

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

DEPT: Public Works *MM*

BOARD AGENDA # \*C-2

Urgent  Routine

AGENDA DATE April 15, 2008

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Adopt the Results of the Ballot Procedure, for the Formation of CSA No. 26 - Keyes and Dissolution of CSA No. 6 - Raymond Tract, CSA No. 13 - La Jolla, and CSA No. 17 - Sunray Estates, and Levy the Annual Assessment in Compliance with Proposition 218 and Initiate Proceedings for the Same and Other Related Actions

STAFF RECOMMENDATIONS:

1. Adopt the results of the ballot procedure (Support votes: 208.54 Protest votes: 140.89; Incomplete ballot votes: 12.36) for the formation of CSA No. 26 - Keyes and dissolution of CSA No. 6 - Raymond Tract CSA No. 13 - La Jolla, and CSA No. 17 - Sunray Estates in compliance with Proposition 218.
2. Effective July 1, 2009, form CSA No. 26 - Keyes and confirm the boundary of the district as being those described on Exhibits "A" and "B", which are made a part thereof and dissolve CSA No. 6 - Raymond Tract, CSA No. 13 - La Jolla, and CSA No. 17 - Sunray Estates.

(Continued on Page 2)

FISCAL IMPACT:

The cost associated with the formation and dissolution of the above-mentioned districts, will be borne by the funds currently available within the existing districts, previously addressed and approved by the Board of Supervisors on February 12, 2008. Since the ballot procedure was successful, effective July 1, 2009, County Service Area (CSA) No. 26 will fund the maintenance for the filtration unit, the storm drain lines and pumps, and the expansion of the landscaped dual use storm drain retention basins/parks, which comprise the Keyes Storm Drain Infrastructure Project.

BOARD ACTION AS FOLLOWS:

No. 2008-263

On motion of Supervisor Monteith, Seconded by Supervisor DeMartini  
and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, DeMartini, and Chairman Mayfield

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION:

*Christine Ferraro*

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

CSA-6-12  
CSA-13-10  
CSA-17-4  
File No. CSA-26-2

Approval to Adopt the Results of the Ballot Procedure, for the Formation of CSA No. 26 - Keyes and Dissolution of CSA No. 6 - Raymond Tract, CSA No. 13 - La Jolla, and CSA No. 17 - Sunray Estates, and Levy the Annual Assessment in Compliance with Proposition 218 and Initiate Proceedings for the Same and Other Related Actions

3. Authorize the institution of the proceedings for the formation of CSA No. 26 Keyes and dissolution of CSA No. 6 - Raymond Tract CSA No. 13 - La Jolla, and CSA No. 17 - Sunray Estates in compliance with Proposition 218.
4. Conditioned upon approval of Stanislaus Local Agency Formation Commission (LAFCO), authorize the Auditor-Controller to levy the Fiscal Year 2009-2010 annual assessment for CSA No. 26 based upon the engineer's report as approved by property owners within the district.
5. Recommend that the Stanislaus LAFCO waive fees associated with conducting authority proceedings.

#### **DISCUSSION:**

Proposition 218 requires that certain assessments and increases of those assessments be approved by property owners through a ballot procedure. As part of this procedure, the Board of Supervisors held a public hearing on April 8, 2008 to consider the formation of County Service Area (CSA) No. 26 - Keyes and dissolution of CSA No. 6 - Raymond Tract, CSA No. 13 - La Jolla, and CSA No. 17 - Sunray Estates, at which time property owners could present all objections or protests, if any. Only one resident from the town of Keyes spoke in favor of the assessment and no one spoke in opposition to the assessment at the public hearing.

The ballot result is that there was not a majority of protest votes received. Therefore, a majority protest is not filed with this ballot procedure. This means the property owners support the proposed formation and dissolution of said districts and the annual assessments.

The annual assessment is proportional to the special benefit derived by each identified parcel in relationship to all of the cost of the services being provided by CSA No. 26 - Keyes as described within the Engineer's Report. In summary, the assessment per developed residential parcel is established at \$159.58. Furthermore, the budget for CSA No. 26 - Keyes that includes park and streetscape maintenance, storm drain system maintenance, storm water pollution prevention and administration is \$175,082. The approved assessment will be effective July 1, 2009. The Keyes Storm Drain Infrastructure Project is expected to be completed during Fiscal Year 2009-2010 and the assessment will provide funding for the maintenance and operation of the filtration unit, the storm drain lines and pumps, and the expansion of the landscaped dual use storm drain retention basins/parks and additional level of service for their parks.

Next, is the institution of the proceedings for the formation of CSA No. 26 - Keyes and dissolution of CSA No. 6 - Raymond Tract, CSA No. 13 - La Jolla, and CSA No. 17 - Sunray Estates, through LAFCO's application process.

Currently, the Department of Public Works is finalizing the constructability engineering review of the plans and specifications, construction documents, and will be brought to the Board for its adoption in early May and set the bid opening date in June of 2008. The construction is estimated to be completed eighteen months after award of the construction contract.

Approval to Adopt the Results of the Ballot Procedure, for the Formation of CSA No. 26 - Keyes and Dissolution of CSA No. 6 - Raymond Tract, CSA No. 13 - La Jolla, and CSA No. 17 - Sunray Estates, and Levy the Annual Assessment in Compliance with Proposition 218 and Initiate Proceedings for the Same and Other Related Actions

**POLICY ISSUES:**

The Board should determine if this action is consistent with the Board's priorities for providing a safe community, a healthy community and a well-planned infrastructure system.

**STAFFING IMPACT:**

There is no additional staffing impact associated with this item.

**ATTACHMENTS AVAILABLE  
FROM YOUR CLERK**

DG/CTV/RM/TEB:lc

H:\SERVICES\CSA 26 - Keyes\Keyes Formation\Mtg 4 - Adopt Results\CSA No. 26 Approve Results- 4.11.08 FINAL.doc



April 8, 2008

MEMO TO: Thomas W. Mayfield, Chairman

FROM: Christine Ferraro Tallman, Clerk of the Board

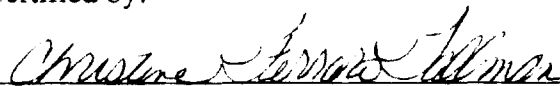
RE: **FORMATION OF COUNTY SERVICE AREA NO. 26 – KEYES  
AND DISSOLUTION OF CSA NO. 6 – RAYMOND TRACT, CSA  
NO. 13 – LA JOLLA, AND CSA NO. 17 – SUNRAY ESTATES**

We have completed our count of the Formation of County Service Area No. 26 – Keyes and Dissolution of CSA No. 6 – Raymond Tract, CSA No. 13 – La Jolla, and CSA No. 17 – Sunray Estates Proposition 218 ballot procedure. On April 15, 2008, the results will be presented to the Board of Supervisors. These votes have been counted and verified by staff.

We present the results from the ballot process for your certification.

	Ballots	Weighted Vote
Ballots cast in support of the formation	173	208.54
Votes cast in protest of the formation	118	140.89
Incomplete ballots	12	12.36
<b>Total Ballots Received</b>	<b>303</b>	<b>361.79</b>

Certified by:

  
Clerk of the Board of Supervisors

4/8/08  
Date



**DEPARTMENT OF PUBLIC WORKS**

**Matt Machado, PE**  
Director

1010 10th Street, Suite 3500, Modesto, CA 95354  
Phone: 209.525.6550

## **COUNTY SERVICE AREA NO. 26 - KEYES**

### **ENGINEER'S REPORT**

**Prepared by:**

**STANISLAUS COUNTY  
DEPARTMENT OF PUBLIC WORKS**

**February 5, 2008**

**Effective Date of CSA No. 26 – Keyes**

**Formation**

**July 1, 2009**

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***A. Introduction***

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**Formation of CSA No. 26 – Keyes Scheduled for July 1, 2009**

The formation of CSA No. 26 – Keyes is discussed in Section II of this engineer’s report. However, Public Works would like to note up front in this report that the formation of CSA No. 26 - Keyes would not occur until July 1, 2009, due to the construction schedule for the Keyes Storm Drain Project running from the spring of this year on into the year 2009. While a Proposition 218 ballot procedure and election needs to be held this spring of 2008 to determine if CSA No. 26 will be created, the actual formation will not be needed until the budget year 2009/2010 (July 1, 2009 to June 30, 2010).

**Community of Keyes**

The unincorporated community of Keyes lies along the east side of California State Highway 99 between the City of Ceres and the City of Turlock, very near the geographic center of Stanislaus County. With the development of irrigation systems fed from the Sierra Nevada mountains to the east in the early part of the 20<sup>th</sup> century, the San Joaquin Valley area in the vicinity of modern day Keyes experienced a substantial increase in agriculture production. The need to ship this produce brought the establishment of a train station along the Southern Pacific railroad line in August of 1914. Subsequently, a small community began to develop around the railroad station, and has since grown to include 628 residential parcels, 40 developed and undeveloped commercial parcels, 1 community park (Hatch Park), 2 small storm drain basins, 1 rural/agricultural property, 1 public school parcel, 1 industrial parcel, and 1 undeveloped residential parcel. The 2000 United States Census reported the population of Keyes to be 4,575, and the median household income to be \$31,734.

To provide services that normally would be provided by an incorporated city, the following districts and council were set up:

- The Keyes Community Services District (KCSD) was established June 20, 1955, to provide the municipal services of water supply, sewer, and street lighting.
- The Keyes Fire Protection District (KFPD) was established July 5, 1960, to provide fire protection and emergency services to the greater Keyes area.
- The Keyes Municipal Advisory Council was established March 12, 1991 to advise the Stanislaus County Board of Supervisors on such matters which relate to the Keyes area, as may be designated by the Board, concerning services which are or may be provided by the County or other governmental agencies.

