

MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR THE:



COUNTY SERVICE AREAS WITHIN STANISLAUS COUNTY

Prepared By:

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

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STANISLAUS LOCAL AGENCY FORMATION COMMISSION

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Municipal Service Review and Sphere of Influence Updates For the County Service Areas within Stanislaus County

Introduction

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

The legislative authority for conducting Service Reviews 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..." A Service Review must have written determinations that address the following factors:

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
- Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.
- 4. Financial ability of agencies to provide services
- 5. Status of, and opportunities for, shared facilities
- 6. Accountability for community service needs, including governmental structure and operational efficiencies
- 7. Any other matter related to effective or efficient service delivery, as required by commission policy

State Guidelines and Commission policies encourage cooperation among a variety of stakeholders involved in the preparation of a Service Review. This Service Review will analyze the existing and future services for the County Service Areas (CSAs). The CSAs are located in various unincorporated areas within Stanislaus County. The Service Review will also provide a basis to evaluate, and make changes to the Spheres of Influence, if appropriate.

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 the Service Review 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 Service Review 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. The Sphere of Influence will delineate the service capability and expansion capacity of the agency, if applicable.

Service Review – County Service Areas

<u>Authority</u>

County Service Areas (CSAs) are dependent special districts, organized under Section 25210 et seq. of the Government Code, and may be established to provide a variety of extended services within a particular area.

Background

Special districts are local governments that are separate from cities and counties, yet provide public services such as fire protection, sewers, water, and street lighting. California has over 3,300 special districts, which provide over 30 different types of services. There are about 50 major types of special districts ranging from airports to fire protection to mosquito abatement to water conservation. Today, there are over 880 County Service Areas (CSAs) in California, and of that total, 21 CSAs are located within Stanislaus County.

<u>Purpose</u>

CSAs may be formed to provide governmental services and facilities within a specific area that the county is authorized to perform, and which the county does not also perform to the same extent on a countywide basis. These services and facilities may include, but are not limited to any of the following: extended police protection; fire protection; local park, recreation, or parkway facilities and services; water service; the collection, treatment, or disposal of sewage, wastewater, recycled water, and storm water; animal control; street and highway lighting; solid waste collection; ambulance service; funding for land use planning for part of the county; soil conservation and drainage control; services provided by a municipal advisory council; transportation services; geological hazard abatement; and road maintenance and improvement.

Governing Body

The governing body, which is established by law to administer the operation of a County Service Area (CSA), is the County Board of Supervisors. The original intent of the county service area law was to give an alternative method for providing governmental services by counties within unincorporated areas, many of which have had large population growth as well as commercial and industrial development since 1940.

Formation

At the time a County Service Area is established, the Board of Supervisors specifies the type or types of services to be provided within the area. An application for formation of a CSA is then forwarded to LAFCO for consideration. Only those residents who benefit from services provided by the CSA pay for the services received. The funds collected for the CSAs are maintained in the County Treasury. In Stanislaus County, the CSAs typically provide drainage control and park maintenance by providing the following:

- a. The control of storm and other drainage waters, including waters which arise outside the district and which flow or drain into or through the district;
- b. The protection from damage by storm or drainage waters of private property and of public highways and other public property within the district;

- c. The conservation of storm and drainage water;
- d. Continual maintenance of parks, park/basin public use areas, landscaping and equipment.

Location and Size

Currently, there are 21 CSAs in multiple areas throughout different unincorporated areas of the County, each serving a different community and varying in population.

Characteristics

Section 79505.5 of the California State Water Code defines a disadvantaged community as a community with an annual median household income (AMI) that is less that 80 percent of the statewide AMI. Of the 21 CSAs, five (5) are within a disadvantaged unincorporated community. They include: CSA No. 1 (Fairview Park), CSA No. 5 (Starlite Place), CSA No. 8 (Honey Bee Estates), CSA No. 9 (River Road / Souza) and CSA No. 26 (Keyes).

Boundaries and Sphere of Influence

With regards to the boundaries of a county service area, the following territory may be included:

- 1. Contiguous or noncontiguous territory; and
- 2. Unincorporated or incorporated territory (incorporated territory may be included only if the city legislative body consents by resolution).

When formed, the Sphere of Influence of a CSA is generally coterminous with its boundaries, as the boundaries of a CSA reflect the relationship to the planned land uses in the area and the need for the services to be provided.

The previous Service Review and Sphere of Influence Update (MSR/SOI) was adopted on February 24, 2016. Subsequently, the following applications have been approved providing a variety of services including maintenance of storm drain infrastructure, masonry walls, sidewalks, parks and streetscape:

- Palm Estates and Wenstrand Ranch Change of Organization to CSA 19 (Tuolumne-Gratton) – Annexation accommodating two infill residential subdivisions in Denair to CSA 19.
- BMW, KIA & Valley Lexus Change of Organization to CSA 20 (Summit Corporate Center) – Annexation to CSA 20 to serve two auto dealerships in an industrial subdivision.
- Keyes 19 North & South Reorganization to the Keyes Community Services District and CSA 26 (Keyes) – Annexation accommodating two infill residential subdivisions in Keyes to CSA 26.

