

# STANISLAUS LAFCO

Stanislaus Local Agency Formation Commission

1010 – 10th Street, 3<sup>rd</sup> Floor ♦ Modesto, CA 95354

(209) 525-7660 ♦ FAX (209) 525-7643

[www.stanislauslafco.org](http://www.stanislauslafco.org)

## FILING REQUIREMENTS FOR SUBMITTING APPLICATIONS FOR ACTIVATION OF LATENT POWERS

This checklist is provided as a guide for the preparation of a complete Activation of Latent Powers application packet to LAFCO. **You are required to consult with LAFCO staff prior to the submittal of the packet and copying the completed Activation of Latent Powers application.** If you have any questions regarding your proposal or preparation of your application packet, please contact the LAFCO staff at (209) 525-7660.

- \_\_\_ 1. Completed application for Activation of Latent Powers with **original signatures** and required attachments.
- \_\_\_ 2. Filing fee (deposit) payable to Stanislaus LAFCO. (See [Schedule of Fees and Deposits.](#))
- \_\_\_ 3. One (1) Vicinity map showing the district's geographical location.
- \_\_\_ 4. A Certified Resolution of Application from the subject district.
- \_\_\_ 5. Environmental Documentation (e.g., Initial Study, Notice of Determination, Notice of Exemption, Environmental Impact Report, etc.) and copies of receipts from any filing fees paid (including Fish and Wildlife fees).
- \_\_\_ 6. A three-year operating budget containing details concerning staffing, benefits, services and supplies, fixed assets, contingency reserves, etc.
- \_\_\_ 7. A Capital Improvement Program budget for proposed capital projects required to implement the new service(s). (If the service to be provided is water, evidence and documentation of availability and sufficiency of water supplies to serve the subject area is required.
- \_\_\_ 8. Two (2) sets of mailing labels for property owners and registered voters within the boundaries of the proposal and one (1) set of labels for property owners and registered voters within a 300ft radius, outside the proposal area (provide a map showing this area).

*Additional information may be requested during staff's review of the proposal.*

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## ACTIVATION OF LATENT POWERS APPLICATION

The information in this application is used by LAFCO staff to evaluate requests for activation of latent powers to provide new or additional service(s). Please respond to all items in this form an indicated "NA", when an item does NOT apply.

Application is hereby made to authorize the: \_\_\_\_\_  
(Name of District)

to provide this new or additional service(s): \_\_\_\_\_  
(Type of Service)

\_\_\_\_\_  
(Type of Service continued)

### APPLICANT:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_

### PERSONS REQUESTING TO BE NOTIFIED:

If more than two names, please provide the names and information on a separate page.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_

### DESCRIPTION/JUSTIFICATION

1. Describe the new service that is being proposed, and discuss why the district should be authorized to provide the requested service at this time.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Indicate if the proposed new service would be provided throughout the district or be restricted to a particular area or areas. Please submit a map of the area(s) specified to receive service, if other than the entire district.

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3. Currently what service(s) is/are being provided by the district? How many acres are currently included within the district?

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4. When was the district formed and under what principal act? What service(s) did the district originally provide?

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5. Explain the potential for the proposed new service to be extended into adjacent territory, and the likelihood that the service will be extended in the future.

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6. Provide the level and range of proposed services and when those services can feasibly be extended to the affected territory.

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7. Provide a description of any improvement or upgrading of structures, roads, sewer or water facilities, or any additional improvements that will be required in order to provide services.

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8. Identify existing service providers and discuss all changes in providers, services, agreements etc. needed to accommodate the proposal. Any potential conflicts with existing agreements?

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9. If the service to be provided is water, evidence and documentation of availability and sufficiency of water supplies to serve the subject area is required.

**LAND USE INFORMATION**

1. How many acres or square miles of territory would receive the proposed new service?

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2. How many residents would receive the new service? \_\_\_\_\_  
How many of these are registered voters? \_\_\_\_\_

*(This information can be obtained from the Stanislaus County Elections Office along with the mailing address information – See Checklist Item #8.)*

3. List any adjacent or overlapping agency that is either currently providing the service requested by this proposal, or is authorized to provide that service.  


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4. Describe the current prevalent land uses in the area and the predominant General Plan designations within the district.  


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5. Is any change in land use anticipated as a result of this proposal? What other land uses or new development might occur?  


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6. Describe the topography of the area as well as the district's geographic location in relation to cities, communities, freeways/highways, or major topographical features.  


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**FISCAL INFORMATION**

For the questions in this section, please submit answers on additional pages and attach to this form.

1. Explain how the new service, if authorized, would be financed?
2. Indicate the approximate total cost of the new service as well as the anticipated cost to district residents.
3. If improvement districts or tax zones are proposed to be formed, explain the rationale used to determine the boundaries and associated benefit fees, taxes, or assessments.

**ENVIRONMENTAL ANALYSIS**

A. Lead Agency for project: \_\_\_\_\_

B. The project:

- Is exempt pursuant to CEQA section \_\_\_\_\_ and a Notice of Exemption has been prepared by the lead agency (please attach).
- Will have no significant adverse environmental impacts and a Negative Declaration was prepared. (Please attach Notice of Determination.)
- Was found to be within the scope of a Master Environmental Impact Report (EIR) pursuant to CEQA Guidelines Section 21157.1. (Please attach Notice of Determination.)

May have significant adverse environmental impacts and in accordance with Section 15070 of the CEQA Guidelines, a Mitigated Negative Declaration (MND) has been certified by the lead agency. (Please attach Notice of Determination.)

List impact areas in the MND that propose mitigation measures to lessen the environmental impacts to less than significant: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Will have significant adverse environmental impacts and the lead agency has prepared an Environmental Impact Report (EIR). (Please attach.)

List impact areas that were found to be unmitigatable in the EIR: (Attach any Statement of Overriding Considerations, as applicable) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CERTIFICATION**

I certify, under penalty of perjury, under the laws of the State of California, that the information contained in this application is true and correct. I acknowledge and agree that the Stanislaus Local Agency Formation Commission is relying on the accuracy of the information provided and my representations in order to process this application proposal.

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

- City or District Applicant
- Property Owner Applicant
- Applicant's Representative/Agent (Proof of authority must be provided)

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## 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.

Date: \_\_\_\_\_

APPLICANT OR APPLICANT'S REPRESENTATIVE:

(Proof of authority must be provided)

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Agency: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

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## COMPLIANCE WITH POLITICAL EXPENDITURE AND CONTRIBUTION DISCLOSURE REQUIREMENTS

Effective January 1, 2008: Pursuant to Government Code Sections 56700.1 and 57009 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, and 82015 and 82025 of the Political Reform Act, applicants for LAFCO approvals and those opposing such proposals are required to report to LAFCO all political contributions and expenditures with respect to the proposal that exceed \$1,000. By your signature to this application, you are binding the applicant to abide by these disclosure requirements. You are further agreeing that should LAFCO be required to enforce these requirements against you (or if the agency is the formal applicant, the real party in interest) that you will reimburse LAFCO for all staff cost and legal fees, and litigation expenses incurred in that enforcement process.

Date: \_\_\_\_\_

APPLICANT OR APPLICANT'S REPRESENTATIVE:  
(Proof of authority must be provided)

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Agency: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_