The Keyes community now includes the following tracts, subdivisions, and districts:

- Warda Tract
- Texera Tract
- Town of Keyes
- Subdivision No. 1, Town of Keyes
- Town of Keyes, Commercial District
- Keyes North Subdivision

Three additional areas exist in the greater Keyes area, which have been set up as County Service Areas (CSAs) to provide storm drain systems and landscape maintenance services in these areas. The three areas consist of:

CSA No. 6 – Raymond Tract

County Service Area No. 6 was established in May, 1990, to provide extended storm drainage to the Raymond Tract subdivision, which is located in the southeast corner of the general area of Keyes. There are 44 parcels within CSA No. 6, and each parcel receives equal benefit from the extended storm drainage. One of the parcels is a storm drain basin. Water collected in the subdivision from curbside catch basins is piped to a single storm water detention basin. The water is unfiltered and reaches the detention basin carrying any pollutants picked up from the drainage area of the subdivision. The water collected there percolates into the ground over a period of time.

CSA No. 13 – La Jolla

County Service Area No. 13 was established in November, 1991, to provide extended storm drainage to the La Jolla subdivision, located in the north central portion of the general area of Keyes. There are 28 parcels within CSA No. 13, and each parcel receives equal benefit from the extended storm drainage. One of the parcels is a storm drain basin. Water collected in the subdivision from curbside catch basins is piped to a single storm water detention basin. The water is unfiltered and reaches the detention basin carrying any pollutants picked up from the drainage area of the subdivision. The water collected there percolates into the ground over a period of time.

CSA No. 17 – Sunray Estates

County Service Area No. 17 was established in January, 2003, to provide extended maintenance services for the storm drain system, streetscape along Washington Road, park, and landscaped storm drain retention basin within the Bonita Ranch Subdivision (formerly known as Sunray Estates Subdivision), located in the northeast and eastern portion of the general area of Keyes. There are 281 parcels within CSA No.17 consisting of: 278 residential lots, a park, 2 storm drainage basin parcels, 1 public landscape lot, and 2 remainders that will be developed with later phases. Water collected in the subdivision from curbside catch basins is piped to a single storm water detention basin. The water is unfiltered and reaches the retention basin carrying any pollutants picked up from the drainage area of the subdivision. The water collected there is retained until being pumped via an outfall pipe to Turlock Irrigation District (TID) Lateral Canal No. 2 1/2. An agreement with TID allows for pumping of storm water from the retention basin into the canal at a specified discharge rate and only when the irrigation district water in the canal is low enough to accommodate the storm water discharge into the canal.

The word “parcel,” for the purposes of this Report, refers to an individual property assigned its own Assessor’s Parcel Number by the Stanislaus County Assessor’s Office. The Stanislaus County Auditor/Controller uses Assessor’s Parcel Numbers and specific Fund Numbers, to identify on the tax roll, properties assessed for special district benefit assessments.

**Keyes Redevelopment Project for Storm Drain System**

While the three County Service Areas (CSAs) have provided storm drain system services to those areas of the greater Keyes community that are part of the CSAs, the downtown Keyes area has not had storm drain services.



To provide storm drain services for the greater Keyes area, including the downtown and commercial areas of Keyes, other than the three County Service Areas that are located in the Keyes area, the Keyes Community Services District (KCSD) has requested to partner with the Stanislaus County Redevelopment Agency (the Agency) on a storm drain project for the community of Keyes to complete district infrastructure projects within the KCSD service area.

To facilitate this project, a Memorandum of Understanding between the Keyes Community Services District and the Redevelopment Agency regarding the relocation of sanitary sewer and water lines as part of the Agency's Keyes Improvement Project was approved by the Stanislaus County Board of Supervisors on June 26, 2007. The Keyes Community Services District has requested the Agency to expand the scope of work of the Keyes Storm Drain Project to include relocating certain sanitary sewer and water lines to improve the service of the area.

The Agency identified the Keyes Storm Drain Project for construction in its 2005 – 2009 Implementation Plan. Steps to fund both the design and construction of the project were completed in FY 2005/2006. The overall project is being delivered under a two-phased construction approach. Phase One is currently finished and consisted of the installation of a Continuous Deflective Separator (CDS) Storm Water Treatment Unit (SWTU), in accordance with the California Environmental Protection Agency, State Water Resources Control Board (SWRCB). Phase Two will consist of excavating a new storm water detention basin, making improvements to the existing detention basin, including a pumping station, constructing a storm drain collection system, and installing full width street improvements with curb and gutters. The project will involve installation or improvement of more than six miles of street and pipelines in Keyes. Phase Two is scheduled for construction in the spring and summer, beginning in May of 2008.

### ***B. Effect of Proposition 218***

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On November 5, 1996, California voters approved Proposition 218 which added Articles XIIC and XIID to the California Constitution and which adds substantive and procedural requirements to assessments which affect CSA No. 26 assessments.

Proposition 218 requires a ballot procedure and a simple majority approval of any proposed increase in assessments by the property owners within the special district.

## ***II***

## ***DESCRIPTION OF CSA NO. 26 - KEYES***

In order to provide for funding for maintenance of the storm drain system being installed by the Keyes Storm Drain Project, the formation of County Service Area (CSA) No. 26 – Keyes, (hereinafter called “CSA”) has been proposed. In addition to the Town of Keyes area being installed with the storm drain system, all three existing CSAs in the Keyes area will be connected to the system. Two CSAs, CSA No. 6 – Raymond Tract and CSA No. 13 – La Jolla will have their storm drain lines connected to the new system and the storm water will no longer flow into the small storm drain basins located in each of those CSAs. As a result, neither of these storm drain basins would continue to be used for detention of storm water.

The CSA No. 13 – La Jolla storm drain basin parcel would be offered for re-conveyance back to the original developer, per requirement stated in the recorded subdivision map and to meet the requirement of California State Government Code Section 66477.5 that property recorded on or after January 1, 1990 and dedicated for a specific public use must be offered back to the original developer if the property is no longer used for the public purpose for which the property was originally dedicated. The CSA No. 6 – Raymond Tract storm drain basin does not fall under either of the provisions stated above that apply to the storm drain basin in CSA No. 13 – La Jolla, that is, it would not be offered for re-conveyance to the original developer, so it could possibly be converted for use as a park or sold for use as a residential parcel.

Another storm drain basin is located in the North Keyes subdivision, located in north Keyes, but is not currently located in a county service area. The storm drain system in the North Keyes subdivision will also be connected to the Keyes Storm Drain System and this basin would also no longer be used for storm water detention. As this basin does not fall under either of the provisions stated above that apply to the storm drain basin in CSA No. 13 – La Jolla, that is, it would not be offered for re-conveyance to the original developer, it also could possibly be converted for use as a park or sold for use as a residential parcel.

CSA No. 17 – Sunray Estates has two much larger storm drain basins which are being utilized as the destination storm drain basins in the Keyes Storm Drain Project. The basins are being upgraded and pumping capacity increased as part of the project. Since CSA No. 6 – Raymond Tract, CSA No. 13 – La Jolla, and CSA No. 17 – Sunray Estates are included in the project, it is proposed that they be included into the formation of a much larger County Service Area, the proposed CSA No. 26.

The Keyes Storm Drain Infrastructure Project will connect the existing storm water collection lines in both of these county service areas (No.6 and No.13) and route the water through the storm water filtration unit and then deliver the water to the expanded storm water retention basins in the system. Both of these districts will benefit from access to substantially increased storm water storage. Although the residents of the two CSAs (No. 6 and No.13) will experience an increase in their assessments with the formation of CSA No. 26, they will benefit from the routing of their collected storm water through the new pollution filtration unit, thus avoiding substantial cost increases in the future to pay for the cost of the capital improvements needed to meet the State’s storm water pollution treatment regulations and the cost associated to maintain their stand-alone system.

The improvements proposed within the Keyes Storm Drain Project benefit all of the current CSAs (No. 6, No. 13, and No. 17) in addition to the older area within the Community of Keyes, by providing to them at no cost, all of the necessary capital improvement that will meet and/or exceed the California Environmental Protection Agency, State Water Resources Control Board (SWRCB) regulations requirement for storm water treatment. Additional benefits include: increasing their storm water storage

capacity, reducing the possibility of flooding in all of the areas; increasing and maintaining additional landscaped park/basins surfaces; promoting health, safety, and welfare; and providing a well planned infrastructure system for this community.

The new CSA would be created by the use of a ballot procedure as required by Proposition 218. The election would require the mailing of ballots to 1,032 parcels that would comprise all of the property owners of the Keyes Storm Drain Project Area (basically the township of Keyes, including the downtown area and Keyes commercial areas), CSA No. 6, CSA No. 13, and CSA No. 17. The property owners will be requested to vote as to whether they protest or do not protest the formation of the new district, which action would also include the dissolution of CSA No. 6, CSA No. 13, and CSA No. 17, as those County Service Areas would be part of CSA No. 26, if that district is formed.

Phase 2 of the Keyes Storm Drain Project (Phase Two will consist of excavating a new storm water detention basin, making improvements to the existing detention basin, including a pumping station, constructing a storm drain collection system, installing full width street improvements with curb and gutters, and installation or improvement of more than six miles of street and pipelines in Keyes) is scheduled for construction in the spring and summer of 2008, beginning in May. The construction will continue into 2009. As a result, CSA No. 26 – Keyes will not need to be actually formed until July 1, 2009. While a Proposition 218 ballot procedure and election needs to be held this spring of 2008 to determine if CSA No. 26 will be created, the actual formation will not be needed until the budget year 2009/2010 (July 1, 2009 to June 30, 2010). As a result, the first assessment payment from property owners in the new county service area would not occur until the first property tax payment in the 2009/2010 fiscal year, in December, 2009.

Services provided by CSA No. 26 would be storm drain system services, park maintenance services for the storm drain basins in the CSA which are also landscaped as parks, maintenance of some community landscaping along a roadway located in the current CSA No. 17 area, and special additional benefit funding to provide better landscape and maintenance services for the existing Keyes area park, Hatch Park. All of these benefits are special benefits provided to the Keyes area that are over and above those provided to County-wide property owners in general.

CSA No. 26 – Keyes would consist of 1,032 parcels comprised of the following property types:

<b>Property Type</b>	<b>Number of Parcels</b>	<b>Total Acreage</b>
Undeveloped Residential	3	31.18
Undeveloped Commercial	0	0.00
Developed Residential	977	168.18
Rural / Agricultural	1	.16
Storm Drain Basin	4	1.15
Storm Drain Basin / Park	2	10.58
Park	4	6.43
Public School	1	10.23
Streetscape	1	.26
Developed Commercial	40	16.27
Industrial	1	.45
<b>Total</b>	<b>1,032</b>	<b>244.89</b>

Note: The acreage total is for parcel acreage only and does not include public right-of-way acreage in CSA No. 26 – Keyes.