- Fairway 7 Estates Change of Organization to CSA 18 (Atlas Park) Annexation accommodating an infill subdivision in Oakdale to CSA 18.
- Salida Storm Drain Reorganization to CSA 4 (Salida Storm Drain) Annexation of Salida Community to CSA 4.
- Norma Way Change of Organization to CSA 26 (Keyes) Annexation accommodating an infill residential subdivision in Keyes to CSA 26.
- Dissolution of CSA 2 (Airport District) and CSA 3 (Riverdale Park Tract) Dissolution of two CSAs no longer providing services.

CSA 15 (Patterson Gateway) was included in the previous MSR/SOI. However, the CSA will no longer be included/reported in LAFCO MSR/SOIs as it was annexed into the City of Patterson as a result of a reorganization effective February 8, 2005. As part of the reorganization, the City of Patterson acquired the authority and responsibility of administering CSA 15 services.

<u>Services</u>

County Service Areas (CSAs) are dependent special districts and are legally authorized to provide any one or more of a variety of extended services within each respective CSA's territory. The extended services provide by a CSA are only for the benefit of the facilities and property within the CSA. Typical services in Stanislaus County CSAs include storm drainage control, maintenance of parks and landscaping, streetscape, masonry walls and administration to operate the services. However, a CSA can include any type of service allowed

Funding Sources

County Service Areas receive revenue from property taxes and/or assessments as needed. With the passage of Proposition 13 in 1978, the amount of property taxes received by Special Districts was restricted. If the CSA was levying a tax rate and receiving ad valorem taxes prior to the passage of Proposition 13, they now receive a portion of the 1% levy determined by AB 8 tax allocation factors. For example, CSA No. 1 (Fairview Park) was formed prior to the passage of Proposition 13, and therefore is eligible to receive a portion of ad valorem property taxes. CSAs formed after Proposition 13 do not receive a portion of the 1% levy.

Alternatively, CSAs may be funded by direct assessments. Historically, direct assessments were authorized by the Board of Supervisors. However, in November 1996, California voters approved Proposition 218, which specifies that an increase or new assessment can only become effective through a ballot procedure approved by a simple majority.

The annual budget process for CSAs within Stanislaus County begins with the Public Works and Parks and Recreation Departments, which determine the estimated expenditures for a CSA based upon projected maintenance for the District(s).

The Auditor's-Controller's Office determines each CSAs estimated revenue based on projected revenue, which includes direct assessments and property taxes.

Inactive CSAs

Revenue for CSAs is derived from property taxes and/or assessments as needed. Presently, there is one CSA that is not receiving revenues and is not providing services. CSA No. 14 (United Pallet) was approved in 1993 to provide storm drainage service. The CSA has remained inactive since its formation with a \$0 assessment for all parcels within the CSA. The Stanislaus County Department of Public Works currently owns the property where the drainage basin is located. The Department is currently holding discussions to determine if the CSA should be dissolved or activated.

Summary of CSAs

The table on pages 7 and 8 summarizes each of the County Service Areas (CSAs) and includes the following information: CSA name and area, types of services provided, acreage, and date of formation.

COUNTY SERVICE AREA (CSA) SUMMARY TABLE

CSA No.	Name (Area)	<u>Authorized Powers</u> (Services Provided)	Acres	Date Formed	Status
1	Fairview Park (Modesto)	Local park, recreation or parkway facilities and services	87	1970	active
4	Salida Storm Drain (Salida)	Storm drainage	1,522	10/23/1989	active
5	Starlite Place (Keyes)	Storm drainage	39	3/14/1990	active
7	Modesto Auto Center (Modesto)	Storm drainage	11	7/12/1990	active
8	Honey Bee Estates (Empire)	Storm drainage	5	10/12/1990	active
9	River Road/Souza (Ceres)	Storm drainage	17	12/17/1990	active
10	Salida (Salida)	Park services; streetscape & landscaping	687	11/08/1990	active
11	Gilbert Road (Oakdale)	Storm drainage	37	4/3/1991	active
12	Peach Blossom Estates (Riverbank)	Storm drainage	40	11/8/1991	active
14	United Pallet (Modesto)	Storm drainage	53	1/12/1993	inactive
16	Olive Ranch (Oakdale)	Storm drainage	17	10/30/2000	active
18	Atlas Park (Oakdale)	Storm drainage and park maintenance	18	12/10/2002	active
19	Tuolumne-Gratton (Denair)	Storm drainage and park maintenance	107	1/6/2003	active
20	Summit Corporate Center (Modesto)	Storm drainage	60	1/29/2003	active
21	Riopel (Denair)	Storm drainage and landscape maintenance	17	12/23/2005	active
22	Old School North (Denair)	Storm drainage and park maintenance	3	12/1/2004	active
23	Hillsborough/Schutz (Oakdale)	Storm drain system maintenance, including maintenance of a river outfall facility	52	11/30/2006	active
24	Hideaway Terrace (Denair)	Storm drainage and landscape maintenance	5	9/26/2006	active
25	Suncrest II (Denair)	Storm drainage and landscape maintenance	4	11/30/2006	active

