No. 4 - Bristol Glen (CSA No. 4) was approved by the Board of Supervisors on August 11, 2020 (Resolution No. 2020-0415); and

WHEREAS, in order to accomplish the intent of the proposal, the County of Stanislaus desires additional actions related to County Service Area No. 10 (CSA No. 10) in order to avoid a duplication of services as a result of the annexation; and

WHEREAS, the additional actions requested of the Stanislaus Local Agency Formation Commission (LAFCO) include divestiture of storm drain services from CSA No. 10 and detachment of territory known as Sub-Area 7 (Landmark Business Park) from CSA No. 10; and

WHEREAS, this request is being made pursuant to Government Code sections 56654 and 25217 and the actions are intended to occur simultaneously as a reorganization with the annexation to CSA No. 4, as requested by the Board of Supervisors' Resolution No. 2020-0415 ; and

WHEREAS, the proposal is consistent with the sphere of influence adopted for CSA No. 10; and

I hereby certify that the foregoing is a full,
true and correct copy of the Original entered
in the Minutes of the Board of Supervisors.

ELIZABETH A. KING

Clerk of the Board of Supervisors of the
County of Stanislaus, State of California

By Patricia M. King



WHEREAS, the proposed reorganization will include a simultaneous transfer of all CSA No. 10 Salida's storm drain services, systems, and related infrastructure to CSA No. 4; and

WHEREAS, the area to be detached known as Sub-Area 7 (Landmark Business Park) is more specifically described in the attached legal description and map; and

WHEREAS, this proposal includes the transfer of CSA No. 10's fund balance designated specifically for storm drain system maintenance and the transfer of 60.1% of CSA No. 10's administrative fund balance to CSA 4; and

WHEREAS, this proposal includes an Engineer's Report for CSA No. 10, satisfying the plan for service requirement pursuant to Section 56653; and

WHEREAS, the Board has reviewed the Engineer's Report for CSA No. 10 and approves the list of services to be provided.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby requests the Local Agency Formation Commission of Stanislaus County commence proceedings as authorized in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, for the following reorganization to occur simultaneously with annexation to County Service Area No. 4:

1. Divestiture of storm drain services from County Service Area No. 10 (CSA No. 10) and the simultaneous transfer of all systems and related infrastructure to County Service Area No. 4 (CSA No. 4).
2. Detachment of territory identified as Sub-Area 7 (Landmark Business Park) as described in attached legal description and map from CSA No. 10.
3. Transfer of all Public Works fund balance for the maintenance of storm drain services, systems, and related infrastructure from CSA No. 10 to CSA No. 4.
4. Transfer of 60.1% of CSA No. 10's administration fund to CSA No. 4.

ATTEST: **ELIZABETH A. KING, Clerk**
Stanislaus County Board of Supervisors,
State of California



Elizabeth A. King

File No.