The proposed budget for CSA No. 26 – Keyes is shown in the following section, “III CSA No. 26 – Keyes Budget”.

### **III**

## **CSA NO. 26 – FINANCIAL INFORMATION**

### **A. Annual Budget**

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The CSA No. 26 – Keyes annual budget is built from the Keyes Storm Drain Project Area estimated costs budget, and the fiscal year 2007/2008 budgets for CSA No. 6, No. 13, and No. 17.

1. Park and Streetscape Maintenance	\$113,582
2. Storm Drain System Maintenance	\$ 53,700
3. Storm Water Pollution Prevention Program	\$ 5,000
4. Administration	\$ 2,800
5. Operational Reserve Set-Aside (no operational reserve has been determined for the initiation and formation of CSA No. 26, but can be established in future years, so no set-aside amount has been calculated)	\$ <u>0</u>
Total CSA No. 26 – Keyes Annual Budget	\$175,082

### **B. Assets and Liabilities**

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#### **1. Assets**

The following assets will be moved over to the fund account for CSA No. 26 – Keyes from the dissolved CSA No. 6, CSA No. 13, and CSA No. 17, per State law regarding disposition of funds from dissolved County Service Areas, based on the estimated cash available as of June 30, 2007:

1. County Service Area No. 6 – Raymond Tract	\$ 37,508
2. County Service Area No. 13 – La Jolla	\$ 54,370
3. County Service Area No. 17 – Sunray Estates	<u>\$143,935</u>
County Service Area No. 26 – Keyes Projected Assets	<u>\$235,813</u>
Less capital reserve for CSA No. 17 outfall pump replacement (see item C. Capital Reserve, below)	(\$ 60,000)
Less \$3,000 for up-front administrative costs incurred by Public Works for CSA No. 26 – Keyes formation	\$ 3,000
Less initial operational reserve for 1 <sup>st</sup> 6 months operation (during which no assessments will be received until December)	<u>\$ 87,541</u>
County Service Area No. 26 – Keyes Projected Available Assets	\$ 85,272

## **2. Liabilities**

There are no outstanding liabilities found in CSA No. 6, CSA No. 13, and CSA No. 17 to be transferred to CSA No. 26.

### ***C. Capital Reserve*** \_\_\_\_\_

A capital reserve of \$60,000 for eventual replacement of the outfall pump that is part of the CSA No. 17 storm drainage system is transferred to CSA No. 26. This reserve will be subtracted from the available asset funds that will be transferred from the dissolved CSAs, in order to hold this amount in reserve.

It is recommended that in five years the budget for CSA No. 26 begin setting aside \$5,000 per year to increase this reserve for replacement of the four lift pumps installed in the new Keyes storm drain system until a reserve of \$120,000 has been achieved.

### ***D. Planned Use of Available Assets in Fund*** \_\_\_\_\_

The design of the Keyes storm drainage system will connect storm drain lines in the Raymond Tract subdivision in CSA No. 6, the La Jolla subdivision in CSA No. 13, and the North Keyes subdivision, in the northern area of Keyes. The storm drain basin located in each of these subdivisions will no longer be used for storm water detention. It is currently planned to use part of or most of the available asset fund of \$85,272 to remove any contaminants and fill the basins back in to restore them to usable parcels.

### ***A. Method of Cost Apportionment***

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Pursuant to the *County Service Area Law* and in compliance with Proposition 218, the costs of CSA No. 26 may be apportioned by any method which fairly distributes the net amount to be assessed, among all assessable parcels in proportion to the estimated special benefit to be received by each such parcel from the services provided. The proportionate special benefit derived by each parcel is determined in relationship to the entirety of the services provided and the maintenance and operation expenses of the improvements. No assessment has been apportioned on any parcel that exceeds the reasonable cost of the proportional benefit conferred on that parcel.

In 1999, the Stanislaus County Department of Public Works retained the consulting services of NBS Government Finance Group to develop a method for determining assessments based on various property types and their land use. At that time, NBS proposed a revised method to calculate the annual assessments by quantifying the various property types and their respective special benefits received in terms of Equivalent Dwelling Units (E.D.U.) This methodology is applicable to various property types found in the Keyes community.

Using the NBS methodology, only special benefits are assessed, including special benefits to public property, and any general benefits have been separated from the special benefits for purposes of this report. The special benefits are based on services reflected in the CSA No. 26 budget which are being provided over and above the general benefits which are provided to County property owners in general. The basis of the special benefit for CSA No. 26 was determined to be equal for all Equivalent Dwelling Units within the proposed new CSA. However, the special benefits received varies by property type and their land usage. These special benefits are quantified in terms of the use of a Benefit Unit Factor (B.U.F.) as part of the NBS methodology to calculate assessments for the various property types found in the proposed CSA No. 26 district.

The Benefit Unit Factor for various property types was determined by a County team after reviewing the information developed by the NBS consultants. This team concluded that NBS's Benefit Unit Factor of 3.5 per acre for developed commercial/industrial property was appropriate, while the Benefit Unit Factor of 2.0 for public property was slightly lower than the team's recommendation of 2.2 per acre. The Benefit Unit Factor for developed commercial/industrial property is higher than undeveloped commercial/industrial land and public property due to its increase generation of storm runoff. Undeveloped commercial property has a Benefit Unit Factor of 1.0 per acre. These Benefit Unit Factors have been used for some time for developing assessments by property type since the NBS study was completed in 1999. Since the same property types exist in the newly proposed CSA No. 26, the use of these Board approved B.U.F.s has been applied to the development of the assessments in CSA No. 26. These B.U.F.'s are listed in the table titled "Benefit Unit Factors by Property Type - CSA No. 26", located in Section "IV Assessments, 2. Development of CSA No. 26 – Keyes Assessments".

The annual budget will be comprised of the estimated operation and maintenance costs for the upcoming fiscal year, plus administrative costs, plus an amount to be set aside for an operational reserve (if it is determined that a set-aside amount is required to build up the operational reserve).

The fiscal year is the 12-month period commencing on July 1<sup>st</sup> and ending on the following 30<sup>th</sup>. However, the annual assessment is collected in December and April. This means that the fiscal year starts on July 1<sup>st</sup> but the first assessment of the annual assessment will not be collected until December of 2009.

This creates a 6-month lag in receiving the money necessary to perform operations and maintenance in the CSA. The operational reserve will be established to cover the first 6 months operation of the CSA July to June fiscal year when the first property tax payments for operation of the CSA are not received until mid-December of each year, and to pay for unexpected or emergency expenses incurred by the CSA during the year that were neither contemplated or estimated as part of the CSA operation and maintenance costs for the fiscal year.

To establish the operational reserve in the first year of operation of CSA No. 26, half of the required funds needed for operation and maintenance of the CSA will be set aside out of the asset funds transferred from the dissolved CSAs .

Any fund balance from the previous year will be carried forward to build the operational reserve, unless it is determined in the engineer's report written for the next fiscal year that a sufficient operational reserve has been accumulated in the CSA fund, all or a portion of the fund balance remaining from the previous year can be used to reduce the assessments for that fiscal year.

The operation and maintenance costs will include the monthly charges for maintaining landscaping and irrigation systems for the parks, dual purpose storm drain basin/parks, and streetscape; energy charges for operating the storm drain pumps, and maintenance of the storm drain system. The budget will include administrative costs and any set-aside charge required to build the operational reserve, if necessary. Although some special districts receive a portion of the property tax collected by the County, the CSA is not expected to receive any property tax revenue. However, if the CSA does receive any property tax revenue in the future, it will be used to reduce or offset the amount of operation and maintenance costs that must be collected by the annual assessment. The annual assessments will vary from year to year if any of the Assessment Method components change.

Therefore the Assessment Method (hereinafter called "Method") used to calculate the assessments is as follows:

**Total Amount of Funds Needed for Fiscal Year = Estimated Operation and Maintenance Costs for Current Year + Administrative Costs + Operational Reserve – Fund Balance from Previous Year – Estimated Property Tax Revenue for Current Year**

**Equivalent Dwelling Unit (E.D.U.) per Parcel = Benefit Unit Factor (B.U.F.) 3 Acre or Parcel**

**Total Equivalent Dwelling Units = E.D.U. per Parcel Totaled for All Parcels**

**Total Amount of Funds Needed for Fiscal Year 4 by Total Equivalent Dwelling Units (E.D.U) = Assessment per E.D.U.**

**Assessment per E.D.U. 3 Parcel B.U.F. 3 Acres or Parcel  
= Assessment for Each Parcel**

In compliance with voter approved State Proposition 218, a ballot procedure is required in order to levy a new assessment on parcels within the proposed CSA. As part of the ballot procedure, the County proposes the above Method be used to calculate the annual assessment to be levied against individual properties with the CSA. If approved, the use of the Method will continue indefinitely. Use of the Method allows annual assessments to increase or decrease as needed to provide CSA services, without incurring the expense of conducting an Assessment Ballot procedure. Without an approved Method, the cost of conducting an Assessment Ballot procedure would be charged against the CSA as administrative

expense. Therefore, use of the Method increases administrative efficiency and reduces the costs of CSA operation and maintenance.

The annual assessment calculated using the Method is proportional to the special benefit derived by each identified parcel in relationship to the cost of the service being provided by the CSA. Due to variation in the type of parcel use, each parcel benefits differently in the services provided. Therefore the total cost to operate the CSA is based on the above Method to determine the annual assessment for each parcel in the CSA. This Method is proposed in order to support a equitable spread of assessments between residential lots, public properties, and developed commercial and industrial properties. The annual assessment is levied without regard to property valuation.