26	Keyes*	Storm drain, park and landscape maintenance for areas w/in the Keyes Storm Drain Project	369	10/24/2008	active
27	Empire (Phase 1)	Storm drain maintenance w/in Phase 1 of the Empire Storm Drain Project	44	4/27/2010	active

NOTES:

* CSA No. 6 – Raymond Tract, CSA No. 13 – La Jolla, and CSA No. 17 - Sunray Estates were dissolved upon the formation of CSA No. 26 – Keyes.

Service Review Determinations:

The following provides an analysis of the seven categories or components required by Section 56430 for a Service Review for the all County Service Areas (CSAs) reviewed:

1. Growth and Population Projections for the Affected Area

Each CSA was created to support a specific community. There have been amendments made to the spheres of influence for several CSAs increasing their service areas. Most changes that have occurred since the previous MSR/SOI have been infill development in existing communities. Although there has been some growth, future population growth and population projections for the areas served by CSAs will likely be small.

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

Of the 21 CSAs, five (5) are within a disadvantaged unincorporated community based on annual median household income. They include: CSA No. 1 (Fairview Park), within the City of Modesto Sphere of Influence (SOI); CSA No. 5 (Starlite Place) and CSA No. 26 (Keyes) in the Keyes area; CSA No. 8 (Honey Bee Estates) in the Empire area, and CSA No. 9 (River Road / Souza) within the City of Ceres SOI.

3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including 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.

Each active CSA is reviewed annually through an Engineer's Report conducted by the Stanislaus County Department of Public Works. The most recent report did not identify any unmet infrastructure needs to deficiencies. At the present time, each of the active CSAs has the ability and the capacity to serve the existing service areas.

Stanislaus County CSAs do not provide sewer, municipal water, and fire protection services. These services are provided through other special districts throughout the County or by way of private systems.

4. Financial Ability of Agencies to Provide Services

The active CSAs receive funding from special benefit assessments and/or a share of the ad valorem property tax. The rates established are based upon the costs to provide the extended services and maintenance and are reviewed annually through the Engineer's Report.

Proposition 218 was approved in 1996 which requires an assessment ballot procedure before a new or increased assessment may be levied. After Proposition 218 was approved, many CSAs adopted an assessment formula that allows either increases or decreases to manage the assessment efficiently. CSAs formed prior to Proposition 218 were formed under the original assessment methodology of a fixed amount, per parcel basis. The restrictions on assessments of the older CSAs has created obstacles for the County in receiving adequate revenue for these CSAs.

5. Status of, and Opportunities for, Shared Facilities

No opportunities for shared facilities have been identified. There is no known overlapping or duplication of services within the Districts' boundaries.

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

The County Service Areas are governed by the Board of Supervisors. Adoption of Annual Engineer's Reports is carried out during a public hearing, allowing opportunity for public input.

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

Currently, the County is not collecting assessments for or providing services to CSA No. 14 (United Pallet). The County anticipates collecting assessments in the future for the CSA if and when the storm drain system becomes County maintained.

Sphere of Influence Update for the County Service Areas

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

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

This document proposes no changes to the CSA's existing Spheres of Influence; rather, it serves to reaffirm the existing SOI boundaries. As part of this process, Staff researched the history of the establishment of the Districts' SOIs. The sphere and boundary maps have since been converted to electronic format and are attached to this document. The following determinations for the County Service Areas within Stanislaus County SOI update and are made in conformance with Government Code §56425 and Commission policy.

Determinations:

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

The CSAs generally serve areas that are unincorporated and residential. A number are located within the SOI of Modesto and in areas in and around Salida, Keyes, Denair, Oakdale and Ceres. CSAs that serve commercial and industrial uses are located north of Modesto.

The County retains the responsibilities for land use decisions within each of the CSA boundaries.

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

When development is approved in an unincorporated area within the County, the County requires the formation of a CSA to provide extended services necessary to serve the land uses within the development boundaries. Only those residents who benefit from services provided by the CSA pay for them, which are funded through an assessment levied on all parcels within the CSA boundaries. The present and probable need for services within the current County Service Areas is not expected to change.

3. The present capacity of public facilities and adequacy of public services that the agency provides, or is authorized to provide.