***B. Development of CSA No. 26 – Keyes Assessments*** \_\_\_\_\_

***Benefit Unit Factors by Property Type - CSA No. 26*** \_\_\_\_\_

<b>PROPERTY TYPE</b>	<b>BENEFIT UNIT FACTOR (B.U.F.) PER ACRE OR PARCEL</b>
Undeveloped Residential	0.00 Per Parcel
Undeveloped Commercial	1.00 Per Acre
Developed Residential	1.00 Per Parcel
Rural/Agricultural	1.00 Per Acre
Storm Water Basin	2.20 Per Acre
Storm Water Basin / Park	2.20 Per Acre
Park	2.20 Per Acre
Public School	2.20 Per Acre
Streetscape	2.20 Per Acre
Developed Commercial	3.50 Per Acre
Industrial	3.50 Per Acre

***Total Equivalent Dwelling Unit by Property Type - CSA No. 26*** \_\_\_\_\_

<b>PROPERTY TYPE</b>	<b>TOTAL EQUIVALENT DWELLING UNIT (E.D.U.)</b>
Undeveloped Residential	0.00
Undeveloped Commercial	0.00
Developed Residential	975.00
Rural/Agricultural	.16
Storm Water Basin	2.53
Storm Water Basin / Park	23.28



Park	14.56
Public School	22.51
Streetscape	.58
Developed Commercial	56.95
Industrial	1.58
<b>Totals:</b>	<b>1,097.15</b>

**Assessment Per Equivalent Dwelling Unit (E.D.U.) – CSA No. 26 \_\_\_\_\_**

<b>DESCRIPTION</b>	<b>AMOUNT</b>
Required Funds	\$175,082
Total Equivalent Dwelling Units	1,097.15
<b>Calculated Assessment Per Equivalent Dwelling Unit</b>	<b>\$159.58</b>

**Assessment by Property Type - CSA No. 26 \_\_\_\_\_**

Based on the assessment per Equivalent Dwelling Unit (E.D.U.), the following are the assessments calculated for each property type.

<b>PROPERTY TYPE</b>	<b>ASSESSMENT PER PROPERTY TYPE</b>
Undeveloped Residential	0.00 Per Acre
Undeveloped Commercial	\$159.58 Per Acre
Developed Residential	\$159.58 Per Parcel
Rural/Agricultural	\$159.58 Per Acre
Storm Water Basin	\$351.08 Per Acre
Storm Water Basin / Park	\$351.08 Per Acre
Park	\$351.08 Per Acre
Public School	\$351.08 Per Acre
Streetscape	\$351.08 Per Acre
Developed Commercial	\$558.53 Per Acre
Industrial	\$558.53 Per Acre

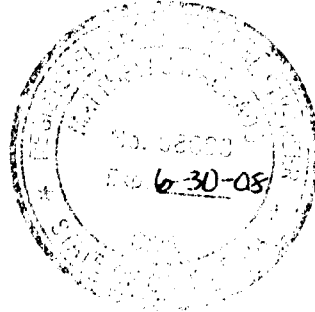
Proposition 218 took effect on July 1, 1997, and requires an assessment ballot procedure in order to increase the assessment. This ballot procedure is planned for the formation of the new CSA No. 26 – Keyes and if a majority protest vote is not received, the CSA will be formed in compliance with the requirements of Proposition 218.

The parcels subject to the assessments are listed in "Appendix C. Parcel Listing and Assessments in Parcel Number Order", Exhibit "C", that is attached hereto and made a part of this Engineer's Report.



February 5, 2008

MATT MACHADO, DIRECTOR, PE  
Stanislaus County Department of Public Works



*V*

***APPENDICES***

The following pages contain:

Appendix A. – CSA No. 26 – Keyes Boundary Map

Appendix B. – Boundary Description of CSA No. 26 – Keyes

Appendix C. – Parcel Listing and Assessments in Parcel Number Order

***Appendix A. CSA No. 26 – Keyes Boundary Map***\_\_\_\_\_

The following page, Exhibit “A”, provides a facsimile of the Boundary Map for the CSA No. 26 - Keyes. The lines and dimensions shown on maps of the County Assessor of Stanislaus County for the current year are incorporated by reference herein and made part of this Report.

***Appendix B. Boundary Description of CSA No. 26 – Keyes*** \_\_\_\_\_

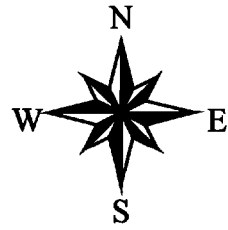
The document on the following pages, Exhibit “B”, describes the boundary description of CSA No. 26 – Keyes in surveying terms.

***Appendix C. Parcel Listing and Assessments in Parcel Number Order*** \_\_\_\_\_

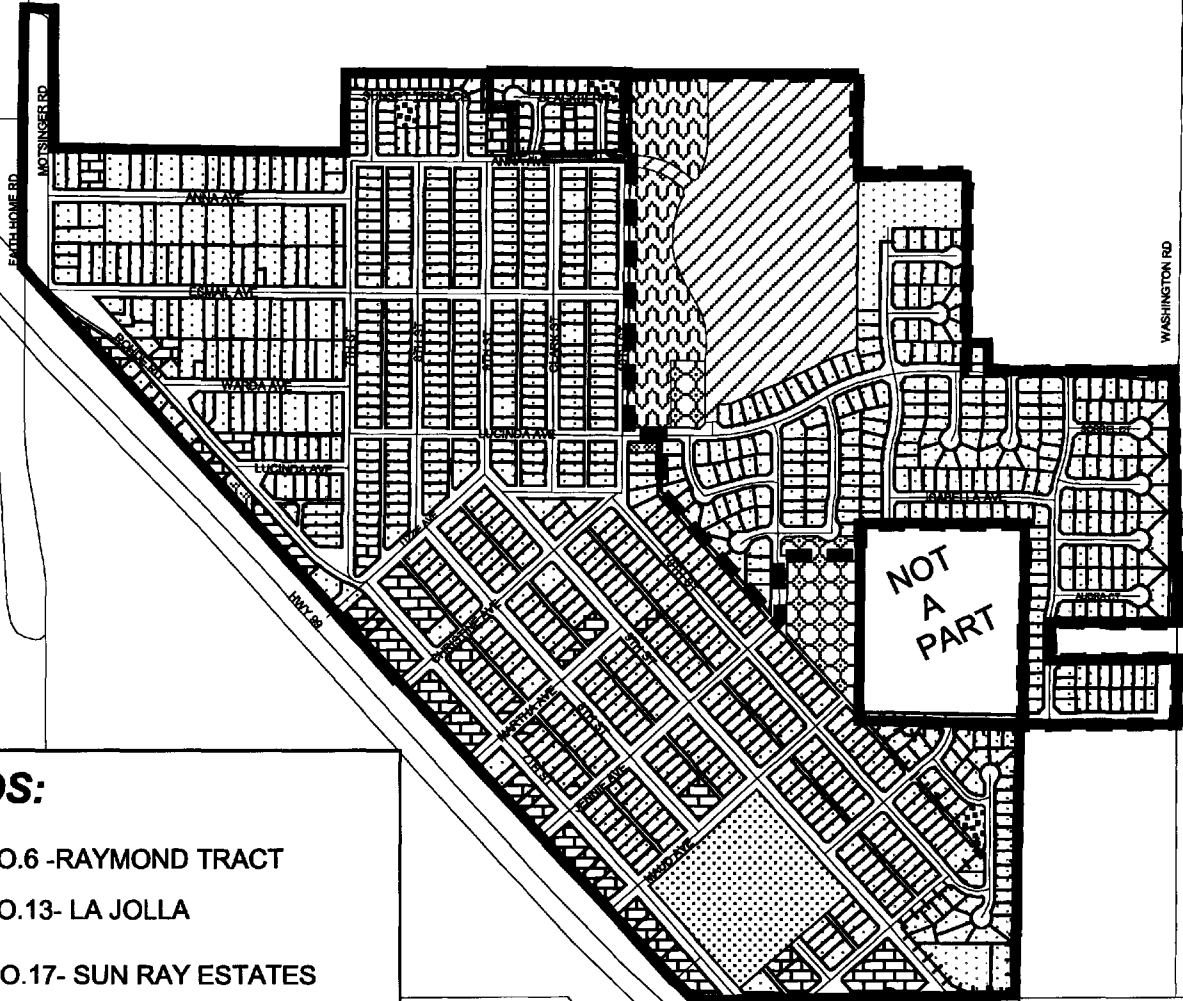
The parcel listing of assessments, Exhibit "C", is provided on the following pages in parcel number order. The description of each lot or parcel as part of the records of the County Assessor of Stanislaus County are, by reference, made part of this Report.

# EXHIBIT "A"

COMMUNITY OF KEYES AREA  
 PROPOSED CSA NO.26  
 TOTAL ACREAGE= 332 AC.



BRANCO DR  
 HOLLYWOOD DR  
 BACALL WY



## LEGENDS:

- CSA NO.6 -RAYMOND TRACT
- CSA NO.13- LA JOLLA
- CSA NO.17- SUN RAY ESTATES
- CSA NO.26- PROPOSED BOUNDARY
- ROADS

### Parcels

- COMMERCIAL
- INDUSTRIAL
- RESIDENTIAL
- RURAL/AG
- BASIN
- PARK
- PARK/BASIN
- UNDEVELOPED RESIDENTIAL
- SCHOOL

ncw 01/31/08  
 ncw 01/08/08  
 ncw 10/15/07  
 ncw 10/17/07-Rev  
 ncw 10/19/07-Rev  
 ncw 12/19/07-Rev

## EXHIBIT "B"

### Boundary Description CSA 26 Keyes

All that portion of Section 30 of Township 4 South, Range 10 East Mount Diablo Base and Meridian, more particularly described as follows:

Commencing at the Southeast Corner of said Section 30, said point being the intersection of the centerlines Nunes and Washington Roads, thence along the south line of said Section 30 and the centerline of said Nunes Road, North  $89^{\circ} 43' 30''$  West 760.10 feet to the True Point of Beginning of this description, said point being on the southerly extension of the east line of the Raymond Tract Subdivision. (1) Thence continuing on said south line of Section 30 and centerline of Nunes Road, North  $89^{\circ} 43' 30''$  West, 1582.49 feet to a point on the northeasterly right-of-way of State Highway 99. (2) Thence North  $50^{\circ} 20' 49''$  West, 105.12 feet along said right-of-way to an angle point. (3) Thence continuing along said right-of-way, North  $41^{\circ} 56' 25''$  west, 1885.01 to an angle point. (4) Thence North  $71^{\circ} 56' 10''$  West, 40.39 feet to an angle point. (5) Thence North  $41^{\circ} 57' 49''$  West, 2635.94 feet to the intersection of said right-of-way and the centerline of Faith Home Road. (6) Thence North  $0^{\circ} 12' 22''$  East, 950.88 feet along said centerline to the beginning of a curve. (7) Thence along said curve concave to the east with a central angle of  $10^{\circ} 15' 30''$  and a radius of 2000 feet a length of 358.08 feet to the end of said curve. (8) Thence South  $79^{\circ} 32' 03''$  East, 30.00 feet to a point on the easterly right-of-way of said Faith Home Road, said point being the beginning of a non-tangent curve with a radial bearing of South  $79^{\circ} 32' 03''$  East. (9) Thence along said curve, concave to the east, with a central angle of  $1^{\circ} 05' 44''$  and a radius of 1970 feet, a length of 37.67 feet to the end of said curve, also being an angle point in said right-of-way. (10) Thence North  $89^{\circ} 56' 00''$  East 95.28 feet along said right-of-way and its easterly extension to a point 20.00 east of the west line of said Section 30 and the northerly extension of the east right-of-way of Motsinger Road. (11) Thence South  $0^{\circ} 14' 03''$  West, 726.40 feet along the said northerly extension and east right-of-way of said Motsinger Road to the west extension of the north line of Block "A" of the Warda Tract. (12) Thence South  $89^{\circ} 37' 42''$  East, 1383.77 feet along said north line to the northeast corner of Lot 1 of said Block "A", being a point on the west right-of-way of Seventh Street, said point also being the southwest corner of the Keyes North Subdivision (13) Thence North  $0^{\circ} 25' 18''$  East, 384.77 feet along the west boundary of said North Keyes Subdivision to the northwest corner of Lot 6 thereof. (14) Thence South  $89^{\circ} 29' 12''$  East, 669.92 feet along the north line of said subdivision to the northeast corner of Lot 17 thereof, said point also being the northwest corner of Lot 13 of the La Jolla Subdivision. (15) Thence continuing South  $89^{\circ} 29' 12''$  East, 649.92 feet along the north line to the northeast corner of Lot 6 of said subdivision, said point also being the Northwest Corner of Lot A1 of the Bonita Ranch Phase 1 Subdivision. (16) Thence South  $89^{\circ} 29' 20''$  East, 1111.19 feet, along the north line of said Lot A1 and the Remainder parcel of said subdivision to an angle point. (17) Thence South  $0^{\circ} 19' 50''$  West, 446.75 feet to and angle point.



(18) Thence South  $89^{\circ} 35' 04''$  East, 528.03 to an angle point. (19) Thence South  $0^{\circ} 27' 49''$  West, 804.03 feet to an angle point, said point being the northwest corner of the well site as shown on Record of Survey, Volume 26, Page 17. (20) Thence South  $89^{\circ} 43' 02''$  East, 100.00 feet. (21) Thence South  $0^{\circ} 27' 49''$  West, 100.00 feet to a point on the north right-of-way of Lucinda Avenue. (22) Thence South  $89^{\circ} 43' 02''$  East, 904.10 feet along the north line of said Lucinda Avenue and its easterly extension to the centerline of said Washington Road. (23) Thence South  $0^{\circ} 27' 49''$  West, 1219.99 feet, along the centerline of said Washington Road to the easterly extension of the north line of Parcel 1, recorded in Book 41 of Parcel Maps, at Page 49, also being a portion of the south line of the Bonita Ranch Unit 3 Subdivision. (24) Thence North  $89^{\circ} 38' 24''$  West, 601.25 feet to a point on the centerline of Tanya Way. (25) Thence South  $0^{\circ} 26' 43''$  West, 170.53 feet to the centerline intersection of Tanya Way and Kim Drive. (26) Thence South  $89^{\circ} 38' 21''$  East, 601.19 feet along said centerline of Kim Drive to its intersection with the centerline of said Washington Road. (27) Thence South  $0^{\circ} 27' 49''$  West, 311.37 feet on said centerline to the easterly extension of the south right-of-way of Norma Way. (28) Thence North  $89^{\circ} 39' 21''$  West, 422.88 feet to an angle point in said right of way. (29) Thence North  $0^{\circ} 28' 35''$  East, 15.00 feet to an angle point. (30) Thence North  $89^{\circ} 38' 21''$  West, 217.19 feet. (31) Thence South  $84^{\circ} 23' 11''$  West, 86.47 feet, to a point on the east line of the Raymond Tract Subdivision. (32) Thence leaving said south right-of-way of Norma Way, South  $0^{\circ} 27' 49''$  West, 1286.99 feet along the east line of said Raymond Tract Subdivision and its southerly extension to the True point of Beginning of this description.

Excepting there from, commencing at course number (31) said point being on the south right-of-way of Norma Way and on the east line of the Raymond Tract Subdivision. Thence North  $0^{\circ} 18' 28''$  East, 34.00 feet to the Point of Beginning of this exception. (1) Thence South  $89^{\circ} 38' 21''$  East, 38.35 feet to a point on the southerly extension of the west line of Victoria Park Subdivision. (2) Thence North  $0^{\circ} 26' 43''$  East, 441.90 feet to the northwest corner of Lot 1 of said subdivision, also being the southwest corner of Lot 323 of the Bonita Ranch Unit 3 Subdivision. (3) Thence North  $0^{\circ} 25' 19''$  East, 49.05 feet, to an angle point. (4) Thence South  $89^{\circ} 38' 24''$  East, 6.43 feet. (5) Thence North  $00^{\circ} 25' 43''$  East, 405.47 feet along the west line of said subdivision to a point on the south line of Bonita Ranch Unit 2 Subdivision. (6) Thence North  $89^{\circ} 39' 07''$  West, 785.70 feet, along the south line of said subdivision to a point on the east line of the Bonita Ranch Unit 1 Subdivision. (7) Thence South  $0^{\circ} 25' 28''$  West, 143.59 feet to the southeast corner of Lot B of said subdivision. (8) Thence continuing South  $0^{\circ} 25' 28''$  West, 753.66 feet to an angle point. (9) Thence South  $89^{\circ} 38' 21''$  East, 741.35 feet to the Point of Beginning.

Having an area of 332.3 acres.

The Basis of Bearing for this description is NAD 83 DATUM from Record of Survey 27-S-40, also being County Survey # 1756

## EXHIBIT "C"

### County Service Area No. 26 – Keyes Parcel Listing and Assessments in Parcel Number Order

The Assessor Parcels listed below are subject to the annual assessment:

045-014-001 thru 002 (inclusive)	\$ 159.58
045-014-003	\$ 296.02
045-014-004	\$ 159.58
045-014-006 thru 007 (inclusive)	\$ 159.58
045-014-013 thru 021 (inclusive)	\$ 159.58
045-014-028 thru 029 (inclusive)	\$ 159.58
045-014-031	\$ 159.58
045-014-033 thru 038	\$ 159.58
045-014-040 thru 043	\$ 159.58
045-014-045	\$ 159.58
045-014-047 thru 051	\$ 159.58
045-014-053 thru 072	\$ 159.58
045-015-001	\$ 159.58
045-015-005	\$ 159.58
045-015-007	\$ 159.58
045-015-010 thru 018	\$ 159.58
045-015-021 thru 022	\$ 159.58
045-015-027 thru 030	\$ 159.58
045-015-033 thru 034	\$ 159.58
045-015-036	\$ 159.58
045-015-038 thru 042	\$ 159.58
045-015-046	\$ 290.44
045-015-047 thru 053	\$ 159.58
045-015-054	\$ 178.73
045-015-055	\$ 159.58
045-015-057 thru 068	\$ 159.58
045-016-003 thru 016	\$ 159.58
045-016-019 thru 021	\$ 159.58
045-016-025	\$ 159.58
045-016-029	\$ 212.24
045-016-031 thru 032	\$ 159.58
045-016-034	\$ 212.24
045-016-037	\$ 245.75
045-016-038	\$ 134.05
045-016-039	\$ 134.05
045-016-040 thru 041	\$ 159.58

## EXHIBIT "C" (continued)

### County Service Area No. 26 – Keyes Parcel Listing and Assessments in Parcel Number Order

045-016-043	\$ 312.78
045-017-001 thru 022	\$ 159.58
045-017-024 thru 034	\$ 159.58
045-017-036	\$ 159.58
045-017-038	\$ 159.58
045-017-040 thru 047	\$ 159.58
045-018-001 thru 034	\$ 159.58
045-018-036	\$ 159.58
045-018-038 thru 042	\$ 159.58
045-018-044 thru 057	\$ 159.58
045-018-061 thru 072	\$ 159.58
045-019-001 thru 036	\$ 159.58
045-019-038 thru 041	\$ 159.58
045-019-043 thru 053	\$ 159.58
045-019-056 thru 057	\$ 159.58
045-019-059 thru 060	\$ 159.58
045-019-063 thru 068	\$ 159.58
045-019-070 thru 078	\$ 159.58
045-020-001	\$ 161.97
045-020-002 thru 037	\$ 159.58
045-020-039	\$ 159.58
045-020-041 thru 046	\$ 159.58
045-021-021	\$ 1,572.84
045-021-022	\$ 14.04
045-021-036	\$ 421.30
045-021-037	\$ 2,394.37
045-021-038	\$ 1,320.06
045-022-001	\$ 25.53
045-022-002 thru 005	\$ 159.58
045-022-007	\$ 159.58
045-022-010 thru 017	\$ 159.58
045-022-020 thru 031	\$ 159.58
045-022-035 thru 048	\$ 159.58
045-022-051 thru 058	\$ 159.58
045-022-060 thru 062	\$ 159.58
045-022-066 thru 067	\$ 159.58
045-022-070	\$ 14.30
045-022-071	\$ 159.58
045-023-002	\$ 159.58
045-023-005 thru 012	\$ 159.58