The CSAs were formed to provide a specific level of service within their boundaries. There is also no expected change to the present capacity or adequacy of the public services currently provided by the CSAs.

4. The existence of any social or economic communities of interest in the area if the Commission determines they are relevant.

Seven CSAs are located within a city Sphere of Influence (SOI). CSAs located within the City of Modesto SOI include: CSA No. 1 (Fairview Park), CSA No. 7 (Modesto Auto Center), CSA No. 8 (Honey Bee Estates), CSA No. 20 (Summit Corporate Center), and CSA No. 27 (Empire -Phase 1). CSA No. 11 (Gilbert Road) is located within the City of Oakdale SOI and CSA No. 9 (River Road/Souza) is located within the City of Ceres SOI. These CSAs provide storm water drainage services and maintenance for area parks. There is opportunity for these CSAs to eventually be annexed into their respective cities due to their location within the City SOIs.

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.

Of the 21 CSAs, five (5) are within a disadvantaged unincorporated community based on annual median household income. They include: CSA No. 1 (Fairview Park), within the City of Modesto Sphere of Influence (SOI); CSA No. 5 (Starlite Place) and CSA No. 26 (Keyes) in the Keyes area; CSA No. 8 (Honey Bee Estates) in the Empire area, and CSA No. 9 (River Road / Souza) within the City of Ceres SOI.

County CSAs do not provide sewer, municipal water, and fire protection services. These services are provided through other special districts throughout the County or by way of private systems.



= CSA No. 1 Boundary (86.5+/- acres) 🛹 = Sphere of Influence (coterminous)

Formation: 1970 Services Provided: Local park, recreation, or parkway facilities and services





Source: LAFCO Files, County GIS, July, 2021





Formation: July 12, 1990 Services Provided: Storm drainage

County Service Area (CSA) No. 8 "Honey Bee Estates"



= CSA No. 8 Boundary (5.08+/-ac)

Formation: October 12, 1990 Services Provided: Storm drainage = Sphere of Influence (coterminous)





Services Provided: Storm drainage

Source: LAFCO Files, County GIS, July, 2021



Source: LAFCO Files, County GIS, July, 2021



E CSA No. 11 Boundary (36.86+/-ac) = Sphere of Influence (coterminous) Formation: April 3, 1991 Services Provided: Storm drainage



= CSA No. 12 Boundary (40.31+/-ac) = Sphere of Influence (coterminous) Formation: November 8, 1991 Services Provided: Storm drainage



County Service Area (CSA) No. 14 "United Pallet"



CSA No. 14 Boundary (53.25+/-ac) = Sphere of Influence (coterminous)
Formation: January 12, 1993 (Currently inactive)
Services Provided: Storm drainage



Source: LAFCO Files, County GIS, July, 2021





= CSA No. 19 Boundary (89.42+/-ac) = Sphere of Influence (coterminous) Formation: January 6, 2003 Services Provided: Storm drainage and park maintenance



= CSA No. 20 Boundary (44.50+/-ac) = Sphere of Influence (coterminous) Formation: January 29, 2003 Services Provided: Storm drainage



Services Provided: Storm drainage and landscape maintenance





= CSA No. 23 Boundary (52.44+/-ac) 🛹 = Sphere of Influence (coterminous)

Formation: November 30, 2006 Services Provided: Storm drain system maintenance, including maintenance of river outfall facility





Source: LAFCO Files, County GIS, July, 2021



= CSA No. 25 Boundary (4.37+/-ac) = Sphere of Influence (coterminous) Formation: November 30, 2006 Services Provided: Storm drainage and landscape maintenance



= CSA No. 26 Boundary (362+/-ac)

Sphere of Influence (coterminous)

Formation: October 24, 2008 Services Provided: Storm drainage, park and landscape maintenance for areas within the Keyes Storm Drain Project



Note: The formation of CSA No. 26 in 2008 included the dissolution of CSAs No. 6 (Raymond Tract), CSA No. 13 (La Jolla), and CSA No. 17 (Sunray Estates).



■ = CSA No. 27 Boundary (44.52+/-ac) = Sphere of Influence (coterminous) Formation: April 27, 2010 Services Provided: Storm drainage maintenance, street sweeping

APPENDIX "B"

REFERENCES

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- 4. Senate Local Government Committee, Special District Fact Sheet, September 2016.
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- 6. Stanislaus County Department of Public Works. *Annual Engineer's Report Fiscal Year* 2021-2022 for County Service Area Nos. 4 through 27. Approved July 27, 2021.
- 7. Stanislaus LAFCO. *Municipal Service Review and Sphere of Influence Update*, Adopted February 24, 2016.
- 8. United States Census Bureau website (<u>www.census.gov</u>)

INDIVIDUALS AND AGENCIES CONTACTED

1. Elena Locarnini, Stanislaus County Public Works Department.