## EXHIBIT "C" (continued)

### County Service Area No. 26 – Keyes Parcel Listing and Assessments in Parcel Number Order

045-023-014	\$ 159.58
045-023-017	\$ 159.58
045-023-020 thru 021	\$ 159.58
045-023-023	\$ 159.58
045-023-026	\$ 159.58
045-023-028 thru 036	\$ 159.58
045-023-038	\$ 159.58
045-023-041	\$ 159.58
045-023-044	\$ 159.58
045-023-046 thru 053	\$ 159.58
045-023-056 thru 058	\$ 159.58
045-024-015 thru 018	\$ 159.58
045-024-021 thru 022	\$ 159.58
045-024-024 thru 026	\$ 159.58
045-024-028	\$ 159.58
045-024-030	\$ 159.58
045-024-032	\$ 159.58
045-024-034 thru 035	\$ 159.58
045-024-037 thru 043	\$ 159.58
045-024-045 thru 046	\$ 159.58
045-024-048 thru 050	\$ 159.58
045-024-052 thru 057	\$ 159.58
045-027-004	\$ 586.46
045-027-007	\$ 368.63
045-027-011	\$ 385.39
045-027-012	\$ 117.29
045-027-013	\$ 161.97
045-027-014	\$ 78.19
045-028-001 thru 013	\$ 159.58
045-028-016	\$ 14.30
045-028-017 thru 035	\$ 159.58
045-028-039 thru 045	\$ 159.58
045-028-044	\$ 14.30
045-028-045 thru 049	\$ 159.58
045-028-052	\$ 159.58
045-028-058 thru 059	\$ 159.58
045-028-062	\$ 586.46
045-028-063	\$ 173.14
045-028-064 thru 065	\$ 159.58
045-028-066	\$ 195.49

## EXHIBIT "C" (continued)

### County Service Area No. 26 – Keyes Parcel Listing and Assessments in Parcel Number Order

045-028-067 thru 068	\$ 159.58
045-029-001 thru 002	\$ 159.58
045-029-003	\$ 178.73
045-029-007	\$ 134.05
045-029-008	\$ 178.73
045-029-022	\$ 14.30
045-029-023	\$ 178.73
045-029-024	\$ 134.05
045-029-026	\$ 273.68
045-030-001 thru 037	\$ 159.58
045-030-039 thru 054	\$ 159.58
045-030-055	\$ 44.68
045-030-056 thru 061	\$ 159.58
045-030-062	\$ 14.30
045-030-064 thru 065	\$ 159.58
045-030-066	\$ 273.68
045-030-067 thru 069	\$ 159.58
045-031-001	\$ 173.14
045-031-010	\$ 173.14
045-031-012	\$ 178.73
045-031-013	\$ 418.90
045-032-001	\$ 3,591.55
045-032-004	\$ 279.27
045-032-005	\$ 145.22
045-032-006	\$ 159.58
045-033-007	\$ 815.45
045-064-002	\$ 363.04
045-064-027 thru 056	\$ 159.58
045-064-057	\$ 52.66
045-064-058	\$ 52.66
045-064-059 thru 072	\$ 159.58
045-064-073	\$ 147.45
045-064-074 thru 089	\$ 159.58
045-064-090	\$ 100.54
045-064-091 thru 095	\$ 159.58
045-065-002 thru 043	\$ 159.58
045-065-044	\$ 150.96
045-065-045 thru 046	\$ 159.58
045-066-001 thru 058	\$ 159.58

EXHIBIT "C" (continued)

County Service Area No. 26 – Keyes  
Parcel Listing and Assessments in Parcel Number Order

045-066-059	\$ 249.27
045-067-001 thru 012	\$ 159.58
045-067-014 thru 085	\$ 159.58
045-068-001 thru 007	\$ 159.58
045-068-009	\$ 91.28
045-068-011 thru 079	\$ 159.58
045-069-001 thru 012	\$ 159.58
045-069-014 thru 034	\$ 159.58
045-070-001 thru 027	\$ 159.58

RECORDING REQUESTED OF:  
MARJORIE BLOM  
LAFCO EXECUTIVE OFFICER  
NO FEE



Stanislaus, County Recorder  
Lee Lundrigan Co Recorder Office  
**DOC- 2008-0115325-00**

Friday, OCT 24, 2008 11:16:08  
Ttl Pd \$0.00 Nbr-0002625462  
OMK/R2/1-10

WHEN RECORDED, MAIL TO:  
NAME: Clerk to the Board of Supervisors  
ADDRESS: 1010 10<sup>th</sup> Street, 6<sup>th</sup> Floor  
TOWN & STATE: Modesto, CA  
ZIP CODE: 95354

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**CERTIFICATE OF COMPLETION**

**REORGANIZATION CONSISTING OF THE FORMATION OF COUNTY SERVICE AREA (CSA) NO. 26 (KEYES) AND THE SIMULTANEOUS DISSOLUTION OF COUNTY SERVICE AREAS: CSA NO. 6 (RAYMOND TRACT); CSA NO. 13 (LA JOLLA); AND CSA NO. 17 (SUNRAY ESTATES)**

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BOARD OF SUPERVISORS  
2008 NOV 20 P 2:42

CSA-6-12  
CSA-13-10  
CSA-17-4  
CSA-21-2

OMK

DATE: October 24, 2008

SUBJECT: **CERTIFICATE OF COMPLETION**

This CERTIFICATE OF COMPLETION has been prepared and filed pursuant to Section 57200 et. seq. of the California Government Code.

1. Name of Proposal: A Reorganization Consisting of the Formation of County Service Area (CSA) No. 26 (Keyes), and the simultaneous Dissolution of County Service Areas: CSA No. 6 (Raymond Tract), CSA No. 13 (La Jolla); and CSA No. 17 (Sunray Estates)
2. Name of each district or city for which reorganization was ordered: Formation of the County Service Area (CSA) No. 26 (Keyes), and the simultaneous Dissolution of County Service Areas: CSA No. 6 (Raymond Tract), CSA No. 13 (La Jolla); and CSA No. 17 (Sunray Estates)
3. Name of each county within which any of such districts or cities are located: Stanislaus.
4. Type or kind of action ordered for each such city or district: Reorganization consisting of the Formation of County Service Area (CSA) No. 26 (Keyes), and the simultaneous Dissolution of County Service Areas: CSA No. 6 (Raymond Tract), CSA No. 13 (La Jolla); and CSA No. 17 (Sunray Estates)
5. Terms or conditions of the reorganization: See Resolution No. 2008-32.
6. Date of adoption of the resolution ordering the reorganization: September 24, 2008.
7. Territory involved is inhabited.
8. The effective and recording date of the reorganization is: October 24, 2008.



Marjorie Blom  
Executive Officer

Attachments: Resolution - Exhibit A  
Legal Description & Map – Exhibit B



## EXHIBIT A

### STANISLAUS COUNTY LOCAL AGENCY FORMATION COMMISSION

#### RESOLUTION

DATE: September 24, 2008

NO. 2008-32

**SUBJECT: Approving A Reorganization Consisting of the Formation of County Service Area (CSA) No. 26 (Keyes) and the Simultaneous Dissolution of County Service Areas: CSA No. 6 (Raymond Tract); CSA No. 13 (La Jolla); and CSA No. 17 (Sunray Estates)**

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

Ayes: Commissioners: DeMartini, Hawn, Monteith, Saletta  
Noes: Commissioners: None  
Absent: Commissioners: Fantazia, Lane, Mayfield  
Ineligible: Commissioners: Rouse

#### **THE FOLLOWING RESOLUTION WAS ADOPTED:**

**WHEREAS**, the request to institute the reorganization proceedings for the Formation of County Service Area No. 26 (Keyes), and the simultaneous Dissolution of County Service Areas (CSAs): No. 6 (Raymond Tract); No. 13 (La Jolla); and No. 17 (Sunray Estates) was initiated on January 15, 2008, by the Stanislaus County Board of Supervisors, Resolution No. 2008-050;

**WHEREAS**, as specified in the County's Board of Supervisors Resolution No. 2008-050, the reason for the reorganization is that no regional-district funding source within the area of Keyes has been identified for the maintenance of the Keyes Storm Drain Project improvements;

**WHEREAS**, the Formation of County Service Area No. 26 (Keyes) will fund the maintenance of storm drain lines and pumps, a filtration unit, and the expansion of the landscaped dual use storm drain retention basins/parks within the county-approved Keyes Storm Drain Project area;

**WHEREAS**, in accordance with Government Code Section 61014(f), the Board of Supervisors on April 8, 2008, conducted the necessary ballot procedure for the formation of County Service Area No. 26 (Keyes), and the dissolution of County Service Areas No. 6 (Raymond Tract), No. 13 (La Jolla), and No. 17 (Sunray Estates);

**WHEREAS**, on April 15, 2008, the Board of Supervisors approved a resolution adopting the ballot procedure results, whereby 57 percent of the ballots were in favor of the proposal;

**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**, in compliance with Commission policy and Government Code Section 56157(g), the Notice of Hearing on this proposal was provided by publication of an eighth-page (1/8 page) legal ad in The Modesto Bee, a newspaper of general circulation, on September 3, 2008;

**WHEREAS**, as required by State law, individual public hearing notices were provided to affected and interested agencies, County departments, and those individuals and agencies requesting mailed notice;

**WHEREAS**, the public hearing by the Commission was held upon the date and at the time and place specified in the public hearing notice; and

**WHEREAS**, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer, including the factors set forth in Sections 56668 and 56425, of the California Government Code on September 24, 2008.

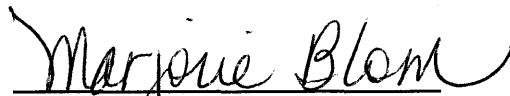
**NOW, THEREFORE, BE IT RESOLVED** that the Commission:

1. Finds this proposal to be categorically exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15061(b) [3] of the CEQA Guidelines.
2. Determines that the subject proposal consists of a Reorganization establishing the formation of a new County Service Area (CSA) No. 26 (Keyes) and the simultaneous dissolution of County Service Areas: No. 6 (Raymond Tract); No. 13 (La Jolla); and No. 17 (Sunray Estates), into one successor district.
3. Adopts the written determinations pursuant to Government Code Section 56425, as described and put forth in the staff report and incorporated herein in full, and establishes a coterminous sphere of influence for County Service Area No. 26 (Keyes), consistent with adopted policies for the formation of a County Service Area.
4. Approves the Reorganization proceedings consisting of the Formation of CSA No. 26 (Keyes) and the simultaneous Dissolution of three existing Keyes County Service Areas: No. 6 (Raymond Tract); No. 13 (La Jolla); and No. 17 (Sunray Estates), subject to the following terms and conditions, as authorized under Government Code Section 56886:
  - (a) Pursuant to Government Code Section 56886 (b), the approval and adoption of a special assessment by the Board of Supervisors is allowed pursuant to the requirements and procedures under Section 4 of Article XIII D of the California Constitution (Proposition 218).
  - (b) Pursuant to Government Code Section 56886(s), the subject territory shall be subject to the levying and collection of any authorized charge, fee, assessment or tax approved through the ballot procedure for the formation of County Service Area No. 26 (Keyes).
  - (c) Upon the Effective Date of this reorganization, the legal existence of County Service Area No. 6 (Raymond Tract); County Service Area No. 13 (La Jolla); and County Service Area No. 17 (Sunray Estates) shall cease to exist, except as otherwise required by law, and County Service Area No. 26 (Keyes), as Successor District, shall be the successor agency and shall function under and carry out all authorized duties and responsibilities assigned to a County Service Areas, as outlined in the County Service Area District Law (Sections 25210 to 25338), and other applicable laws;

- (d) All applicable equipment, assets, liabilities, facilities, property, cash, fund balances or other fiscal matters pertaining to the participating districts to be dissolved shall accrue to the new District, County Service Area No. 26 (Keyes).
  - (e) Upon the effective date of this reorganization, any funds currently deposited for the benefit of the following County Service Areas: (CSA) No. 6 (Raymond Tract), CSA No. 13 (La Jolla), and CSA No. 17 (Sunray Estates) which have been impressed with a public trust, use or purpose shall be transferred to County Service Area (CSA) No. 26 (Keyes), as the successor agency, and the successor agency shall separately maintain such funds in accordance with the provisions of Government Code Section 57462.
  - (f) Pursuant to the provisions of Government Code Section 56885.5(a)(4), the County Board of Supervisors, as the governing board for County Service Areas: (CSA) No. 6 (Raymond Tract), CSA No. 13 (La Jolla), and CSA No. 17 (Sunray Estates), is prohibited from taking the following actions, unless it first finds that an emergency situation exists as defined in Government Code Section 54956.5:
    - 1. Approving any increase in compensation or benefits for members of the governing body, its officers, or the executive officer of the agency;
    - 2. Appropriating, encumbering, expending or otherwise obligating, any revenues of the agencies beyond that provided in the current budget at the time the reorganization is approved by the Commission.
  - (g) The following further determinations are made in conformance with Government Code Sections 61014 and 56301:
    - 1. Pursuant to the requirements of Government Code Section 61014, the Commission determines, based upon existing information, that County Service Area No. 26 (Keyes): 1) shall have sufficient revenues to carry out its purposes of providing the necessary funding to provide for the operation and maintenance of the Keyes Storm Drain Project; 2) will have the ability to provide for planning for those services for the future; and 3) shall have a reasonable reserve during the first three fiscal years following the formation.
    - 2. The Commission determines, pursuant to Government Code Section 56301, that existing agencies cannot provide the range and level of services contemplated to be provided by County Service Area No. 26 (Keyes) in a more efficient and accountable manner.
  - (h) Upon formation, County Service Area No. 26 (Keyes) shall be authorized to provide the following functions and services as active powers: storm drain system maintenance, storm water pollution prevention, as well as landscape and/or park maintenance.
5. Approve the proposal subject to the following terms and conditions:
- (a) The County shall pay the required State Board of Equalization fees.

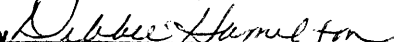
- (b) The County agrees to defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding against LAFCO and/or its agents, officers and employees to attack, set aside, void or annul the approval of LAFCO concerning this proposal or any action relating to or arising out of such approval, and provide for reimbursement or assumption of all legal costs in connection with that approval.
  - (c) The effective date shall be the date of recordation of the Certificate of Completion.
- 6. Designates the proposal as the "Formation of County Service Area No. 26 (Keyes) and Dissolution of County Service Areas No. 6 (Raymond Tract), No. 13 (La Jolla) and No. 17 (Sunray Estates)."
  - 7. Pursuant to Government Code Section 56663(c), waives conducting authority proceedings subject to the requirements of Government Code Section 57000 et seq., and orders the Formation of County Service Area No. 26 (Keyes), and the Dissolution of County Service Areas No. 6 (Raymond Tract), No. 13 (La Jolla), and No. 17 (Sunray Estates), as a majority of landowners voted in support of the proposal as certified by the Stanislaus County Clerk of the Board of Supervisors on April 8, 2008.
  - 8. Authorizes the Executive Officer to prepare and execute a Certificate of Completion in accordance with Government Code Section 57200, subject to the specified terms and conditions.

ATTEST:



Marjorie Blom  
Executive Officer

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the minutes of the Stanislaus Local Agency Formation Commission, State of California.

By 

## EXHIBIT "B"

### Boundary Description CSA 26 Keyes

All that portion of Section 30 of Township 4 South, Range 10 East Mount Diablo Base and Meridian, more particularly described as follows:

Commencing at the Southeast Corner of said Section 30, said point being the intersection of the centerlines Nunes and Washington Roads, thence along the south line of said Section 30 and the centerline of said Nunes Road, North  $89^{\circ} 43' 30''$  West 760.10 feet to the True Point of Beginning of this description, said point being on the southerly extension of the east line of the Raymond Tract Subdivision. (1) Thence continuing on said south line of Section 30 and centerline of Nunes Road, North  $89^{\circ} 43' 30''$  West, 1582.49 feet to a point on the northeasterly right-of-way of State Highway 99. (2) Thence North  $50^{\circ} 20' 49''$  West, 105.12 feet along said right-of-way to an angle point. (3) Thence continuing along said right-of-way, North  $41^{\circ} 56' 25''$  west, 1885.01 to an angle point. (4) Thence North  $71^{\circ} 56' 10''$  West, 40.39 feet to an angle point. (5) Thence North  $41^{\circ} 57' 49''$  West, 2635.94 feet to the intersection of said right-of-way and the centerline of Faith Home Road. (6) Thence North  $0^{\circ} 12' 22''$  East, 950.88 feet along said centerline to the beginning of a curve. (7) Thence along said curve concave to the east with a central angle of  $10^{\circ} 15' 30''$  and a radius of 2000.00 feet a length of 358.08 feet to the end of said curve. (8) Thence South  $79^{\circ} 32' 03''$  East, 30.00 feet to a point on the easterly right-of-way of said Faith Home Road, said point being the beginning of a non-tangent curve with a radial bearing of South  $79^{\circ} 32' 03''$  East. (9) Thence along said curve, concave to the east, with a central angle of  $1^{\circ} 05' 44''$  and a radius of 1970 feet, a length of 37.67 feet to the end of said curve, also being an angle point in said right-of-way. (10) Thence North  $89^{\circ} 56' 00''$  East 95.28 feet along said right-of-way and it's easterly extension to a point 20.00 east of the west line of said Section 30 and the northerly extension of the east right-of-way of Motsinger Road. (11) Thence South  $0^{\circ} 14' 03''$  West, 726.40 feet along the said northerly extension and east right-of-way of said Motsinger Road to the west extension of the north line of Block "A" of the Warda Tract. (12) Thence South  $89^{\circ} 37' 42''$  East, 1383.77 feet along said North line to the northeast corner of Lot 1 of said Block "A", being a point on the west right-of-way of Seventh Street, said point also being the southwest corner of the Keyes North Subdivision (13) Thence North  $0^{\circ} 25' 18''$  East, 384.77 feet along the west boundary of said North Keyes Subdivision to the northwest corner of Lot 6 thereof. (14) Thence South  $89^{\circ} 29' 12''$  East, 669.92 feet along the north line of said subdivision to the northeast corner of Lot 17 thereof, said point also being the northwest corner of Lot 13 of the La Jolla Subdivision. (15) Thence continuing South  $89^{\circ} 29' 12''$  East, 649.92 feet along the north line to the northeast corner of Lot 6 of said subdivision, said point also being the Northwest Corner of Lot A1 of the Bonita Ranch Phase 1 Subdivision. (16) Thence South  $89^{\circ} 29' 20''$  East, 1111.19 feet, along the north line of said Lot A1 and the Remainder parcel of said subdivision to an angle point. (17) Thence South  $0^{\circ} 19' 50''$  West, 446.75 feet to and angle point.

(18) Thence South  $89^{\circ} 35' 04''$  East, 528.03 to an angle point. (19) Thence South  $0^{\circ} 27' 49''$  West, 804.03 feet to an angle point, said point being the northwest corner of the well site as shown on Record of Survey, Volume 26, Page 17. (20) Thence South  $89^{\circ} 43' 02''$  East, 100.00 feet. (21) Thence South  $0^{\circ} 27' 49''$  West, 100.00 feet to a point on the north right-of-way of Lucinda Avenue. (22) Thence South  $89^{\circ} 43' 02''$  East, 904.10 feet along the north line of said Lucinda Avenue and it's easterly extension to the centerline of said Washington Road. (23) Thence South  $0^{\circ} 27' 49''$  West, 1219.99 feet, along the centerline of said Washington Road to the easterly extension of the north line of Parcel 1, recorded in Book 41 of Parcel Maps, at Page 49, also being a portion of the south line of the Bonita Ranch Unit 3 Subdivision. (24) Thence North  $89^{\circ} 38' 24''$  West, 601.25 feet to a point on the centerline of Tanya Way. (25) Thence South  $0^{\circ} 26' 43''$  West, 170.53 feet to the centerline intersection of Tanya Way and Kim Drive. (26) Thence South  $89^{\circ} 38' 21''$  East, 601.19 feet along said centerline of Kim Drive to it's intersection with the centerline of said Washington Road. (27) Thence South  $0^{\circ} 27' 49''$  West, 311.37 feet on said centerline to the easterly extension of the south right-of-way of Norma Way. (28) Thence North  $89^{\circ} 39' 21''$  West, 422.88 feet to an angle point in said right of way. (29) Thence North  $0^{\circ} 28' 35''$  East, 15.00 feet to an angle point. (30) Thence North  $89^{\circ} 38' 21''$  West, 217.19 feet. (31) Thence South  $84^{\circ} 23' 11''$  West, 86.47 feet, to a point on the east line of the Raymond Tract Subdivision. (32) Thence leaving said south right-of-way of Norma Way, South  $0^{\circ} 27' 49''$  West, 1286.99 feet along the east line of said Raymond Tract Subdivision and it's southerly extension to the True point of Beginning of this description.

Excepting there from, commencing at course number (31) said point being on the south right-of-way of Norma Way and on the east line of the Raymond Tract Subdivision. Thence North  $0^{\circ} 18' 28''$  East, 34.00 feet to the Point of Beginning of this exception. (1) Thence South  $89^{\circ} 38' 21''$  East, 38.35 feet to a point on the southerly extension of the west line of Victoria Park Subdivision. (2) Thence North  $0^{\circ} 26' 43''$  East, 441.90 feet to the northwest corner of Lot 1 of said subdivision, also being the southwest corner of Lot 323 of the Bonita Ranch Unit 3 Subdivision. (3) Thence North  $0^{\circ} 25' 19''$  East, 49.05 feet, to an angle point. (4) Thence South  $89^{\circ} 38' 24''$  East, 6.43 feet. (5) Thence North  $00^{\circ} 25' 43''$  East, 405.47 feet along the west line of said subdivision to a point on the south line of Bonita Ranch Unit 2 Subdivision. (6) Thence North  $89^{\circ} 39' 07''$  West, 785.70 feet, along the south line of said subdivision to a point on the east line of the Bonita Ranch Unit 1 Subdivision. (7) Thence South  $0^{\circ} 25' 28''$  West, 143.59 feet to the southeast corner of Lot B of said subdivision. (8) Thence continuing South  $0^{\circ} 25' 28''$  West, 753.66 feet to an angle point. (9) Thence South  $89^{\circ} 38' 21''$  East, 741.35 feet to the Point of Beginning.

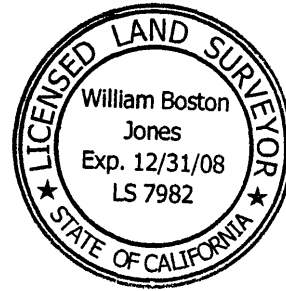
Having an area of 332.3 acres.

This area hereon described shall supercede those County Service Areas (CSA) identified as CSA No. 6- Raymond Tract, CSA No. 13- La Jolla and CSA No. 17- Sunray Estates. Upon the approval and acceptance of this action these CSA's will become a portion of CSA No. 26.

The Basis of Bearing for this description is NAD 83 DATUM from Record of Survey 27-S-40, also being County Survey # 1756.

Matt Machado 7-30-08  
Matt Machado P.E.  
Director  
Department of Public Works

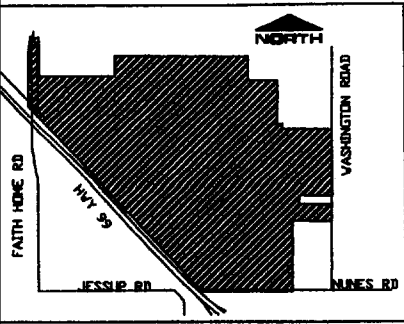
William B. Jones  
William Boston Jones  
County Surveyor LS 7982  
Department of Public Works



# EXHIBIT "A"

FORMATION OF CSA NO.26(KEYES)

BEING A PORTION OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 10 EAST M.D.B & M  
TOTAL ACREAGE=332.3 AC.



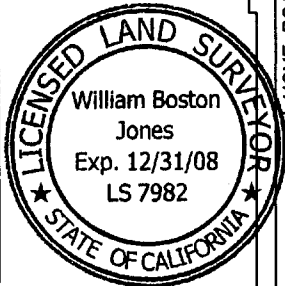
VICINITY MAP

LINE TABLE

NUMBER	LENGTH	BEARING
(1)	1582.49	N89°43'30"W
(2)	105.12	N50°20'49"W
(3)	1895.0	N00°26'43"E
(4)	38.25	N71°56'10"W
(5)	2635.94	N41°57'49"W
(6)	950.88	S00°27'49"W
(8)	30.00	S79°32'03"E
(10)	95.28	N89°38'21"W
(11)	725.40	S00°14'03"W
(12)	1383.77	S89°37'42"E
(13)	384.77	N00°25'18"E
(14)	669.92	S89°29'12"E
(15)	649.92	S89°29'12"E
(16)	1111.19	S89°29'20"E
(17)	446.75	S00°19'50"W
(18)	1528.03	S89°35'04"E
(19)	804.03	S00°27'49"W
(20)	100.00	S89°43'02"E
(21)	100.00	S00°27'49"W
(22)	904.10	S89°43'02"E
(23)	1219.99	S00°27'49"W
(24)	601.25	N89°38'24"E
(25)	170.53	S00°26'43"W
(26)	601.19	S89°38'21"E
(27)	311.37	S00°27'49"W
(28)	422.88	S89°39'21"W
(29)	15.00	N00°28'35"E
(30)	217.19	N89°38'21"W
(31)	86.47	S84°23'11"W
(32)	1286.99	S00°27'49"W

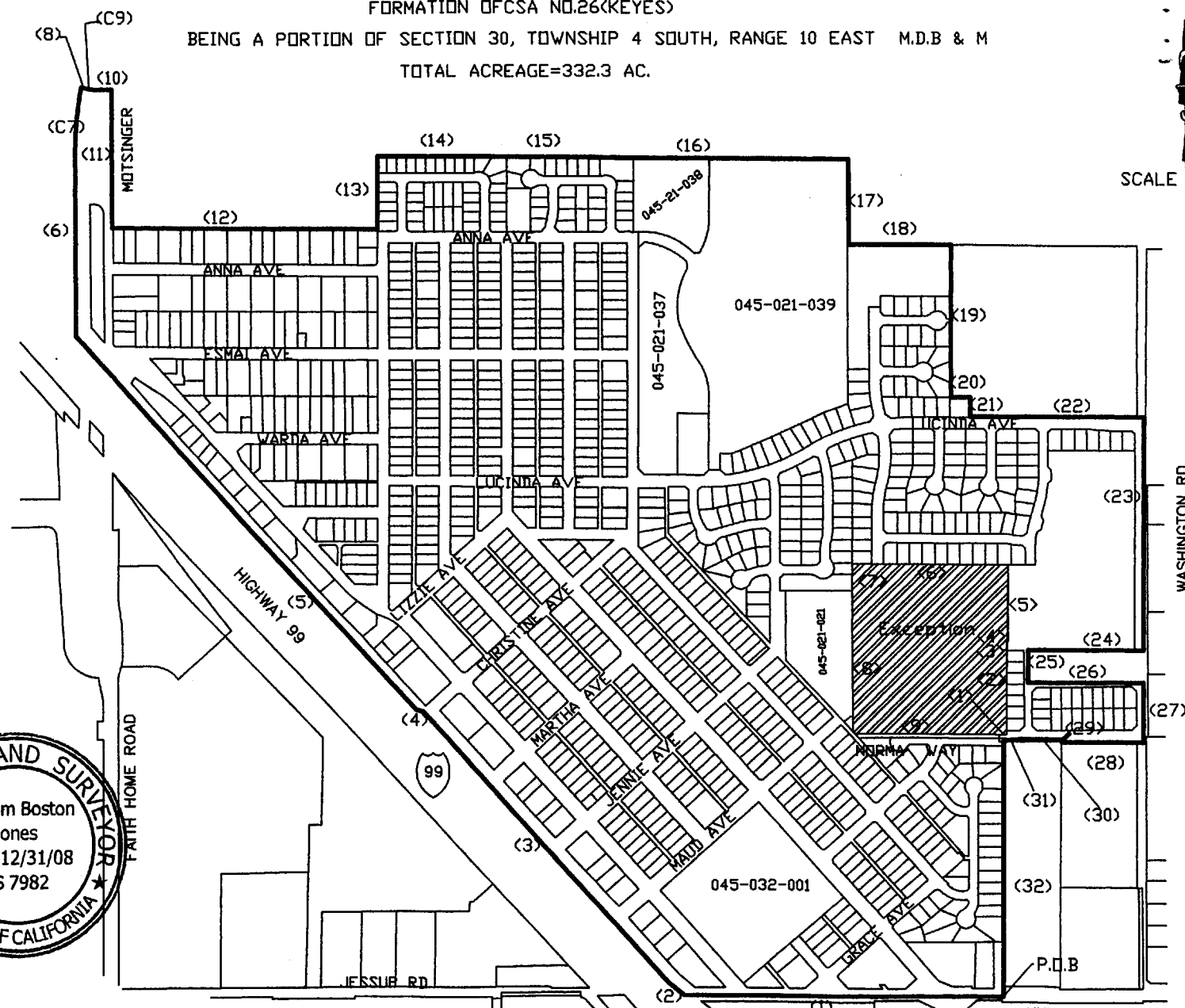
EXCEPTING THEREFROM

NUMBER	LENGTH	BEARING
(1)	38.35	S89°38'21"E
(2)	441.90	N00°26'43"E
(3)	49.05	N00°25'19"E
(4)	6.43	S89°38'24"E
(5)	405.47	N00°25'43"E
(6)	785.70	N89°39'07"W
(7)	143.59	S00°25'28"W
(8)	753.66	S00°25'28"W
(9)	741.35	S89°38'21"E



CURVE TABLE

CURVE	LENGTH	DELTA	RADIUS
(C7)	358.08	10°15'30"	2000.00
(C9)	37.67	01°05'44"	1970.00



STANISLAUS COUNTY  
DEPARTMENT OF PUBLIC WORKS  
DRAWN BY: NCW DATE: 9-24-2008